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Northern Ireland Assembly

Tuesday 24 March 2020

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

Members observed two minutes' silence.

Executive Committee Business

Coronavirus Bill: Legislative Consent Motion

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

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Coronavirus Bill dealing with: emergency registration of health professionals in clauses 2 and 4 and schedules 1 and 3; emergency volunteers in clauses 7 and 8 and schedule 6; mental health and mental capacity in clause 9 and schedules 9 and 10; health service indemnification in clause 12; registration of deaths and stillbirths etc in clauses 17 and 20 and schedule 12 (Part 3); food supply in clauses 23 to 27 and schedule 14; inquests in clauses 29 and 30; schools, childcare providers, etc in clauses 35 and 36 and schedules 15 (Part 3) and 16 (Part 3); statutory sick pay in clauses 40 to 42; pensions in clause 45; protection of public health in clause 46 and schedule 17; powers relating to potentially infectious persons in clause 49 and schedule 20 (Part 5); powers relating to events, gatherings and premises in clause 50 and schedule 21 (Part 5); courts and tribunals: use of video and audio technology in clause 55 and schedule 26; powers in relation to bodies in clause 56 and schedule 27; commencement in clause 73; power to suspend and revive provisions in clause 74; expiry in clause 75; power to alter expiry date in clause 76; power to amend Act in consequence of amendments to subordinate legislation in clause 77; power to make consequential modifications in clause 78 and procedure for certain orders made by a Northern Ireland Department in clause 82.

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

Mr Swann: Thank you, Mr Speaker. *[Interruption.]* I will give Members time to sit down.

We are living in unprecedented and challenging times and we will require unprecedented and challenging actions in the days ahead. Coronavirus is, without doubt, the most serious public health emergency that has faced the world in over a century. People have, sadly, passed away in Northern Ireland, and we must prepare ourselves, for there will be more. Never before has our National Health Service faced such a looming and fear-provoking crisis. The virus is here, and it will get worse before it gets better, but the actions that we take today, tomorrow and in the days ahead will have a huge impact on how many lives will be lost. As we discuss the objectives of the Coronavirus Bill, I urge Members to keep that to the absolute fore of their thinking.

I want to take this opportunity to provide Members with an important update on the latest state of play in relation to testing.

We are scaling up testing capacity across our health and social care system. I am pleased to say that, as a result of the actions of staff, the scale-up is progressing at a rapid pace. The most recent update, which I received yesterday, is that we are now doing over 600 tests per day in the regional virus reference laboratory. This laboratory will be doing 900 tests per day by early next week. Two other trusts will commence testing this week, which will add another 250 tests per day. That will bring our testing capability to over 1,100 tests per day. I want to say a sincere thank you to all our staff who are involved in the work to scale up this capacity across our health and social care system.

Given the current context, laboratory testing is reserved for a number of priority groups. These are: people admitted to hospital; key healthcare workers; and in circumstances relating to the management of outbreak clusters. Key healthcare workers include staff working in emergency departments, critical care units and

primary care, and front-line ambulance staff. These priority groups for testing have been determined following discussion with national expert scientific and advisory groups. The priority groups for testing are under constant review and are likely to be expanded further as our testing capacity increases. I have established an expert working group to take forward work on testing scale-up. We are fully plugged in to the national discussions relating to work to scale up testing for healthcare workers, and I will be able to share more information on this in due course.

Moving to the issue at hand, Mr Speaker, you will be aware that it was necessary for me to table an amendment to the motion in order to deal with some recent amendments to the Bill that relate to matters that are devolved to Northern Ireland. It was important to have those clauses reflected in this motion. Whilst I appreciate that this is not an ideal situation, we are operating in unparalleled times, and the Coronavirus Bill is moving through its various legislative stages at pace.

Members will be aware from my previous statements to the Assembly that my Department, including the health and social care system, has been planning extensively over the years for an event such as the outbreak of a pandemic. This is to ensure that we are well prepared to respond in a way that offers substantial protection to the public, as has always been the case. My priority as Minister of Health is to ensure that all effective measures continue to be put in place in Northern Ireland, but I stress that, for the social distancing measures that were announced yesterday to work, everyone in Northern Ireland needs to understand clearly that the vast majority of commercial premises must close. Only those providing essential goods and services can stay open. All others must close, and close now. Let me be crystal clear about what that means. As the Prime Minister said yesterday, this is not merely guidance or advice. It is an instruction. If it is not heeded, our hospitals will be overrun and many people will die needlessly. If it is not heeded, we will not hesitate to enforce it with penalties that will include an unlimited fine. It is as stark as that.

As part of that work, my Department and the devolved Administrations in Scotland and Wales have contributed to the UK-wide coronavirus action plan, which was published by the UK Government on 3 March. The action plan highlights the procedures that need to be put in place to delay and mitigate the threat posed by COVID-19. Among the suite of measures identified in the action plan is the

introduction of the Coronavirus Bill. This will ensure that the UK has robust, proportionate and effective legislative measures to deal with the impact of a widespread COVID-19 outbreak.

The Coronavirus Bill was introduced at Westminster on 19 March and contains emergency provisions that we need to have at our disposal, to deploy only if required. I want to stress that "only if required" are key words. In situations like this, it is normal and, indeed, good practice to plan for a reasonable worst-case scenario. I want to stress that preparing for such possibilities does not mean that we expect them to arise, but if we do not take the actions that we have been instructed to take, they will.

From a Northern Ireland perspective, the Coronavirus Bill is being used to provide the relevant Northern Ireland Departments with the necessary and proportionate legislative powers to allow them to act in a rapid and effective way to deal with the severe pandemic.

The Bill is regarded as a priority across the relevant Northern Ireland Departments. Ministerial colleagues from a number of Departments have included provisions pertaining to their remit. Each Minister supports me, as the Minister of Health, in taking forward those provisions on their behalf.

In broad terms, the main purpose of the Coronavirus Bill is to increase the available health and social care workforce by allowing recently retired health and social care staff to come back to work in order to support the efforts to tackle this outbreak. It will ease the burden on front-line staff by reducing the number of administrative tasks that they have to perform, and by allowing key workers to perform more tasks remotely and with less paperwork. It will contain and slow the spread of the virus by reducing unnecessary social contact — for example, through banning certain mass gatherings and controlling school and childcare closures. It will manage the deceased with respect and dignity by enabling the death management system to deal with increased demand for its services. It will support people by allowing them to claim statutory sick pay from day one, as well as helping the food industry to maintain supplies.

As stated, the provisions of the Bill cover a broad range of topics that relate to various Northern Ireland Departments. For example, the Bill contains measures to help contain and slow the spread of the virus. Provisions in clause 35 in Part 3 of schedule 15 to the Bill will

enable the Department of Education to give directions requiring the temporary closure of schools; the Department for the Economy to give directions requiring the closure of further and higher education institutions; and the Department of Health to give directions requiring the closure of childcare provision. However, I stress that the respective Departments are required to have regard to the advice of the Chief Medical Officer before issuing those directions.

Clause 36 in Part 3 of schedule 16 provides for temporary continuity directions, which will allow the relevant Departments to issue temporary continuity directions, which will require schools, further and higher institutions and childcare providers to stay open. The respective Departments will be required to have regard to advice from the Chief Medical Officer before issuing such directions.

The Bill includes powers relating to policing and justice functions, which are intended to alleviate administrative burdens in the event of widespread absences related to the spread of COVID-19, if they happen, as they will. They are to enhance the capacity to deliver those functions. For example, Part 1 of schedule 26 provides powers for the Courts and Tribunals Service in Northern Ireland to direct and use live links when participating in any court or tribunal proceedings, where the court determines that to be in the interests of justice. Live links can refer to either live audio or live video links.

Another key feature of the Bill is the inclusion of provisions to ease a number of existing legislative and regulatory requirements. Emergency volunteering leave is a new form of unpaid statutory leave. Its purpose is to maximise the pool of volunteers that can be drawn upon during a specific 16-week emergency volunteering period. The volunteers will fill capacity gaps in the health and social care sector, and will help to safeguard essential services that are at risk as a result of pressures caused by the pandemic. Schedule 6 to the Bill enables the Department of Health, the Health and Social Care Board and any of the health and social care trusts, to identify and certify volunteers by means of an emergency volunteering certificate.

Schedule 6 also addresses the two primary deterrents to participation in volunteering. The first is the risk to employment and employment rights and the second is the loss of income. Through the modification of the Employment Rights (Northern Ireland) Order 1996, the provision gives protection for employment and

employment rights during, following or when seeking a period of emergency volunteering.

In the event of a severe outbreak of COVID-19, the number of people off work is likely to increase significantly. That would include those who are displaying virus-like symptoms, as well as those who are self-isolating as a precautionary measure, in accordance with Public Health Agency (PHA) advice. In a potentially reasonable worst-case scenario, it has been estimated that up to one-fifth of employees could be absent from work during the peak weeks. That would clearly present a significant financial burden on employers, through increased statutory sick pay costs. The proposed legislative changes are therefore intended to provide relief to employers, with the current focus primarily on small to medium-sized enterprises.

10.45 am

The Bill also provides the power for regulations to be made regarding the recovery from Her Majesty's Revenue and Customs of additional payments of statutory sick pay by certain employers for absence related to coronavirus. The ability to recover statutory sick pay is important so that employers are supported in a period when their payment of statutory sick pay is likely to escalate. It is also necessary to ensure that employees are incentivised not to attend work when advised not to do so for reasons of health security. Ordinary statutory sick pay is not payable for the first three days of sickness, which are commonly referred to as waiting days. There is provision in the Bill to allow regulations to be made that will temporarily suspend waiting days for employees who are absent from work due to coronavirus. That is only in the event and for the duration of a severe outbreak.

Clause 45 makes provision to adjust the pension scheme regulations for retired health and social care staff, which would enable them to return to work for short periods without the loss of pension entitlement.

The purpose of provisions at clauses 17 and 20 and Part 3 of schedule 12 is to relax requirements in relation to certifying deaths and cremations. As Members will be aware, there are normally very strict requirements around certifying deaths. Those clauses contain some relaxation of some of those requirements in order to cope with an expected higher-than-usual number of deaths and fewer doctors. The principal purpose of those provisions is to enable death registrations to be processed more expeditiously at a time when, regrettably,

there may be an additional burden as a result of an excessive number of deaths.

In normal circumstances, if an inquest is held in relation to a death in custody, it needs to be held in front of a jury. Clause 29 makes provision to suspend the requirement in Northern Ireland for an inquest to be held with a jury in relation to a death from COVID-19. Clause 30 will also enable a coroner to hold or continue to hold an inquest into a death in prison from natural illness without a jury.

Mental health legislation exists to provide for the compulsory detention and treatment of patients in mental capacity legislation to ensure that those who are unable to make decisions for themselves are protected against arbitrary decisions. Our laws ensure that those powers are used only when a person is so unwell as to need them and when he or she presents a serious risk to him or herself or others. The law strikes a balance between safely caring for people and protecting their rights. The temporary modifications of the Mental Health Order and Mental Capacity Act at schedules 9 and 10 respectively have been deployed with the interests of the person in mind. We must do all that we can to ensure the continued and safe running of mental health services and the deprivation of liberty safeguards and to allow certain flexibilities to be introduced at the point at which they may be required.

Another key aspect of the Coronavirus Bill is having measures that will help to enhance the capacity and the flexibility in the deployment of staff across essential services. In that respect, the Bill makes provision to allow for the registers for various professions, such as nurses, other health professionals and pharmacists, to allow the temporary registration of people who would not otherwise be eligible for registration. That is to enable gaps in the workforce to be filled. It may be used to enable the readmission of people who have retired or final-year students. The power is to be exercised with close cooperation between the Department of Health and the relevant registrar.

Clause 12 makes provision to provide indemnities for health and social care activity and allows the Department of Health to indemnify or make arrangements to indemnify persons who are doing jobs that they are not normally covered for within the health service.

Mr Speaker, I appreciate that the Bill has to make provision for outcomes that we may prefer not to contemplate but for which we must be prepared.

That would include measures to ensure that the deceased are treated in a dignified way, should we experience an excessive number of deaths as a result of a COVID-19 outbreak. Clause 56 in schedule 27 to the Bill makes provision for powers of direction in relation to bodies. It enables local government to direct private providers in the death management industry — for example, funeral directors, mortuaries and crematoriums, as well as individuals and services — to implement a central plan.

Part 1 of schedule 27 creates powers to require the provision of information about capacity to deal with the transportation, storage and disposal of human remains. Part 2 provides powers to give directions that require providers to do anything that is calculated to facilitate the transportation, storage and disposal of human remains. That will include the provision of services, facilities, premises, vehicles and equipment. Those powers are intended to improve the process through the system, at every stage up to burial or cremation.

It is also vital that we act responsibly in this situation. To that end, the Bill seeks to support and protect the public to do the right thing and follow public health advice. For example, clause 46 in schedule 17 makes new provisions for powers to deal with public health. It mainly enables the making of regulations by the Department of Health that allow for measures to be introduced to help to delay or to prevent the further transmission of an infection from COVID-19 that presents or could present significant harm to human health. It also gives powers to district judges and Magistrates' Courts to make orders, on application by the Public Health Agency, about people, premises or things. Those provisions are equivalent to the powers that have already been exercised in England and Wales in relation to coronavirus.

Clause 49 and Part 5 of schedule 20 provide powers relating to potentially infectious persons. Those provisions give powers to public health officers, such as officers of the Public Health Agency, or anyone acting under their direction, under arrangements for dealing with coronavirus. It is important to bear in mind that the powers are exercisable only if two safeguards are met. The Department of Health must make a declaration that COVID-19 is a serious and imminent threat in Northern Ireland and a public health officer has reasonable grounds to suspect that a particular person is, or may be, infectious. If so, the public health officer can direct the person to go to a suitable place to undergo screening and assessment or quarantine.

Part 5 of schedule 20 makes provision for additional powers for the Police Service of Northern Ireland to the support actions that are taken by the relevant health authorities to prevent the spread of coronavirus. Those will enable the police to enforce sensible public health restrictions, including returning people to isolation and, where necessary, directing individuals to seek relevant treatment or to attend suitable locations for further help.

Clause 50 in Part 5 of schedule 21 to the Bill gives powers to the Executive Office to prohibit, or otherwise restrict, events or gatherings or to close premises. Those powers are being given to the Executive Office because it is recognised that the situation may raise cross-cutting issues. Again, it is important to highlight that the powers are accessible through the declaration of a threat to public health, as made by the Executive Office on the advice of the Chief Medical Officer, and that direction is given for the purpose of preventing, protecting against or controlling the incidence or transmission of coronavirus. It may also be given to facilitate the most appropriate deployment of medical or emergency personnel and resources in Northern Ireland.

Schedule 21, which clause 50 refers to, confers powers to issue directions to prohibit or restrict events or gatherings, or to close premises or places with restrictions on all persons entering or remaining in those premises. I should make it clear at the outset that these measures are not proposed lightly. The measures are proportionate to the threat that we face and they need to be used when necessary. Any direction to prohibit, close or to restrict events, gatherings or premises can only be issued during the type of public health response period that we are currently in. The Executive Office can make those directions on the recommendation of the Chief Medical Officer, or any Deputy Chief Medical Officer at the Department of Health.

I appreciate that, in the face of this, significant measures are being proposed and some people may say that they are draconian. A few weeks ago, I would never have thought that I would be speaking in support of measures to curtail the everyday life of everyone in Northern Ireland. Today, however, I am firmly of the position that they are necessary and proportionate. We all know that social distancing is key to ensuring that our health and social care system is not overwhelmed and that the effects of the outbreak are constrained as far as possible. We have already asked fellow citizens to drastically change their daily lives. These provisions will ensure that we can enforce social distancing

when we need to. Members, the stark reality is that without effective social distancing and the measures proposed, we risk overloading our precious health system to the point of collapse and the needless death of fellow citizens.

The provisions at clauses 23 to 27 and schedule 14 confer a power on the Department of Agriculture, Environment and Rural Affairs to require those involved in the food industry to provide information relating to a food supply chain. The information gathered will help to effectively support an industry-led response to any food supply disruption resulting from COVID-19 and inform a planned response. Again, it is important to stress that these powers may only be used in the event of food supply chain disruption or risk of disruption and that the person from whom the information is required has not complied with the previous request to provide the information voluntarily. Again, they would only be activated should it become necessary to use them.

It is vital that I make clear to Members that the Coronavirus Bill will operate on a time-limited basis and is not intended to remain in perpetuity. It will expire after a maximum of two years unless Parliament considers it necessary to extend or reduce it. Mr Speaker, I appreciate that Members are being asked to consider the legislative consent motion within a very short time frame. However, I know that Members appreciate that we are operating in extraordinary circumstances. When taking the steps to have the necessary legislative provisions in place, we are not blessed with the luxury of time. In normal circumstances, I would have preferred Members to have had more time to reflect on the Bill. However, the fact of the matter is that these are not normal circumstances. Given the nature and speed of the events with which we are dealing and the need to ensure that Northern Ireland provisions are included in the Bill, it has been necessary to expedite the normal process. I also understand that colleagues in Scotland and Wales are working to similarly challenging timescales in trying to attain consent from the Scottish Parliament and the National Assembly for Wales respectively.

In conclusion, I believe that it is critical to have a consistent approach across the whole of the United Kingdom to have a legislative framework that will provide sufficient powers to meet the challenges that we may face in having to respond to this pandemic. The Coronavirus Bill provides for such a consistent legislative approach across the United Kingdom. Furthermore, on this occasion, I also believe that it makes practical sense for the UK

Parliament to progress legislation dealing with the transferred matters, as it would not be possible to legislate for Northern Ireland separately within a similar timescale.

I commend the motion to the House.

Mr Speaker: Thank you, Minister. I invite you to move formally your amendment.

Mr Swann: I beg to move the following amendment:

At end insert:

"as introduced to Parliament on 19 March 2020; and those provisions made by amendment during the passage of the Bill as they extend to Northern Ireland."

Mrs Cameron (The Deputy Chairperson of the Committee for Health): I will first take a moment to thank sincerely all those on the front line today, who are bearing the burden of this public health crisis on our behalf. They deserve our full support and cooperation as much as our gratitude and admiration. I also acknowledge the enormous efforts and dedication shown by the Minister and his officials in working to address the myriad challenges posed by this crisis in making regular media appearances and maintaining contact with the Committee, which is essential to communicate important messages and ensure public confidence. The Health Committee was briefed yesterday on the health aspects of the Coronavirus Bill and the legislative consent motion (LCM), including measures in relation to the workforce, mental health and mental capacity, and new powers in relation to public health. The Committee was in no doubt about the urgent need to take responsible action to save lives.

11.00 am

We know our health and social care workforce was already under immense strain before this challenge added to the difficulties. Officials advised the Committee on measures to facilitate rapid expansion of all sectors by streamlining the registration requirements, and protecting the pension arrangements of those who are retired. We were advised that the immediate focus will be on those who retired within the last three years, and the next step will be consideration of those who have recently completed training, who are currently in preregistration roles or in their final year.

Members enquired about the likely impact of the measures and were advised that contact is

being made with around 500 recently retired medical staff and around 200 pharmacists, in addition to other professions. Having raised issues in relation to Community Pharmacy, members were heartened to learn that greater support for the existing Community Pharmacy workforce is in train for the roll-out of personal protective equipment (PPE) and additional funding to respond to greater demand.

Members were also encouraged to hear that there has been an extremely positive response to the call for pharmacists in other sectors to come forward to help where resources are most needed. We were further advised that provisions for emergency volunteers, including a compensation scheme for loss of earnings, will help encourage further workers into the system. Members, are very appreciative of the speedy work to enable this and realise fully that our HSC workforce is our single greatest asset, and must be protected and supported as it works to protect and support us.

Turning to mental capacity and mental health, Members enquired about the clauses that streamline decision-making and were advised that, in all cases, two persons will be required to make key decisions and that the right of appeal will remain. It was explained that the streamlining will free up staff resource to focus on urgent care priorities.

The Committee discussed the new suite of powers available under schedule 17 for public health protection. It noted that before making regulations to avail of the powers, the Department would, having consulted the Chief Medical Officer, declare a serious and imminent threat to public health, and only then exercise powers if it felt it provided an effective means of delaying or reducing transmission of the disease. Members were further assured that the Department would be required to revoke the powers when this situation has passed. Members enquired about the nature of the additional powers, the time periods involved in detaining people for screening or isolation and were also advised about the right of appeal to a Magistrate's Court.

Members raised concern about informal public gatherings at the weekend, which seemed to suggest that not everyone had clearly heard the message about social distancing and staying at home were possible. The Committee was advised that, if necessary, the Bill could address that for public protection. Since yesterday, of course, we have seen the Prime Minister take the next step. It was further acknowledged, however, that if public health advice is disregarded, and the extra powers are

needed, enforcement will put additional strain on public services

I will summarise the views expressed at yesterday's Committee meeting. Members acknowledged that the measures in the Bill went beyond what they might ordinarily support and that the opportunity for scrutiny has been much less than they would ordinarily require. However, these are not ordinary times and they require unusual action and solidarity. Therefore, the Health Committee agreed that, in these circumstances, it was content to support the extension of the relevant provisions of the Coronavirus Bill to this jurisdiction.

Finally, in view of the inclusion of the extraordinary measures, the Committee also agreed that I should represent their support for the amendment in the House of Commons to provide for a six-month review.

I will add a few remarks as the DUP health spokesperson. From a party perspective, we recognise and fully support measures to increase our pool of doctors, nurses and healthcare workers. The emergency registration of health professionals provided for in clauses 2 and 4 is a necessary step in pre-empting the likely rise in staff absence due to the virus and those self-isolating. Equipping our health service with the skills and expertise needed to meet the surge should be our foremost priority.

There are, of course, issues that we must be cognisant of. We are hearing anecdotal evidence from some final-year students and trainees struggling with the unprecedented pressure of starting their careers in this environment. How will their well-being be safeguarded? How will older returning doctors and nurses be deployed so as not to increase their risk and exposure? Clauses 7 and 8 allow workers to take two, three or four weeks to volunteer in crucial health jobs, for example, carers or porters, without loss of employment rights and this seems a sensible and measured proposal. We need to utilise all available skills from across our economy and society to meet this major health threat. It is important that crucial sectors providing support to the public health response are not unduly weakened. Again, we have issues requiring clarity, for example, in what sectors will employees be able to take a period of absence and what training will be made available for volunteers of this kind? I would value some clarity on these issues.

We welcome the support and powers given to mental health workers and we stand with them as they take such responsibility on their shoulders. It is of vital importance that there are

provisions around indemnity. We are asking people to step outside their areas of specialism and we need to provide them and their trusts with security as they do so.

With regard to registration of deaths and stillbirths, clauses 17 and 20 relax certifying requirements. That illustrates the scale of the threat of coronavirus and the likely impact of fatalities. It is important that morgues are not overwhelmed and are supported by other service providers, where possible, whilst ensuring vital doctoring and nursing time is spent in the most beneficial areas rather than on bureaucracy

There are, of course, other aspects that I would like to raise but I am conscious that my colleagues will raise some of them in their contributions and we must use our time in the Chamber in a very focused way.

We live in very uncertain days and the nature and detail of this Bill reflects that. It is a startling piece of legislation; it is a sobering piece of legislation; and it is a frightening piece of legislation. Sadly, however, it is also a piece of legislation that is necessary. Coronavirus — COVID-19 — is changing our world before our very eyes. What was normal is now exceptional or impossible. What we took for granted is now uncertain, and for how long, we simply do not know. Our constituents are frightened; I am frightened. I am frightened for my husband, my children, my parents, my mother-in-law, my sister-in-law who is in the ICU unit, for wider family, friends, staff, colleagues and for this wee country which I love so much.

Like anyone, when frightened we look to others for reassurance. We look to the Prime Minister, our First Minister, our deputy First Minister, our Health Minister and to us, as elected representatives. The onus is on all of us to take all steps necessary to provide that reassurance. I believe this legislation will enable us and empower us to do that: it is necessary, but let us all hope and pray that many of its provisions are never needed.

Mr O'Dowd: It is, quite clearly, a very difficult time for our communities, families and society. In normal times, I would be rising to speak against this legislation and how we are processing it, as I suspect many in the Chamber would. This is not how we do business. This is not how we should be doing legislation but we are not, in any way, in normal times.

I too am frightened. I am six feet and six inches tall and weigh 18 stone, on a good day, and I

am terrified of a virus that I cannot see or cannot hear but that I know is everywhere around us. I know that it poses the greatest single threat to my family, my neighbours, my community — and by community, I mean all the people who live here — that we have ever faced, and will likely ever face, in our lifetime. Those sentiments will be repeated time and time again across the Chamber, and people will be quite sincere when they say that.

The unfortunate thing is that there are people out there who are not listening. There are people out there who, out of bravado, stupidity, ignorance or arrogance, are continuing to flout the advice that is being given to protect their own lives and the lives of those around them. When their loved ones are choking to death in an ICU, if they are lucky enough to get a ventilator, it is too late to say, "I'm sorry" or "I didn't know" or "I thought it would happen to someone else". It is far, far too late. Now is the time; in fact, I think we are past the time, but we are on the right road to helping prevent many, many deaths.

Again, I appeal to those people who are flouting the restrictions and putting others in danger to stop it now. They will have to stand outside the ICU when their loved one is inside. Their loved ones will die alone, because they will not be allowed in to hold their hand, comfort them or be with them in their last moments. Their loved ones, and the loved ones of others, will die alone. I appeal to them once again to do the right thing. If they do not do the right thing, enforce the legislation that is before us.

I came into Parliament Buildings this morning, as have we all. In my humble opinion, there is still too much traffic on the road and there are too many people about. Not all of them can be essential workers. Many of the people in those vehicles may be saying that their employer will not let them stay off work or work from home. Those employers are putting the lives of their employees in grave danger if they do not allow them to stop work or allow them to work from home.

We will lose businesses as a result of the pandemic; we will lose jobs; we will lose livelihoods. All of those can be rebuilt, and they will receive support to be rebuilt. The entire economy of the globe will have to be reshaped to rebuild an economy and to create jobs, but we will not be able to bring one employee or one loved one back from the deaths that they face if we do not take the actions outlined, or if employers do not take the actions that are outlined in the Bill.

On 11 March, the European Centre for Disease Prevention and Control stated that:

"The early, decisive, rapid, coordinated and comprehensive implementation of measures, closures and quarantines is likely to be more effective in slowing the spread of the virus than a delayed implementation."

As I said, much has been said about delayed implementation, but we are where we are, and we are taking measures. The other measure that we have to take is test, test, test. We have to know where the virus is, who has it and where it is spreading.

One of my concerns when I listen to the evening news or broadcasts is that when journalists — many of whom are doing a fine job — report the figures for that day, for instance at 20 new cases or 15 new cases. That does not reflect what is happening with regard to the spread of the virus. The virus is out there. It is in every community, village, estate and townland. It is being spread by people who maybe do not know they have symptoms, or by careless people who have symptoms, but who are going out. Every announcement of the number of confirmed cases needs to be accompanied by a health warning. At the minute, the island of Ireland has around 1,275 confirmed cases and there are around 148 in the North, I think. That health news comes with a health warning. It does not reflect the spread of the virus or the danger that our communities and families face.

We need more testing. I welcome what the Minister said in his opening remarks about us moving to a greater number of tests, but I think we need even more. We need to be opening up testing centres, and we need to be cooperating across the island of Ireland, across these islands and across Europe, because the virus knows no borders.

The response is commensurate with the crisis. The response and the legislation are needed, and the way in which the legislation is being introduced is needed. However, what is needed more than anything is for citizens to understand the danger that they face.

11.15 am

The amendment is, to me, far-reaching and is, literally, a blank chequebook. The legislator in my head hears alarm bells ring when I see things like that, but the alarm bell that is ringing in my head about the danger that we face is much louder. In the Minister's closing remarks, he might explain the rationale behind the

amendment. I think that I understand it, but it would be worth putting that on the record.

I end by putting on record again our appreciation and, indeed, our admiration of all those working in our health service, be they a consultant, a cleaner, catering staff, a nurse or whoever. We owe them a huge amount. At the end of the process, we need to remember that we owe them a huge amount. We need to get the proper equipment for them, and I welcome the fact that, quite quickly, the O'Neill's factory was brought into play. That shows the thinking that we need now. Ministers and the Executive acted quickly. They saw an opportunity and a solution. They went after that, and they got it.

I also congratulate and thank those working in supermarkets and shops and those producing food for us. It has to be nerve-racking standing behind a counter facing all those people coming in and transacting with money. They place themselves at risk for not great money. At the end of the process, we need to remember those people, too.

There will be an end to the process, and life will go back to normal, as we see in China. Hopefully, the Chinese experience of what they have been through will help the Western World to move forward. There is hope at the end of this, and we need to remember those who stood by us.

I will end on this note: I want to see the full weight of the law used against anyone who flouts the current restrictions or flouts the legislation. I hope and pray that they do not have to stand outside an ICU while a loved one chokes to death in it.

Mr McGrath (The Chairperson of the Committee for The Executive Office): I speak on behalf of the Committee for the Executive Office on what is an important issue for every strand of our society. For the most part, it is crying out for much greater powers and restrictions to help in the fight against COVID-19.

I begin by offering my condolences to the families of those who have died as a result of the coronavirus in the North. We have had our third death, and we know that that is, sadly, only the beginning.

The scrutiny by Assembly Committees of legislative consent memorandums is usually full and intense. In normal circumstances, members would have the benefit of a Committee report on the legislative consent memorandum to help to inform deliberations on

whether to grant the legislative consent, but, with such urgent legislation, that has not been possible. There is no doubt that a significant challenge faces us all in fulfilling our scrutiny role in the COVID-19 crisis setting. Everything is urgent. Everything is fast-moving. Things change by the hour.

The Committee for the Executive Office has carried out some scrutiny of the provisions of the Bill that fall under the responsibility of the Executive Office. It received written briefings from officials on Friday past, and the lead official helpfully offered to speak to members if they needed any clarification in advance of this debate.

As has already been outlined, the Executive Office has policy responsibility for civil contingencies. Therefore, clause 50 and part 5 of schedule 21 give the Department powers in relation to events, gatherings and premises in Northern Ireland. I understand that they will complement the powers to be made available to the Department of Health on the control of infectious diseases and are similar in effect to other provisions covering other jurisdictions. The powers will be available for use immediately on commencement, although it is hoped that the voluntary postponement of mass gatherings in response to the outbreak means that early use is unlikely. We have already seen many organisations take the life-saving step of postponing events, and they should be applauded for that.

The Executive Office will have the power to make and subsequently revoke declarations indicating that:

"the incidence or transmission of novel Coronavirus constitutes a serious and imminent threat to public health".

Where such a declaration is made, the Executive Office has the power to prohibit or restrict events or gatherings and close premises or impose restrictions on persons entering or remaining inside them. Anyone who fails to comply with a direction will be guilty of an offence punishable by a fine of up to £100,000 on summary conviction or an unlimited fine on conviction or indictment. I sincerely hope that we do not get to that stage. There is a duty on every citizen to comply with directions that aim to protect society during these unprecedented times.

I mentioned earlier that a significant challenge faces us all in fulfilling our scrutiny role in the COVID-19 crisis setting. In that context, safeguards become even more important, to

ensure that powers are properly and proportionately used. The powers are exercisable only if a declaration of threat to public health has been made by the Executive Office, on the advice of the Chief Medical Officer or any of his deputies and the direction is given for the purposes of preventing, protecting against or controlling the incidence or transmission of coronavirus or facilitating the most appropriate deployment of medical or emergency personnel and resources in Northern Ireland. What that means is that the advice of the Chief Medical Officer or his deputies must be sought before direction is made. That appears to be a significant safeguard.

I now speak as a member of the Health Committee and as an MLA for South Down. Much has been said over the last months about the Assembly and how it would define us and our collective capacity and resolve to work together. This day can be the defining moment of the Assembly. There is no other issue — not one in a generation — that has brought people together, removed the stain of orange and green politics and seen the need for us all to work together as this issue has. The Coronavirus Bill is brought to the House for consideration. We are told that, to effectively respond to the ongoing pandemic, consistency of outcome will be achieved by making the range of tools and powers consistent across the UK. I fully appreciate that this is not an easy ask for any of us. The legislation is not perfect, and it is not legislation that I ever believed I would be asked to support, but these are extraordinary times. The legislation before us will be time-limited for two years, and it is neither necessary nor appropriate for all of the measures to come into force immediately or at all. We have the ability, with scientific evidence, to bring the powers to an early close, and I welcome that there are moves in London to have this reviewed every six months. That would be appropriate.

Some of the clauses refer to the emergency registration of healthcare professionals. All over the North, we see doctors, nurses and other healthcare professionals graduating early or re-registering so that they can put themselves on the very front line of the pandemic. Let us never forget the debt of gratitude that we owe them, and I hope that any concerns that they have regarding their pension payments can be quickly resolved.

Pharmacists are another set of unsung heroes. They will have emergency provision to prescribe medicines and drugs that they would otherwise not have been able to. We extend our

thanks to pharmacists, who are at the front line of the battle. Staff in other professions will be able to take blocks of leave — up to four weeks at a time — as part of emergency volunteering and that will enable them to help with the fight against COVID-19. That is critical, because the work may very well overwhelm our National Health Service staff, and they will need our help and assistance. We should welcome that provision to allow people to step up to the mark. Many in the health sector are concerned about their safety and the provision of personal protection equipment. They are at the front line, exposed to the virus day and daily. They need to be properly protected. We owe it to them, for their endeavours, to protect them, and providing them with personal protection equipment is a must.

Also, as has been mentioned, what of our retail and other sectors? They are at the front line, engaging daily with people who potentially have the virus. We should consider providing some assistance for them.

I accept that there may need to be some reconfiguration of services in our health network, and I would not question that. However, I want an assurance from you, Minister, that any such moves will be temporary. Can I seek from you today on the record an assurance that any reconfiguration of health services is temporary and will be moved back again once this passes?

On testing, the Bill is not perfect. There are glaring omissions. Why are we not testing more? I welcome the fact that the Minister referred to an increase in testing, because we need to ramp up our capability and see an immediate programme put in place in our communities that lets anybody who is worried be tested and then have the results quickly. It is silly to have medical and healthcare staff off sick for 14 days when a simple test with results in 48 hours could let them back onto the wards 11 days earlier. What of the other essential staff whom we are making work? Today, there are teachers in schools looking after children whose parents are day and daily in contact with people suffering from the virus. Can they be tested too? The potential for cross-contamination in such a setting is massive.

The Bill gives the Department of Education and, by extension, the Minister the power to direct schools to close temporarily. Unfortunately, it must be said that, up to this point, the lack of and confusing information provided by the Department has been unhelpful. My inbox and, I am sure, those of many other Members have been filled with concerned teachers, parents

and unions worried about what to do, what not to do and then how to do it. I hope that the Minister of Education will ensure that there is greater clarity, although, judging by his tweet last night, I will not hold out too much hope for that clarity.

The Bill will bring into force provisions for a power in relation to the funding of additional employers' liabilities for SSP incurred as a result of the COVID-19 outbreak. Businesses are struggling, and the news of recent interventions has been helpful. SSP is a concern because most businesses will have people off sick at some stage and there could be a drain on the financial resources of their business, especially small and medium ones. I also hope that the rumours that there will be some assistance for the self-employed will come to pass, and I understand that there may be announcements in London this morning. Hopefully, that will provide some help for our self-employed sector, which has been waiting for information. These are worrying times, and the self-employed feel a bit like a forgotten clan. They have been left to watch their employers get 80% of their wages while they face universal credit.

As I said, powers will be given to public health officers to require potentially infectious persons to go to suitable places to undergo screening and assessment, to remain in isolation and to place restrictions on their travel activities and contact with other people. The Executive Office will be enabled to restrict or prohibit gatherings or events and to close and restrict access to premises during a public health response period. Ordinarily, I would argue that it is not the task of the Assembly to prohibit activity — our task should be to enable people as fully as possible — but, as I have said, these are extraordinary times. The Prime Minister has said that two people or a family unit, if living together, constitutes a "mass gathering", but what is the penalty and how will it be enforced? Will it be by the police, or will there be other officers? What happens if there is non-payment? By prohibiting gatherings or events, we enable more people to survive the crisis.

All across the North, we have seen a small section of people disregarding the expert medical advice up to now. They have directly led to the need for the near-lockdown scenario that we are currently in. They have not been able to follow simple directions and have had to be given direct orders. I hope that that will have the effect that is required to stem the spread. The vast majority of social media last night was welcoming of the new rules and guidelines, but some were already suggesting ways around it. I

worry that, on my travel here today, I saw that the traffic was lighter but was not substantially reduced. There are still many people moving around our community, and that makes me worried. I also saw somewhat more people walking to the shop this morning on my journey up than I ordinarily would. Again, I think that people are taking the advice to go out, but I hope that they will not be going back and forward to the shop all day. We need people to heed the advice.

11.30 am

As regards who should and should not go work, confusion reigns. The guidelines say only work that cannot be done from home. So, what did the Prime Minister mean when he referred to only essential work in his speech? These are difficult times for people. There is much confusion. Boris Johnson needs to know that his words will have a massive impact on families, communities and economies. He needs to choose his words very carefully. There needs to be urgent clarity on those who can and cannot go to work, as that is causing serious stress for people who are genuinely afraid that they will break the rules.

Over the past few days, many people who are facing lockdown in other countries have contacted me from far-flung places. I have had people contact me from Australia, Thailand, America and Peru. People are frightened that they may not get home if airports are closed and flights are cancelled. Many young people who are on gap years and the likes are working from bar to bar or hotel to hotel in order to subsidise their travel. That work is drying up completely in other countries. With cancelled flights and borders being shut down, they are facing a short-term future with no income, no shelter and no way out. The Executive must link with authorities in Dublin and London to do what they can to help people who face that peril.

In conclusion, we have some truly difficult days ahead; difficult days for the Assembly, health and education services, businesses, and all the people of the North. Without revisiting the past too much, we have overcome some truly difficult days already. The virus will pass. When it does, when we step out of our homes and back into our meeting places and social circles, when we walk to the gym or our favourite coffee shop again, and when we reach out and shake the hand of a stranger or hug our loved ones close to us again, we will see just what each of us did to bring the dark days to a close. I support the Bill, and call on the support of all who are present.

Dr Aiken: I rise as leader of the Ulster Unionist Party to support the legislative consent motion to pass the Coronavirus Bill, and the amendment. May I also join with others to pass on my party's condolences to the bereaved?

Unfortunately, the legislation is a regrettable necessity. We need it in order to safeguard all the people of Northern Ireland. In normal circumstances, a Bill of that magnitude and impact would warrant many weeks of detailed scrutiny and would raise a considerable number of questions, not least about its scope and impact. However, these are not normal times. In view of the global impacts of COVID-19, it is important that we fast-track this necessary legislation in order to allow our Government, our Departments and those who provide vital public services the legislative power to do what is required.

The reason why we need to do that is not just because of the virus but because of the actions of an irresponsible minority who seem to be incapable of understanding even the most basic requirements to keep us all safe. The simplest of messages, clear though they are, seem to miss many people who think that, in some way, they are immune or will be infected only moderately, which demonstrates not only a cavalier attitude to their own health but, selfishly, to that of their families, friends and the many vulnerable people in society.

For those who think that going to an outdoor market at a disused airfield, having a rave on a beach or breaching social distancing at house parties, there is bad news: over one third of those with COVID-19 are under the age of 40, and two thirds are under the age of 70. They cannot say that they have not been warned.

It is now indisputable that many people will die. Many people will have their health irreparably damaged. Only with direct action by everyone will that toll of morbidity be reduced. I fear that only when the death toll rises will that selfish and ignorant minority realise that they have exacerbated the health crisis; by which stage, it may be too late. Even at this late stage, we can change our attitude and approach. Just by doing the appropriate social distancing, washing hands, not panic buying and listening to advice, everyone has the opportunity to be a lifesaver. To all those who are watching and listening, I say this: act now and become a lifesaver.

Turning specifically to the LCM, there are several issues that we are raising about specific parts of the legislation. Our party

spokespersons will have raised those issues in Committees or directly with Departments, but they are worthy of noting here. In the context of what was to be the two-year scope of the Bill, we welcome amendments that were brought in Westminster yesterday that will allow review every six months. Even a cursory examination of the Bill shows that it gives considerable powers to the Executive and individual Ministers to take actions that could, if not used judiciously, be seen to be taking away rights and liberties that we have all enjoyed. However, we are not living in normal times. Hopefully, we will be able to step back from many of the provisions in the Act, but we must be prepared not just for now but for the medium and the longer term. We welcome the opportunity to revisit this legislation in six months, as, I believe, will the people of Northern Ireland, who will be rightly concerned if these provisions prevailed unnecessarily.

My friend and colleague Mike Nesbitt will refer in more detail to some of those issues later in the debate, but, to paraphrase, provisions on mental health, on the registration or, should I say, re-registration of medical staff, the need to ensure continuity of food supply, restrictions on public gatherings and powers to detain potentially infected people are just some of the areas that my party will pay special attention to over the forthcoming weeks and months. That is to ensure the intent of this necessary legislation is not abused.

At this juncture, I and my party give our heartfelt thanks to all our health staff and those across the public and voluntary sectors who have unstintingly risen to the challenge of COVID-19. This, indeed, shows the best of our society joined together for us all. It is their spirit, supported by the people of Northern Ireland, that will help us prevail.

Finally, I will direct my comments to the Northern Ireland Executive. Over the last 72 hours, we have seen a commendable and much-needed solidarity of approach. The Ulster Unionist Party will play its role in making sure that there is strong support for the Northern Ireland Executive. For our excellent Health Minister and his Department, other Ministers, Departments and our very system of government itself, we will be tested heavily in the coming weeks and, let us be honest, months ahead, but I and my team across Northern Ireland will help to do what is right for all our people regardless of the challenges ahead. We support the measure and the amendment.

Ms Bradshaw: I will start by placing on record my sincere condolences to the third family bereaved in the last 24 hours. They and all those families affected are in my thoughts.

I support the legislative consent motion on behalf of the Alliance Party Assembly team. I do so with some reticence in principle. Naturally, I regret the trying and already tragic circumstances of this motion and the significant strain that will be placed on our front-line and key workers over the coming months.

Secondly, it does not come naturally to us as democrats and as liberals to endorse a Bill that places such powers in the hands of the Executive, the judiciary and other officials. My party colleagues and I have significant concerns about some aspects of the Bill, even if amended. We have significant concerns about the evident rush behind it. We would have wanted, as many Members have said in the Chamber today, much more time for scrutiny and consultation, not least with those most obviously impacted and their representative bodies. However, it is a balance. These are extraordinary circumstances and they require extraordinary action. This is a Bill of last resort.

I wish to run quickly through the five Parts of the Bill, outlining our support and then raise some areas that we accept are broadly necessary but will require considerable care and caution. I pay tribute to officials in Whitehall and here at Stormont who have worked hard to assess the challenges of every change brought about by this Bill, with the array of consequences arising from them that have to be managed too, and also to the Executive Ministers who are all operating under incredible pressure.

First, we recognise the need for particular officials to be able to direct people with COVID-19 or showing symptoms of it into quarantine. As we move into what we now hope will be the suppression phase, that will be more vital, given that we will only be able to lift the restrictions that have been imposed to slow the spread of the virus if we can isolate those who have or may have it and enforce that. It is also sensible that those rules are now common across the UK.

Secondly, the measures to bring back health and social care workers from retirement while protecting their pensions and to place medical, pharmaceutical, nursing and midwifery students prematurely into the workplace are extraordinary but will, sadly, be required. I wish to put on record my and my party's deep

gratitude to all those who have stepped forward.

The clauses in the Bill that will make extraordinary changes to public administration are, in general, necessary to allow our front-line workers to focus on caring for our population. Focusing on our children's health, we may reflect, at this stage, on the extreme challenges for childcare in all senses. Education is being disrupted and childcare restricted and we need to ensure that the temporary provisions for looking after the children of our key workers is properly resourced. Let us work to ensure that children remember this time and this experience of being close to their loved ones fondly and do not have cause to remember the virus that brought it about.

We are all glad and even relieved to see containment signed into law. That, too, is not without complications. It is fundamental, in a liberal society, that we can congregate in public, and we must recognise that we are temporarily suspending that right. We are also placing significant power and responsibility with a few people, none of whom ever really expected or wanted it. However, the objective here is to make clear what is required of the public and how that can be enforced.

I will now turn to the issue of dealing with the deceased. Many aspects of this entire situation are distressing and shocking, none more so than the emergency provisions that may have to be made for burials. We must ensure that emergency measures, while rightly planned for, minimise the impact on cultural or religious customs.

The Bill provides for supporting people, and I welcome the placing into law, with the appropriate clarification, that all those measure to provide immediate sick pay must apply in Northern Ireland despite our devolved welfare system. It is, of course, also essential that we protect food supply.

Clause 4 of the Bill extends prescribing powers for pharmacists, including those recently retired pharmacists who are returning to the profession in this emergency. Community pharmacies are taking necessary risks right at the front line and we thank them for their professionalism and commitment.

Right now, and going forward, balancing healthcare priorities will be a mammoth challenge. For example, we cannot ignore the impact of lockdown on mental health and well-being, enhanced in many cases by the amendment to the Mental Capacity Act

(Northern Ireland) 2016. That will have huge resource implications, as an inevitable consequence of the situation will be significantly poorer mental health across our population. We will also need to be able to scrutinise the safeguards and decisions relating to any forthcoming deprivation of liberty orders.

As I conclude my remarks, I wish to express my support and admiration for our healthcare professionals and make some points. First, we know that in-hospital transmission is a significant issue. Never has "front line" been more meaningful. That means that we need to get on immediately with sourcing safety equipment for everyone. We have done it for the police and we must do it for all our health and social care workers, including those who provide house-to-house domiciliary care. Secondly, we have to recognise the provisions in the Bill around indemnity and always balance those with necessary safeguards. Sadly, many will be making extraordinarily immediate but complex decisions in circumstances that few of us can imagine.

As regards the Assembly, it has never been more important to be clear about how we perform our duties as MLAs. We need to ensure that we can scrutinise departmental performance fairly and constructively as the Bill's provisions are implemented, that we can ensure that safeguards are adequate and effective and that, most of all, we can support all those who need care and all the workers who provide it in every way that we can.

Committees, in particular, have never been more vital, and all must absolutely continue to operate, adhering to social distancing and using technology where possible. I share the desire mentioned by my colleague, Mr McGrath, that the sunset clause be moved to six months as opposed to two years. The delegated powers are there in the Bill for extension, if necessary.

In conclusion, there is a monumental challenge ahead of all of us, but I have no doubt that the sense of community and determination for which we here are famed will see us through.

11.45 am

Mr Givan (The Chairperson of the Committee for Justice): Mr Speaker, I do not intend to cover too many specific issues, because I appreciate that this is legislation and that, under your guidance, Ministers are to come in regularly, where they can, to give statements that will give us an opportunity to do that. Naomi Long came in yesterday, and we

were able to go into detail. I do not want to detain the Health Minister any longer than is necessary, but I want to put on record some of the issues that we discussed as a Committee, because some of the Committee members from my party will not be allowed to speak, in order to give time for us to proceed with this as quickly as possible.

The Committee received a briefing in closed session from departmental officials regarding what was described, at that stage, as "potential legislation" that might be required in light of the then-emerging threat from coronavirus. The briefing was high-level, detailing what exactly would be covered in such a Bill. The detail, however, was limited. Today we are seeing and considering the legislation. The Committee held an additional meeting yesterday to take more detailed evidence from Department of Justice officials on the Coronavirus Bill, and we want to put on record our appreciation to the officials who made themselves available to do that, given the pressure they are under.

Officials gave details of the justice-related provisions of the Bill as introduced at Westminster that will be extended to Northern Ireland, and that included information that the Minister has outlined here in the Assembly: temporary modifications to the Mental Capacity Act (Northern Ireland) 2016; temporary provisions in relation to the registration of deaths and stillbirths in Northern Ireland; provision to suspend requirements for and inquest to be held with a jury in relation to deaths from COVID-19; provision to disapply the requirement for an inquest to be held with a jury in relation to a death from natural illness; additional powers to act for the protection of public health, including, for example, the power for police to take a person into custody in particular circumstances; the use of live links in legal proceedings; and powers to enable local government to direct providers in the death management industry.

In addition, the Committee was advised of potential amendments to the Bill enabling the Department to make an early release direction that would have applied to certain fixed-term prisoners who fall within the criteria specified by the Department. I note that the Ministry of Justice decided not to proceed with including that in the Bill before us. Officials said and the Minister indicated yesterday that powers already existed, if we get to the stage of managing that situation in our prison population. The Minister indicated — it is worth repeating — that, at all times, it will be based on public safety. There are some people who should not be released during the crisis, and

that needs to be the guiding principle when it comes to any potential release of prisoners.

In evidence, the Department told the Committee that provisions in the Bill would be activated only when it is necessary to do so and on the best available scientific advice and will remain in place for as long as is necessary. In addition, provisions can be extended or amended by regulations, but, in the case of devolved matters, this can be done only with the consent of Executive Ministers. There is a question that I would ask the Minister to give clarity on: is there provision for the Executive to bring forward emergency legislation, if it becomes necessary, that falls outwith the Coronavirus Bill that Westminster has taken forward? Are there provisions that would facilitate that, if it became necessary? I note that there are schedules that give powers to Departments to issue orders, but I am looking for some clarity as to whether those orders relate only to the provisions in the Coronavirus Bill. We do not know what circumstances could arise, and, if it is not covered, I want to know whether the Executive will be able to action those areas through their own emergency procedures.

In normal circumstances, the Committee would have had more time, but these are not normal circumstances. We have seen over the last few days that, while many people are being sensible and adhering to government advice in respect of social distancing, for one example, there are those who continue to disregard that advice and behave in a way that is harmful not only to themselves but to others. These are extraordinary times; the situation is serious; action must be taken. It is therefore essential that authorities have the necessary powers to keep people as safe as possible.

The Committee sought further details from officials on a range of areas, including powers for the Department to provide in respect of the early release issue and the implications that that would have had for the Probation Board or, indeed, even the health service and for how victims of crimes would be notified if any decisions were taken on early release.

The Committee questioned officials on what powers the police would have to enforce social distancing and on who was responsible for setting the penalties. Committee members appreciate and accept the need for powers in the areas outlined in the legislation, given the times that we are in.

A number of Committee members did, though, express concern at the two-year limit that would apply to many of the measures provided for in

the Bill. It was suggested, in the light of widespread concern and with the powers in the Bill being so extensive, that the Government make an amendment to ensure that instead they have to be reviewed every six months. As I understand it, that has been the case.

As well as the briefing on the Bill, the Committee had detailed discussions last week with officials on operational preparation across the justice sector. Undoubtedly, the measures that are being put in place are absolutely necessary, but many are also sensitive, particularly the death management arrangements.

The Committee also took the opportunity to discuss the proposed resilience arrangements to ensure that the Police Service and the Prison Service had adequate resources to carry out the vital work being asked of them, and it sought assurances that the necessary protective equipment would be available for them.

I put on record the Committee's appreciation of the work that is being done, under extreme pressure, by staff across the justice system, in particular the Police Service, the Prison Service, the Courts and Tribunals Service and the Department itself, many of whom will also be trying to manage their own personal situations.

To conclude, in my role as Chairman, I confirm that the Committee formally agreed to support the proposals relating to the justice aspects of the provisions in the Coronavirus Bill relating to Northern Ireland by way of the legislative consent motion.

Mr Speaker, I want to elaborate slightly further on some points in my role as a Member of the Assembly for the constituency of Lagan Valley. I note that the Minister — he is right — said that, when it comes to making decisions, we are not blessed with the luxury of time. How true that is. I know that he will be in the Department looking at all the urgent procedures that are needed to get the testing kits that are available. Members have highlighted that and the personal protection equipment that needs to be taken. We are not blessed with the ability to go through normal procurement processes. These decisions need to be taken in a very abnormal way. We understand and appreciate that. The 600 tests being carried out from today are welcome, but, when I look at the calls across the police and Prison Service populations and others who have been identified as and deemed to be key workers and their families, I say that we need to do so much more when it

comes to testing. Wherever those testing kits can come from, they should be sought. I know that the Minister will press for those decisions to be taken in that context and that normal procurement processes are being set aside to facilitate that.

The public need to listen. So far, the majority have, but, unfortunately, some have not. I took calls about a grandmother who brought her grandchildren into a bank yesterday to open a bank account. The message is not getting through. Parents are having to work and are giving their children to the grandparents, who are taking them out on shopping trips to do things that are not essential. We need to get the message out. That will require punitive measures to be taken, because not everybody is sensible in our society, whether that is through ignorance or flagrant abuse of the circumstances that we face. We are moving to the place where the Executive Office powers that have been taken to close down events will have to be acted on, and the Executive Office will have my support in doing so.

I recognise as well that decisions are being taken outside normal structures, and, as this develops, we need to have a clear, structured approach from the central Government in London, in how we link with Dublin and in how the Executive link with the statutory organisations and local authorities. I know that emergency procedures are being put in place to do that.

In my constituency, Lisburn council has been setting up a structure, because an overwhelming number of people want to volunteer across a wide spectrum of organisations, but, when posts go up saying, "Contact us, and we will provide you with help", and once that contact has been made, those individuals, who are well meaning, are not able to go about actually providing the help. We need to get the structures in place. I know that the council will have a structured way for community groups to link in. It is important that the Executive link in with councils and other bodies that do that.

I commend those who have stepped up and shown unbelievable leadership in the face of such adversity. I commend this Minister. I commend the First Minister and the deputy First Minister, all the Executive members who are at the coalface on this and those who seek to advise them. Now is very much the time when leadership needs to be delivered in a calm but very collected way. I commend those who are doing that. I commend Assembly Members who are doing that. We in Lagan Valley, as a group

of five Members, have initiated a process whereby we can keep in contact to act in unison, so that we are not replicating and duplicating our activities. In doing that, Members all have personal issues that they have to manage and to deal with. I heard a broadcast this morning on one of our broadcasters that allowed an individual to tear lumps out of Members. We are all human. A process of dehumanisation of Members has gone on for years. In times like this, people want to blame people. Some people want to look for a vehicle to channel their anger. I commend Members across the House for the resilience that they are showing in the face of difficult times. Often, we do not have the answers, but we seek to give the help that we can, as best we can, in difficult circumstances.

The wives of three of the Members for Lagan Valley work in the health service. Mine has been retrained and redeployed, having to supplement staff in a hospital that has been set up as a COVID-19 front line. She is having to do that. She has changed her shift pattern. She is going in and wants to be in, and we have to put in place the support to make sure that our family has care while she does that. That is the case for colleagues — Lagan Valley MLAs and other Members. On Sunday night, I left off a freezer to my 98-year-old grandmother. It becomes very real when you have to do that. Members have to deal with personal situations, and that is reflected across so many parts of government and for different people who are providing support. We need to do it in a calm and collected way but with an assurance that we are doing the best that we can while we manage all of that. I commend everyone who is stepping up and trying to do that.

Now more than ever, people are recognising what is most important to them. For so long, we have added things into our lives to try to provide fulfilment and contentment. As those structures have been shaken to the core, we go back to the things that really matter to us. It is family and friends and wanting to support them in this environment. I have family who are not in this country; they are abroad. Colin mentioned calls that he had taken from Taiwan and Australia: that goes for many of our constituents and their families. We are not able to provide reassurance in a way that, maybe, we can for our immediate family by making a phone call and getting in contact. That is the same for Members here as for other people. We need to see what support there is with the embassies and trying to have contact and support in place, particularly as other parts of the world go into lockdown.

We look to the Minister for leadership, and that is a heavy burden for him to bear. I know that, like me, he looks above for leadership, and our faith grounds us. Many people are searching for what really gives them support and structure. For me, it is my faith in God. It may not be the case for other people, even in the Chamber. I know that it is for this Minister and for other people. I have taken comfort, as the crisis has developed, from a number of verses in the Bible. "Fear not" is the most common phrase throughout the Bible — "Fear not. Fear not" — because God knows that it is our nature to fear and to be anxious, and so we are constantly reminded:

"Fear thou not, for I am with thee".

There are a number of verses that I want to leave with Members and with the Minister:

"Fear thou not; for I am with thee: be not dismayed; for I am thy God: I will strengthen thee; yea, I will help thee; yea, I will uphold thee with the right hand of my righteousness."

"For God hath not given us the spirit of fear; but of power, and of love, and of a sound mind."

12.00 noon

Mr Speaker, I just want to say that I am praying for you. I am praying for our Ministers, as are so many people across the country, at this time of uncertainty, that they will be given the wisdom to try and navigate us through the difficult times ahead.

Dr Archibald (The Chairperson of the Committee for the Economy): I rise to speak as Chairperson of the Committee for the Economy. The Committee held an additional meeting yesterday to discuss the aspects of the Coronavirus Bill that are relevant to the Department for the Economy.

The Committee sought to consider: clauses 7 and 8 and the accompanying schedule 6, that look at emergency volunteering leave, payment and its conditions; clause 35 and schedule 15 that look at the temporary closure of further and higher education institutions; and clause 36 and schedule 16 that look at temporary continuity directions around further and higher education institutions. Unfortunately, due to losing its quorum, the Committee could agree to a view only on clauses 7 and 8 in the accompanying schedule 6.

The nature of the coronavirus emergency means that the normal timescales and processes around bringing a legislative consent motion to the Assembly have not been observed. As others have already acknowledged, this is far from ideal, and members have concerns about that. The Committee has put its concerns on record. Members acknowledge that we live in remarkable times and that the emergency nature of the legislation means that we must accept that that is the way that things have to be done. That said, members do consider that the legislation must be subject to review after six months.

Clause 7 simply directs to schedule 6, which makes provisions for the emergency volunteering leave. Clause 8 sets out how payments will be made to emergency volunteers for their loss of earnings and for travel and subsistence. An emergency volunteer will receive compensation for loss of earnings only if they suffer a loss of earnings that they would otherwise not have suffered.

The Committee is aware that regulations will be brought forward about how the scheme will operate and they should provide more detail. However, members appreciate that the legislation has to retain a degree of flexibility because this is an extremely fluid situation. The Committee's primary concern is that the scheme will work efficiently and effectively, that no volunteers will suffer any detriment, and that they will be kept safe.

The Department of Health here will be the certifying authority and emergency volunteers are only to be deployed in health and social care settings and contexts. The certificate will be for two, three or four consecutive weeks and those must be in the same volunteering period. The period of 16 weeks will begin on the day that schedule 6 comes into force. Further periods of 16 weeks can be specified by the Secretary of State or the Department for the Economy. The Secretary of State cannot make regulations about the volunteering period for the North without the consent of the Department for the Economy.

Any employee who takes emergency volunteering leave will retain the benefits of all the normal terms and conditions of their employment. The volunteer has the right to return to the job that they left prior to volunteering without any loss of seniority. The volunteer will not lose out in any benefits of their employment, including pensions.

The Department for the Economy can make relevant regulations, but it can regulate only when that is within the Assembly's competence and would not require the Secretary of State's consent in an Act of the Assembly. The regulations made by the Department for the Economy will be subject to negative resolution, so a prayer of annulment can be brought against them. On the basis of this short scrutiny, and without time for further clarifications, the Committee for the Economy is content, in principle, with the aspects of the Bill that deal with emergency volunteering.

I will now offer some brief reflections as Sinn Féin spokesperson for the economy. There will be many people who want to offer their services as volunteers to support the heroic efforts of those in the front line of the health service. Therefore, I welcome the provisions in the clauses on emergency volunteers to protect workers' rights and to offer compensation while volunteers are in that role. There are some good examples of registers of volunteers in the South, and I ask the Minister to reflect whether those types of measures might be considered here.

In terms of the clauses on further and higher education, clause 35 and schedule 15 have mostly been superseded because universities and colleges have already taken steps to protect the health and well-being of staff, students and public. Obviously, there are many things that still have to be worked out in that respect and we are, of course, working to do that. However, at this moment in time, our number-one priority is protecting lives. The continuity plans that are provided for in clause 36 should be undertaken only as necessary in consultation with the governing bodies of the institutions and on the basis of expert medical advice to support our vital services.

Like others have said, normally my reaction would be to oppose many of the measures that are contained in this legislation, but this is an emergency situation and we need an emergency response. Finally, I want to offer my gratitude to all those who are battling on the front line in the health service and other services on behalf of us all. I implore everyone to take seriously the health advice and the measures that are being put in place to protect them and their loved ones and all of our loved ones.

Mr Stalford: I want to place on record my condolences to the families of those who are already suffering bereavement as a consequence of this dreadful virus. This country faces the gravest crisis since September 1939,

the commencement of the Second World War. What we heard from the Prime Minister yesterday in his national address was a call to national service. Given what previous generations have endured in the long history of these islands — famine, war, pestilence, the threat of enslavement — a call from our Prime Minister to stay at home, except in certain circumstances, does not seem like too much to be asking people to do.

It is clear that this virus is no respecter of person or politics. This virus does not care where you put your x on a ballot paper on polling day. This virus is coming for all of us. I think it was the Chair of the Executive Office Committee, Mr McGrath, who used the term "special powers". This is probably the most far-reaching piece of legislation to come in front of Stormont since the Special Powers Act. It has a very, very far reach. We are a free country. Any loss of liberty in our country, which invented the concept of parliamentary democracy, is counterintuitive. This is the land of John Stuart Mill and John Locke. The people are the master of government in this country, not the reverse. There are natural rights to life, liberty and property, but the selfishness of certain individuals has forced the Government's hand. Foolish people, putting others at risk by their actions, have forced the Government's hand.

The Minister is laughing because I sniffed. I can assure you that that is not what you think it is.

I want to pay tribute to our NHS staff. I also want to thank the First Minister, the deputy First Minister and the Executive for the work that they have done and are doing on behalf of us all. I said at the start that this is the worst crisis since the start of the war. In 1940, Mr Winston Churchill, the Prime Minister, said:

"Death and sorrow will be the companions of our journey; hardship our garment; constancy and valour our only shield. We must be united, we must be undaunted, and we must be inflexible."

That was in the darkness of 1940. We all know that it would take another five years for the sun to rise over Europe again. I know that it will not take five years to win this war if we all play our part.

Mr McAleer (The Chairperson of the Committee for Agriculture, Environment and Rural Affairs): I am speaking today on behalf of the Agriculture, Environment and Rural Affairs Committee.

However, before I move to the Committee's opinion on the relevant clauses in the Bill, I take this opportunity to express its sympathies to the families of those who have died, not just here, but across these islands, Europe and, indeed, the world. I express the Committee's appreciation and gratitude to all those working in healthcare: we owe them a huge amount. I also express gratitude to the front-line workers and community-sector organisations who are doing wonderful work at a local level.

Departmental officials briefed the Committee on the clauses relevant to DEARA on Thursday 19 March, namely clauses 23 to 27 and schedule 14, which are about the food supply. Officials were able to provide the Committee with a copy of clauses 23 to 27 at the meeting. We heard that these clauses concern the provision of information about the food supply chain. The clauses provide either the Secretary of State or DEARA with the appropriate authority to require information in connection with disruption, or perceived disruption, to the food supply chain. These clauses apply across Britain and here in the North.

This requirement will apply to any organisation involved in the food supply chain, from producer to processor and on to the retailer. It could, for example, apply to packaging companies or to companies involved in the feed or fertiliser industries. It is meant to apply to companies and businesses that substantially affect, or that occupy a strategically important place in, the food supply chain. However, it will not apply to individuals or sole traders, such as farmers.

To be clear, there is already a voluntary agreement in place between the Government and the food retailers. It is anticipated that the information that might be required would continue to be provided on a voluntary basis. It is only if that voluntary route does not work that the provisions to require information will be activated. Activation of the powers will be subject to a commencement order which is, in effect, the only piece of secondary legislation in these DEARA-related clauses and schedules.

The commencement of the powers would also require the consent of the devolved authorities, but not the devolved legislatures. The Committee questioned DEARA officials about that and expressed some unease with the approach, but it recognised that it is expedient for the circumstances that we are in. The Committee appreciates that this LCM is not following the normal process for legislative scrutiny. In normal situations we engage in democratic scrutiny of legislation, but the

approach now reflects the extraordinary challenges that we are facing.

The Committee was also informed that there will be a memorandum of understanding between the four legislatures on how this will work in practice. If needed, the Committee will of course request briefings on why and how the provision in the clauses was activated. We are also informed that it is envisaged that these powers will be used only in rare circumstances. In fact, officials pointed out that if such circumstances emerged, it would be likely that they will have come to the attention of the appropriate authority. The Committee asked about the type of circumstances in which this could happen, and it heard about one example when commercially sensitive information was at stake. Some businesses might be very reluctant to disclose that type of information.

The Committee heard that, as a sanction, there could be a financial penalty of up to 1% of turnover for either the non-provision or the provision of false information. This is the level set out in legislation dealing with the Groceries Code Adjudicator.

The Committee also asked about the issue that is on many people's minds: food availability, supplies in the supermarkets and the manner in which some people are hoarding food. It was made clear that these clauses do not deal with that issue.

Members also explored with officials what plans are in place to communicate the provisions and powers in the Bill to the companies and businesses that will be affected. We heard that, because this is predominantly about the national food chains, across Britain and here, communication will be in the hands of DEFRA.

Finally, the Committee explored with officials the two-year sunset clause in the Bill and heard that are already amendments in the House of Commons to include six-monthly reviews, and that is all I want to say in my capacity as Chairperson of the Committee.

I want to add a few comments as Sinn Féin's spokesperson for agriculture and rural affairs. I have been contacted a lot by farmers and their families who are hugely anxious about the implications of this virus for their health and safety, and indeed their futures. I have also been contacted by agents. The Minister will know that we are approaching the 15 May deadline for the submission of applications for single farm payments.

A lot of those are done online, so a lot of our farmers are leaving their farms and going to agents, neighbours or friends to get the forms completed online, requiring them to meet up with other people. Farmers leave these until the last number of weeks, so that is something that causes a great deal of concern for farm support workers and agents. There is also the fact that, in areas like mine, there is very poor broadband, so it is not even an option to complete the single farm payment application form online, because broadband does not exist in many areas. The average age of farmers is 58, and a lot of them are not from the computer generation and need assistance. That creates extra concerns.

12.15 pm

I have written to the AERA Minister to consider this as a force majeure situation and to look at the range of flexibilities around that 15 May deadline for the single farm payment. Regrettably, we are out of the EU, but the EU requirement will no longer apply to that 15 May deadline. They are challenges, and, again, they are underpinned by the recent announcement over the weekend of the closure of marts, which creates additional financial challenges for our farming community. There needs to be some flexibility and imagination around the direct payments this year, because this is a force majeure situation.

Public health is a big issue as well. Members have already spoken about the need for testing, testing, testing, and that applies to rural areas as well. The Minister will be well aware from within his Department and from his previous role on the ARD Committee of the excellent work that is carried out through the Tackling Rural Poverty and Social Isolation (TRPSI) programme and the Public Health Agency with regard to the Farm Families Health Checks. Nurses set up stations at marts and other locations in rural areas and carry out basic checks for farmers, including blood pressure and cholesterol testing. Surely, we have a model there that can be extended into rural areas to carry out COVID-19 testing in the time ahead as part of the ramping up of testing. I note that, in the South, there are 40 test centres and tests are being carried out across the South of Ireland. We have a model here.

The Minister will also know that, throughout rural areas, there is a range of support organisations who are on the ground and doing a lot of work. He will know from his previous role as president of the Young Farmers' Clubs of Ulster and I know from my role as a GAA member and from the community sector that

there is a range of organisations on the ground doing work. They have infrastructure that can be easily utilised at very short notice to turn into test centres to carry out vital testing in isolated rural areas. Those options are there.

There is a range of issues. Yes, we are concerned about the pace at which the LCM has been brought in, but we are in extraordinary situations. I support the motion.

Finally, I will conclude with a wee message that our front-line workers, NHS, shops and suppliers are absolutely crucial. I also want to mention our community sector. They play a fantastic role at ground level, working with vulnerable people and people who are isolated. They are unseen and unheard; they are volunteers. I just want to put on record our deep appreciation of the vital work that they are carrying out at this critical time.

Mr McGlone: As the Minister has said, this is necessary legislation. It is incumbent on us all to send out our message of sympathy to those who have died as a result of the coronavirus and to wish those who are in hospital being treated a good and full recovery. These are difficult times. Legislation is necessary. It is vital, and, indeed, the actions of some have driven us to the point of it being vital.

I do not intend to repeat a lot of things that have been said by others. They have said them very genuinely, and this is a cross-party and an entire community response.

One message that is coming across is "Test, test, test" for key personnel. I will give you an example. I was contacted by a nurse over the weekend. She is at home, and she has a sore throat. She had a bit of a cold, and she feels like she is recovering now. She is heartbroken that she cannot get back in to fulfil her duties in the hospital that employs her. A simple test could confirm whether that nurse is able to go back in and fulfil her duties. She sees colleagues who are off in similar situations, and she sees that that test could lead to her going back in. She is committed and dedicated and wants to do her best for society at this time, but the non-availability of that simple test prevents her from going back into work. Minister, I know that you are doing your best — I sincerely thank you and your Department for your activities at this time — but the test is a linchpin to the success or otherwise of what the health service and other key workers do over the next while.

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

Healthcare workers, front-line staff and medical and domiciliary care workers are deeply valued by all of us, but there is an issue with PPE. Many domiciliary care workers, in particular, have been in touch with me to say that the PPE and hand wipes that they require as they move from house to house, providing important social and community support for people who are at home, are not yet available to them. I was told this morning that that equipment may be on its way to them: I hope that that is the case. I implore the Minister to ensure that that be done ASAP, and I know that he will, because he is grounded in his communities and sees it as it is. Domiciliary care workers are concerned that their views and worries are not being reflected. The sooner that is done, the better for them.

I listened carefully to what the Minister said about a range of vital additional powers for the Public Health Agency. Will the Minister advise us whether those powers will be extended to the likes of environmental health officers in councils? They are probably best placed to evaluate and see what is happening in their locality. I will give an example that, I am sure, the Minister of Agriculture, Environment and Rural Affairs may well be interested in, as it relates to the agri-food sector. Last night, a lady contacted me. She said:

"In the past fortnight, the only steps the factory has taken to protect workers is to put up signs about handwashing and installing hand-sanitiser stations. The buses carrying workers to and from work are not practising social distance guidelines and the canteen is also operating with no social distancing being observed."

Enforcement is crucial. That lady is at home; she is the principal carer for her mother; she is the only child; her mother is not well. You can see what she is going through with regard to what her husband might or might not bring into the house.

I ask the Minister to check with other Departments and the Public Health Agency to ensure that contractors who are carrying out work for Departments, including the health estates — I will maybe speak to the Minister one-to-one about that later — do so in accordance with the proper guidelines. Concerns were relayed to me this morning that some contractors in some instances — most of them are good, effective workers — are simply not complying with social isolation guidelines.

Mr Humphrey: I thank the Member for giving way and for raising that point. People from high-profile manufacturing companies across

Northern Ireland have contacted me to say exactly what the Member has said: social distancing is not being observed; PPE is not being provided; and touchscreen computers, keyboards and so on are regularly not sufficiently cleaned. They are concerned that there is a real possibility of the virus being spread across the manufacturing industry. That message needs to go out.

Mr McGlone: Thank you for that, Mr Humphrey. It is unfortunate that that is coming back to us, but it is a reality. The enforcement message — I think that Mr O'Dowd mentioned it earlier — must get out: if it is not being done, people have to be compelled to do it, and, if they are not compliant, the necessary rigours of the law must be taken against them.

I see that the Construction Employers Federation (CEF) made a statement this morning about what it defines as important, necessary works. That distils the situation a bit more effectively for us. What is necessary to one person's may not be so necessary in someone else's eyes. I see construction works for the health service, police stations, the Prison Service and others of that ilk as definitely being necessary. I am glad that the CEF has distilled that today.

Mr Buckley: I thank the Member for giving way. That is the experience not just in industry but in some of those governmental jobs that are not as crucial and urgent at this time. I draw his attention to the fact that, in the Infrastructure Department, at the moment, there are traffic wardens who are still on the streets engaging with people as they go about their business, be it going to a pharmacy or getting essential goods. People are also using car park machines to get a ticket to put on their car. That is, again, increasing contact with other people. I have asked the Agriculture Minister to pass on the message to the Minister for Infrastructure that traffic wardens should essentially be stood down at this time. They do not want to put anybody — or themselves — at risk. Does the Member agree with me?

Mr McGlone: Yes. That is useful. I am sure that your colleague will relay that, as I will, to the Minister for Infrastructure. We are working through difficult times, and that will require difficult measures. We are talking about protecting life. The danger of the virus should not be underestimated, and we need extraordinary measures.

My colleague Colin McGrath referred to whether the Minister could tic-tac with the

Department of Education. Some areas have very high densities of people who are referred to as "essential workers". I refer particularly to east Tyrone, where many people who have children in the schools are defined as "essential workers" in the agri-food sector and domiciliary care; indeed, one school has been in touch with me because it has been left in an impossible position, given that upwards of 75% of its pupils' parents fall into the category of "essential worker". That is just not viable for schools. I contacted the Department of Education over the weekend. I have not heard anything back yet, but there is pressure on it too. A hothouse situation could be created. That is not what the Department of Education is trying to do, but, if the schools implemented this, that could be the outcome. I would like that to be relayed to the Department of Education.

I do not intend to say much more. Many issues have come up and have been touched on here today, such as the stresses that this will bring about in the mental health system. There will, no doubt, be issues such as domestic abuse and mental health problems in homes, and that will have implications for children. I realise that there will be huge pressures and huge stresses on the Department. Whatever support any of us can give, we are there to provide that. Minister, you can pass on our goodwill to the Departments at this difficult time.

There is one other thing that came up at the Committee for Justice. There is potential on that front for the early release of prisoners, and the Minister of Justice dealt with that yesterday. That may be under consideration further down the line. I want to make sure that, if that programme goes ahead, consideration is given to the many inmates in the prison sector who suffer from mental health problems, addiction issues and such difficulties. I do not want to see a situation where those people, with their vulnerabilities, are dumped out on the street. It is crucial that there be tic-tacking between the health service — the Minister of Justice gave an undertaking to do that — the prison service and the DOJ to make sure that that situation does not happen and that people do not find themselves going from a bad situation to a more difficult situation.

In conclusion, I support, as my party does, the legislative consent motion. I, again, convey our sincere support to you, Minister, to your Department and to the healthcare system for what will be difficult times ahead. We appreciate their commitment and dedication to the entire community at this time.

12.30 pm

Mr Nesbitt: I offer my condolences to those who have lost loved ones to the virus, and I acknowledge the concerns of the broader community at this time.

I will be as brief as possible, and I will focus my remarks and direct them entirely at the new powers to be conferred on the Executive Office. These are extraordinary powers. It would be wrong not to scrutinise them. It would be a dereliction of duty not to place on record that they are very powerful new tools that are being made available to the First Minister and the deputy First Minister. We should have reservations about them.

I have reservations in four areas. If that amounts to me saying that my party gives qualified support to the Bill, then so be it. It is a form of, "Yes, but." I will now work through those four butts.

The first but involves liaison between the Executive Office and the Chief Medical Officer or his designated appointee. There are two references in Part 5 of schedule 21 to the Bill to the Executive Office consulting the Chief Medical Officer. They are in paragraphs 35(4) and 40(1)(b). Furthermore, at paragraph 40(1)(a), there is a reference to the Executive Office having regard to relevant advice published by the CMO. This is a duty, not an optional extra. They must do this, and that is to be welcomed. However, there is no compulsion on the Executive Office to react positively to the CMO's advice. You may say to me, "It is inconceivable that politicians would ignore the advice of the Chief Medical Officer", but it is a joint office, and that makes decision-making difficult. We know that. Sometimes the Executive Office cannot agree. That is a fact.

I am minded of a time 12 years ago, when I was honoured to be asked by the then First Minister and deputy First Minister to be one of four people to set up the Commission for Victims and Survivors. A senior civil servant, in what was the Office of the First Minister and deputy First Minister, looked me in the eye with a smile on his face and, perhaps, too gleefully to be diplomatic, said to me, "Well, you know, Mr Nesbitt, you are right. You have a statutory right to offer advice to Ian Paisley and Martin McGuinness, and, yes, they have a duty to listen to you, but they are not under any compulsion to accept your advice."

There is no compulsion in the Bill for the Executive Office to accept the advice of the Chief Medical Officer. I would be much happier if, on the face of the Bill, it said that the

Executive Office's decisions must be "informed by the advice of the Chief Medical Officer". However, in the absence of that, it is important that the advice of the Chief Medical Officer be published immediately and that the results of any consultation between the Executive Office and the Chief Medical Officer are made public immediately. It should not be treated like legal advice, which is never published. We need to be open about this, not just because openness is good for its own sake, but openness and communication means that the public are better educated and, if that is so, fewer lives will be lost needlessly. It is that simple: fewer lives will be lost if we communicate, communicate and communicate.

On the question of communication, a senior civil servant, as the Chair of the Committee pointed out earlier, engaged yesterday. It is not normal to name officials — I believe that it is not normal — but I will, because these are extraordinary times. His name is Chris Stewart, and since he joined the Executive Office, I have found him to be open, honest, communicative, transparent and collaborative. He is not just open to co-design and co-production, he embraces them. Those are values and characteristics in our civil servants that we need today more than ever before. We should acknowledge that and appreciate it. In the same way, we must appreciate our health service, the cleaners, the tea trolley operators, the nurses, doctors and consultants, and the people who looked after my darling mother, in the last three and a half weeks of her life at the Ulster Hospital, who are now at the tip of the spear in the fight against this virus.

The second issue is the type of event or gathering that the Executive Office might prohibit. This is covered in Part 5 at paragraph 37(2), but it is vague. It refers to:

"(a) a specified event or gathering, or

(b) events or gatherings of a specified description."

I called this vague, and the response that I got from Mr Stewart was that this was deliberately drafted to be broad and flexible rather than vague, and the rationale for that was that what was acceptable last week may not be acceptable this week and what is acceptable this week may not be acceptable next week. I think that that is actually fair enough, but I also need to put on record that I think that one person's broad and flexible is another's vague and, therefore, troubling. There has been a lot of talk today about whether building sites should continue to operate. Could a building

site be considered under this legislation to be a gathering? If so, the Executive Office could therefore prohibit it, and those responsible could be liable under the offences, which are covered in paragraph 42(2) of this schedule to the Bill, to:

"(a) on summary conviction, to a fine not exceeding £100,000;

(b) on conviction on indictment, to a fine".

That fine is unspecified, and, therefore, unlimited.

Mr Buckley: I thank the Member for giving way on that crucial point. Given the vagueness — maybe you have a different wording to that in your email — will you agree that it is that vagueness that is causing a lot of the widespread confusion among many in the workplace? On the one hand, social gatherings are prohibited, but, on the other hand, many of them are gathering in the workplace today, unable to socially distance. Some of them are questioning whether their industry is key. These are questions that are continually coming up, and there seems to be no right and wrong answer.

Mr Nesbitt: I thank the Member for his intervention. My understanding, particularly with building sites, is that, if you cannot socially distance, you should not be operating, full stop. I think that that is clear, but I think that the idea of what I am calling vague and what officials are calling deliberately broad and flexible is a two-edged sword. It does give them the flexibility to say that events have moved on from where we are today, but, for communicating clearly to the public, it is not as clear as we would like it to be. I think that we have to accept that that is the situation and that there is no perfect in this regard.

The third of my four buts is in regard to enforcement. Enforcement of prohibitions of these meetings can be carried out, under paragraph 41(1), by either a constable — that is clear; the PSNI — or, less clearly, the alternative is:

"any other person, or description of person, designated in writing for the purpose of this paragraph by the Executive Office."

It seems to me that that is pretty sweeping. Unspecified persons designated in writing by the Executive Office have powers that at 41(2) include the ability to:

"(a) enter any premises;

(b) if necessary, use reasonable force."

Think about that. That means that the next time we gather in this Chamber, one of these other persons or descriptions of persons could enter this Chamber and use force to remove one or more of the Members of this legislative Assembly. We have moved that far from normal democracy. I am not saying that we should not do it, and I am not saying that we should not pass this Bill, but I think we must be aware of the enormity of what we are allowing to become the norm, and probably not only for the next three weeks but probably more than the next three months.

If we are to give these powers to other persons — the response from the Executive Office is that no consideration has been given to this as yet — it could be, for example, that we would want local government environmental officers to have those powers, as they do in England. The question then becomes: will those other persons be suitably trained and will they be properly resourced, including provided with personal protective equipment? Crucially, will the public recognise them as having that authority, or will they resist through ignorance? Again, communication will be key if we are to empower others beyond constables to enter premises and use reasonable force if necessary.

My final point is that, while there are grounds under paragraph 42(2)(a) for fines of up to £100,000, that appears to apply only to the owner or occupier of premises where an event or gathering has been prohibited, or the organiser of such an event or gathering. In fact, paragraph 39(7) is actually explicit that that does not apply to:

"a person whose only involvement in the event or gathering is, or would be, by attendance at the event or gathering",

so attendees at prohibited events have no sanction against them. Surely that is a weakness? Think about the gathering on Crawfordsburn beach the other day, which was mentioned. All those who would attend such a gathering would know that there was no sanction against them. It is only if it could be proved, perhaps through social media, that one single source started spreading the news that there should be a gathering at a certain time on a certain day could that person be liable, but nobody else would be.

Surely, with those measures that we will put in place, the inevitably, knowing human nature, is that there will be an underground movement and gatherings. Over the weekend, I watched a documentary about prohibition in America. Al Capone's empire was worth £1.5 billion and his personal wealth £550 million in current money. There are people out there who will aspire to make money out of the virus. Surely, we should do all that we can to discourage people who, perhaps through an innocent enthusiasm to mix and be social, would go to gatherings, yet, in the Bill, there are no sanctions.

I have no doubt that the First Minister and the deputy First Minister did not get involved in politics to have conferred upon them those drastic powers to restrict freedom of movement and association. In fact, yesterday, the deputy First Minister gave us a very personal, graphic and emotional demonstration of why she is motivated to be in politics when she reacted to the news that a 32-year-old mother from North Antrim will have her chemotherapy stopped because, due to the virus, the National Health Service has to make decisions that it was never designed or expected to make.

This system of government is consociational. In other words, we are all in this together. Let us be in this together. Today, I have been reading on social media messages from former colleagues in the media; hardened hacks who have covered it all from Le Mon, Enniskillen, Shankill, Greysteel, Omagh — you name it. They are frightened — frightened as never before. Maybe they are looking to us. Maybe they are looking to us to do this together; to show the community whom we serve that we can serve them together. Let us lead together.

Ms Mullan (The Deputy Chairperson of the Committee for Education): I will speak on behalf of the Committee for Education. First, like others, I want to extend our appreciation to front-line staff and key workers, including school leaders and staff. I want to pass on our condolences to the families who have already been bereaved.

Yesterday, the Committee for Education considered the relevant aspects of the Coronavirus Bill at an additional meeting, at which a Department of Education official was present. We thank him for attending that meeting. As has been said, these are extraordinary times. Consequently, the Committee agreed to forgo the usual timescales and level of scrutiny for a legislative consent motion.

The Bill permits the Department of Education to close schools and the Department of Health to close childcare settings. Indeed, both Departments will be also be able to provide directions to each kind of setting in order to permit them to provide continuing services for what the Bill calls "specified children".

Some principals received clarifying correspondence from the permanent secretary of the Department of Education last week. Despite that, there is still a lack of clarity from the Departments as to how arrangements in schools and childcare settings are going to work during this difficult time. Some principals have communicated that they are unsure about the number of specified children that will be attending their school. I am aware of post-primary schools that opened yesterday with only one or two children attending. The schools are anxiously awaiting guidance on social distancing, protective measures and testing. The childcare sector has also highlighted the same concerns. It is our responsibility to ensure that guidance is clear and that our schools and childcare sector is supported and protected in the time ahead.

The Bill gives the Department quite a lot of leeway in respect of examinations for GCSEs and A levels. This is another area where further explanation will be required for schools, parents and young people. It is important to note that when the situation is resolved, it may then be opportune to give consideration to our examination system.

Notwithstanding any of the concerns that I mentioned, the Committee unanimously agreed to support the passage of the legislative consent motion in respect of the provisions linked to education and childcare. I therefore commend those to the House.

I will now add a few words as Sinn Féin education spokesperson. As Members have already alluded to, these are truly extraordinary times, and, in times like these, it is often necessary to throw protocol to one side and make uncomfortable decisions. That is what we are doing with this legislative consent motion today.

The experiences of countries around the world, in particular the experience of our friends in Italy, in the last couple of weeks are stark examples of the heartbreak and loss that this virus can bring. Those experiences, along with our duty to protect our people, influence our response to this pandemic.

As my colleagues have said, we need the public to work with us and heed the advice and stay at home where possible. In normal circumstances, we in Sinn Féin would insist on the most effective and forensic scrutiny of legislation through the procedures available to us. Unfortunately, however, normality is not something that we have the luxury of right now. The absolute priority in the time ahead must be to save lives and protect communities. That is why we will support the motion today.

I will finish with a quote from Seamus Heaney:

"If we winter this one out, we can summer anywhere."

Ms Anderson: I rise to give my heartfelt sympathy to the 10 people who have died across Ireland and to the 17,150 people who have died from coronavirus across the world. I also rise to support the legislative consent motion. I am conscious of other Members' reservations, and I would like to express some of our concerns in the context of supporting the legislative consent motion. As MLAs who are charged with scrutiny and given the extraordinary circumstances that we find ourselves in when we are interfering with civil liberties, even in extraordinary times, I absolutely concur with the need to bring forward these extraordinary measures. The Minister and others will know that some of us would like to have seen those measures introduced a number of weeks ago.

We are rightly concerned about the number of provisions that have been introduced in the Bill. Like other MLAs, I have concerns about the sunset clause. Looking at that through the lens of international human rights law and at what is appropriate, necessary and proportionate, the Bill as it stands states that those powers would last for two years. Like many MLAs, when I first read that I was somewhat shocked, because even in fast-tracked legislation, two years is somewhat disproportionate and, without doubt, risks extraordinary provisions to deal with this emergency becoming settled law. I was glad to hear many MLAs express concern about that. Without doubt, the sunset clause needs to be shortened. A period of six months is now being bandied about but I still think that that is too long. We need a mechanism for regular reports back to the Assembly and Committees in slower time, so that MLAs have an opportunity to do what we are tasked with doing, which is to scrutinise legislation and measures that are coming through.

I agree that there is a need to have powers to restrict public assembly. A number of MLAs

raised concerns yesterday about what was happening in each of our constituencies. I agree that, in order to use the provisions in the Bill, the joint First Ministers must issue a declaration that there is a serious and imminent threat because of the virus. They should not, and I do not believe that they will, hesitate in doing so if there is such a threat. I believe that all MLAs will support them in doing that. Such a declaration, however, can only be revoked by agreement between the joint First Ministers and I am conscious of what Mr Nesbitt said when he was outlining his "buts". We need to ensure that it does not pass its date of necessity. Many of us would agree that it would have been better had such a declaration procedure had some kind of periodic renewal built into it — maybe every month instead of what we have at the moment.

The Executive Office will also be able to designate any person to use "reasonable force" to restrict public assembly, perhaps without such a person having training in what is reasonable and proportionate force. Any such plans to use those powers must be carefully thought out. There must be some degree of training so that people understand what is reasonable and proportionate. There needs to be a mechanism of engaging with the Committees if that is enacted.

I also want to deal with the issue of the detention of potentially infectious people. My understanding is that the role of British immigration officers will be extended to deal with those who are potentially infectious. Currently, however, that falls outside the law enforcement framework in the North of Ireland. The immigration officers should be fully under the oversight of the Office of the Police Ombudsman and, maybe, the Policing Board as well. That is something that should be examined further in the time ahead without, at all, interfering with the time frame for making sure that the legislative support mechanism is dealt with today. It is about dealing with any potential abuse of such powers.

As other Members have said, we all have constituents and people whom we know who are affected by the situation. I have a brother-in-law whose cancer procedure in Altnagelvin Hospital has been cancelled today. I am sure that many others can give testimony as to how they have been affected personally. Listening to Members, I concur that there is agreement with all that has been said. We need the earliest review of this emergency legislation, and we need these extraordinary measures rescinded when it is appropriate and necessary to do so.

Short, sharp action to deal with coronavirus is needed.

The Minister has referred to and looked at the World Health Organization, and I have been following it closely. It says, "Be fast, have no regrets." Therefore, the call that we have heard for many weeks has been to test, test, test. We need to test, we need to trace and we need to isolate; we need to intensify. We are all, as MLAs, being contacted by people across our constituencies who are doing sterling work, and many of them need that test done to enable them to carry on with their work.

I want to give a particular mention to those carers in our society — unsung heroes — who care for people who have Alzheimer's and many other illnesses that they are struggling with and who do not even have any mobility to get out of bed. My family could not have coped if it had not been for the care that we got from carers who came into our home. My mother had Alzheimer's for seventeen and a half years, and we cared for her at home. I want to give a particular shout-out to those people who need to be tested in order to enable them to go into homes where people are lonely, on their own and these are the only people coming in to care for them during this very difficult and dangerous time.

I think all of us would agree that human rights compliance needs to be fully restored as early as possible. We need sharp and decisive action to bring this emergency situation to an end and to return to democratic scrutiny and practice when it is possible to do so.

Mr Deputy Speaker (Mr Beggs): The Business Committee has arranged to meet today at 1.00 pm. I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next contribution on this item of business will be from Justin McNulty. The sitting is, by leave, suspended.

The debate stood suspended.

The sitting was suspended at 12.57 pm.

On resuming —

2.00 pm

Mr Deputy Speaker (Mr Beggs): *[Inaudible]* consent motion for the Coronavirus Bill.

Debate resumed on amendment to motion:

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Coronavirus Bill dealing with: emergency registration of health professionals in clauses 2 and 4 and schedules 1 and 3; emergency volunteers in clauses 7 and 8 and schedule 6; mental health and mental capacity in clause 9 and schedules 9 and 10; health service indemnification in clause 12; registration of deaths and stillbirths etc in clauses 17 and 20 and schedule 12 (Part 3); food supply in clauses 23 to 27 and schedule 14; inquests in clauses 29 and 30; schools, childcare providers, etc in clauses 35 and 36 and schedules 15 (Part 3) and 16 (Part 3); statutory sick pay in clauses 40 to 42; pensions in clause 45; protection of public health in clause 46 and schedule 17; powers relating to potentially infectious persons in clause 49 and schedule 20 (Part 5); powers relating to events, gatherings and premises in clause 50 and schedule 21 (Part 5); courts and tribunals: use of video and audio technology in clause 55 and schedule 26; powers in relation to bodies in clause 56 and schedule 27; commencement in clause 73; power to suspend and revive provisions in clause 74; expiry in clause 75; power to alter expiry date in clause 76; power to amend Act in consequence of amendments to subordinate legislation in clause 77; power to make consequential modifications in clause 78 and procedure for certain orders made by a Northern Ireland Department in clause 82. — [Mr Swann (The Minister of Health).]

Which amendment was:

At end insert:

"as introduced to Parliament on 19 March 2020; and those provisions made by amendment during the passage of the Bill as they extend to Northern Ireland." — [Mr Swann (The Minister of Health).]

Mr McNulty: I start by offering my condolences to the four families who have lost loved ones to coronavirus. I also want to pay a tribute to our healthcare workers and to wish them well in the enormous challenge that they now face, and especially those who are literally getting a baptism of fire. I also want to pay tribute to our

key workers, including our healthcare teams, our pharmacists, our shopkeepers, retail workers, home care teams, refuse collectors, food producers, council workers, farmers, and the media, who are playing a very important role in communicating the important messages that need to be communicated.

Some workers are able to retreat to their homes, to their bunkers and protect themselves from the invisible bombs that are trying to penetrate those bunkers. It is crucial that as many people as possible stay at home, but we must recognise that others do not have that luxury and are out there on the front line, playing their part to defeat this virus.

I also want to recognise the sports stars who have made important contributions over the last number of days. I am thinking of the likes of Michael Conlon or Rory Grugan, the Armagh captain, who are telling people, strongly and firmly, to stay at home.

I empathise with families, employees, professionals, business owners, business people, the self-employed and freelancers. There is so much uncertainty. We need certainty come from here and from our Ministers, with robust responses to the queries that are raised. There will be financial pain, but remember, priority number one is staying alive.

In an ideal world, we would have weeks and months to scrutinise a Bill such as this. That is not possible because we are on the brink of an extraordinary crisis. The measures proposed are harsh but necessary. Coronavirus/COVID-19 is a global force majeure.

I am speaking in my capacity as SDLP health spokesperson, a member of the Education Committee and an MLA for Newry and Armagh. I have some observations and comments in relation to the LCM that I would like to put on record, and also some concerns that I want to raise on behalf of my constituents.

I welcome the sunset clause, or as it is more properly referred to, an amendment for review after six months.

I raise once again the issue of personal protective equipment, especially for healthcare workers, domiciliary care teams, teachers, shop assistants, retail workers and food producers. Can councils play their part in providing that equipment?

I welcome that the testing numbers have gone up to 1,100 a day. That is crucial, especially for healthcare workers. We do not need our

doctors, nurses and consultants to be quarantined for two weeks because of a head cold.

People who are disabled have expressed serious concerns about the Bill. They believe that the Bill will, effectively, remove their rights to social care, and that could mean the difference between life and death for them. They need reassurance. They need contingency planning to be implemented immediately to put them at ease.

Schools have been repurposed as childminding facilities. Whilst everybody recognises that we must play our part and have a role in defeating coronavirus, teachers need more guidance and certainty, and they need the PPE that I mentioned. We must recognise that our number one duty is to allow our front-line healthcare workers to provide the service that they provide and that will be crucial in the weeks and months ahead. How will they have the 24/7 capability to provide that service if we do not have adequate childcare facilities for their children?

Students want to know whether they will be liable for the next quarter's rent.

It is crucial that we educate and communicate, communicate and communicate at every opportunity. What role does our public broadcasting service have in that regard?

I welcome the emergency registration and re-registration measures to boost our healthcare staff numbers. I wish our doctors, nurses, consultants, porters, cleaners, radiologists, admin and triage teams all the best of luck in the huge challenge that they all now face in the weeks and months ahead. I say this to them: "You are our bulwark and our spearhead. I know that all your force will move in one direction to defeat the virus".

I challenge us all to innovate and think outside the box in our shared quest to defeat the common enemy of coronavirus/COVID-19. I applaud the examples that we have seen on this island, including the repurposing of GAA stadia as drive-through testing sites at Páirc Uí Chaoimh, Nowlan Park and our HQ at Croke Park. Can sports stadia up here be repurposed in the same manner? There has been the repurposing of the O'Neill's factory, in Strabane, where staff, who would otherwise have been laid off, are now manufacturing scrubs for our healthcare teams. The owners of Armagh City Hotel have offered their premises to help the Southern Trust, if required.

We have huge collective intelligence. In what way can we think outside the box? How can our manufacturing capacity be hacked to produce makeshift ventilators, if necessary?

I applaud Members for their efforts. I applaud our Ministers. We are all under extraordinary pressure. Our healthcare and front-line workers are under extraordinary pressure. That pressure is a privilege. I applaud our Minister of Health, who is under extraordinary pressure. That pressure is a privilege. We all have a duty to play our part in defeating the virus, and I wish us all well in the challenges ahead.

Mr O'Toole: I, too, pay tribute to our healthcare workers and everyone across the range of our NHS who, right now, are doing their utmost to protect us from this appalling virus, to keep us safe, to protect the public and to mitigate the effects of the biggest public health emergency in the lifetime of any of us.

I support the motion, with concerns about its content, as others have outlined, but with, I am afraid, much greater concerns about the consequences of the virus if we had continued as normal, or almost as normal.

The Coronavirus Bill grants extraordinary powers, here and in London, to government and public bodies. They are powers that curtail the freedom of individuals and reduce the legal obligations that certain bodies have towards citizens. To be clear, in anything close to normal circumstances, the legislation would be unconscionable and unacceptable. As, of course, would be the speed with which the Bill was passed at Westminster, and the amount of time that the Assembly has had to consider the enormous implications for our constituents and, indeed, for our way of life.

To take one example, the Bill lessens the duty on care providers in adult social care for people with disabilities. The disabled community is understandably concerned. Not only are many disabled people at higher risk from COVID-19 complications, but the societal restrictions that we impose will place in grave danger the support that many need to live their life. That is why we will hopefully get clearer guidance from social care authorities to reassure them that everything possible is being done to protect disabled people, while limiting the spread of the disease.

There are many other specific and discrete concerns that I, and colleagues in the Chamber, have with the legislation. That includes, but is not limited to, the potential incursion of immigration officials into healthcare provision,

and the extremely broad powers of detention that are included in the Bill. Therefore, it is welcome that moves have been made to ensure that the Bill is reviewed after six months. We should all hope that it is repealed as speedily as possible, notwithstanding our ability to control the virus. It is worth saying that, if this Bill does its job, it will be off the statute book, in Westminster and in its provisions as they relate to Northern Ireland, as quickly as possible.

We cannot pretend that grave and unpleasant choices do not lie ahead of us. The Bill is one of those choices. In the days and weeks ahead, clinicians and staff across our NHS will face far more stark and immediate choices. The Bill, as unpleasant as it may be, is ultimately about giving them the best chance of saving as many lives as possible, but lives will be lost.

Northern Ireland is a small place and it is likely, very soon, that someone known to a Member of the Chamber will be directly affected by the virus. Someone from the Chamber may, very soon, be grieving over the loss of a loved one to the virus. The ability to grieve will, in a sense, be one of the victims of the virus. Funeral rites are particularly important on the island of Ireland, across all denominations and none. Although I am no longer religious, one of the greatest worries that I have is not just that communities are facing death, but that they are facing death without some of the consolations that cushion the force of death. Many people will be unable to be with their loved ones in their final moments. Their ability to hold wakes and funerals may be curtailed. Difficult as it is to face up to, we must be honest with ourselves and, as leaders in our community, honest with the people whom we represent. Even in the best case scenario, we are not only talking about significant levels of death, we are curtailing, albeit for the greater good, the ability of families and communities to say goodbye according to treasured, and sometimes sacred, customs.

When we come through this, and we will, we and all societies will have a period of collective grief to go through, but also, hopefully, relief. Relief that it is over and that we took the hard decisions to limit the suffering that the virus caused. Most of us are still grieving the loss of not just luxuries, but basic liberties: the ability to meet a friend for a pint; to go to the cinema or a football match; and perhaps, most painfully of all, the ability to be close to people whom we love, especially those who are vulnerable and afraid. We are, in a sense, at least temporarily, grieving for a loss of civilisation.

The poet Michael Longley, from south Belfast, in writing about our own Troubles, wrote of the importance of civilisation in the midst of the darkest times. He wrote that the opposite of war, and we are now living through a kind of war, was not necessarily peace, but civilisation. He wrote:

*Our cobbler mends shoes for everybody;
our butcher blends into his best sausages
leeks, garlic, honey; our corner shop sells
everything from bread to kindling. Who can
bring peace to people who are not civilised?
All of these people, alive or dead, are
civilised.*

Mr Deputy Speaker, we are sacrificing some of our civilisation today, in the hope that we will quickly get it back and with as many of our loved ones still with us as possible.

Miss Woods: We live in extraordinary and worrying times. This is a period of great uncertainty and of the unknown. We have so many questions and so few answers. We now enter a time, with the legislation, that we would never have thought of only months — if not weeks — ago.

2.15 pm

Like others in the Chamber, I pay tribute to the NHS staff, the key workers, the front line, the blue lights, those who go over and above at this time. Just a few short months ago, those people had to take strike action in order for their voices to be heard on equal pay. Now, we are calling on them, and extreme pressure is being put on them. They are literally tasked with saving people's lives. They are the ones coming in on their days off to record powerful social media videos to encourage people to do the right thing. Nurses and healthcare staff are having to be redeployed and retrained in an emergency situation. There have also been great examples across Northern Ireland of community cohesion, with people volunteering their time and services to help the elderly, the vulnerable and those who are isolating. Businesses are offering free services to coordinate help. Community groups are doing the rounds to identify people who need help. There have been offers of dog-walking, shopping or just a chat on the phone. It is heart-warming to say the least, and it will not be forgotten. Our condolences must also be extended to families who have already been bereaved by COVID-19.

I turn now to the Bill. Appropriate and necessary measures need to be taken by the Government and Governments across the UK

and Ireland to protect our health and protect our lives, but we have serious concerns about the Bill, most of which have been covered either in this Chamber or the House of Commons yesterday. I will not go over old ground and address what other Members have already spoken about, but I need to highlight some key issues.

The Government wish to have the Bill in place for two years, which is far too long. They want parliamentary scrutiny after one year: again, that is far too long and raises significant concerns over necessity and proportionality. I welcome the six-month amendment, but we have to ask ourselves whether it goes far enough. What we need in the Chamber and Westminster are frequent reviews of the provisions so that they are switched on at the time. We need to ensure that human rights are complied with and that there are proper checks and balances on what government powers are utilised for.

Provisions allow for the detention of people who are potentially infected, with police and immigration officers empowered to use reasonable force to implement the laws, but what of those with mental health conditions? Fewer doctors' opinions are required. There will be fewer certifications and the extension or removal of certain time limits for detention and transfer. In Northern Ireland, it will also remove the need for an approved social worker to carry out certain functions. Timelines will be changed, and people with mental health conditions can be detained longer. We must proceed with extreme caution here. In Northern Ireland, we do not yet have any independent mental capacity advocates. Do unapproved staff have the experience and expertise to make such decisions? Will there be a review after this period to ensure that all those placed under a deprivation of liberty safeguard were placed under it properly?

We heard from the Minister yesterday that the challenges faced by the Prison Service should not be underestimated. We have just under 1,600 people in custody, and we know that many of those suffer from mental health conditions, have addiction issues and have a history of self-harm. Many of those in prisons fall into the high-risk category in terms of age and medical condition. Given the daily struggles around mental health and attempts to continue some sort of family and social structure, we need to ensure that visits from families and others continue in different forms and that all measures are put in place to facilitate that contact. We must ensure that there is support for our prison staff, many of whom face difficult

decisions as regards family and childcare issues and safety in work. If any prisoners, including those who are in for sexual or domestic violence offences, are subject to early release, we must ensure that that does not have adverse impacts on victims. I encourage the Department to ensure that the description that it uses for those categories of prisoners is fully checked, balanced and necessary.

Many of the measures in the Bill raise concerns over human rights and personal liberty by removing individual freedoms. While it is understandable that the Government have serious concerns about the system's capacity to cope, which is inherently true of our health service, that should not result in a lack of scrutiny, oversight or protocol for people's protection and regulation that could lead to abuse of power and unnecessary suffering.

What of the testing levels? I noted the Minister's earlier comments on introducing the LCM, but is it enough? The Bill does not adequately address how to prevent such abuses, nor does it include provisions to protect the most vulnerable in our society, who will undoubtedly be the worst hit during the crisis. I encourage the Government to put all necessary provision in place to ensure that all people are protected at this time.

With the Prime Minister's statement last night, the country is in a state of lockdown. There are some serious restrictions on movement to be enforced, but we do not know what that means for people who need to put food on their tables. We must get detailed information for the people who need it most. How will that be enforced? When? What does the Bill mean about the use of force? Will it be equal across the board? Where is the oversight?

After Boris's statement last night, I got messages from concerned parents asking whether they would be allowed to bring their children to another parent's house. How does it work for family members who care for one another but do not live together? Will they be fined for bringing their kids to their mother's house or vice versa? That, not to mention the fact that we do not know how long this will in place for, is putting fear into the heart of our society.

Under the Bill, the PSNI will be given new powers to enforce isolation when a transmission control period has been declared. It is presumed that police officers and public health officers will consult before people are taken in for testing, but the lack of a stringent protocol in that regard is striking. There is

limited detail on who public health officers are and where people go after testing. Where are the test centres? How are the risks being managed? We have little clarity here on how this will be enforced and no clarity on the legal boundaries.

We also have to be mindful of what is not in the Bill, specifically protections for our most vulnerable and any further clarity that we so desperately need. Where are the protections for those who rent, even if they are lucky enough to receive wages from an employer? What do we do about those who have to continue to pay landlords who are receiving a mortgage holiday and about those already facing eviction in the private rented sector? How can this be managed to ensure that we do not have people losing their homes in general, especially at this time? How will front-line workers being drafted into full-time work or increased hours pay for increased childcare? Will the childcare even be open?

What are the provisions for those who have no recourse to public funds or those in the precarious immigration system? What of those in poverty, who struggle daily and face the crisis too? What of those currently in an abusive household, as well as those who may find themselves in an abusive household throughout this time? Will someone who lives in a violent domestic situation be forced back into that home by the very authorities that are there to protect them? What about those who are homeless? How will they be supported in a safe, secure and rights-based manner? How can we protect them and ensure that they can be safely isolated? I have been asking, but I still have not received any answers.

Will the Government increase funding for staff workers in refuges and hostel provision and ensure that those front-line workers are also protected in the crisis? Will we have a fully funded and resourced mental health system to deal with the reality of what we face now and in the future? Where is the support for the zero-hours contracts, the agency staff, the freelancers, the self-employed, like my father, the sole earner of his household, who will now have to make the difficult choice not to work with minimal future income to protect himself and my family? I noted the comments made by Mr Nesbitt about the construction sector, but how am I supposed to advise my father when he wonders if he should go to work as a self-employed builder, if he cannot get the materials that he needs? How are they to pay their bills, their rent and buy their food and necessary items? It certainly will not be covered by statutory sick pay. No matter when it can be

applied from, it is simply not enough. Could anyone in the Chamber live on £94 a week and meet their financial commitments? Gardeners, builders, carpenters, plasterers, plumbers, electricians, personal trainers, musicians, therapists, counsellors, photographers, yoga teachers, make-up artists, beauty therapists, comedians, suppliers, middlemen and women, the small business owners with no staff, those with no premises: the list is not exhaustive, but it is a taste of the people who have been reaching out for help. Do they get a business loan that they will have to pay back, which is not a wage but just kicks the financial can down the line? MLAs have been inundated with queries, and, of course, we have our own. We have constituents asking what will be in place for them, and we still do not have answers. Why did we not use the opportunity to put in a universal basic income? It was a complete missed opportunity.

As I said in opening, appropriate and necessary measures need to be taken by the Government, but we need to continue with appropriate checks and balances. Ordinarily, I could never support something like this that is so far-reaching and life-changing. I note that Scotland are supporting the LCM, but they are also working to bring their own emergency legislation into play. I welcome the comments from Mr Givan earlier and wonder if this Assembly could not do that too. Are we content to follow Mr Johnson? Never before have we been asked to provide consent to so much curtailment in society. Only in these exceptional circumstances can this happen.

Mrs D Kelly: I will not take long, Minister. There are more questions than answers, but I hope that, in the coming days, the Executive will be able to provide greater clarity than the Westminster Government have.

I declare an interest as a member of the Policing Board, Mr Deputy Speaker, but also put on record our thanks to the police officers who will have to enforce many of the regulations. Where there is an absence of clarity, their job will be made much more difficult. As Members know and, I hope, recognise, the Police Service of Northern Ireland is the envy of western Europe in human rights compliance, and I hope and trust that that will stand them in good stead. They already have to arrest and detain people who claim they have the coronavirus; indeed, we have heard horrendous tales of shopkeepers being spat at or coughed over by people who think it is funny. People are frightened, but they should be frightened, Minister, and I hope that the message will go out. We have rightly

concentrated on the people who are most vulnerable and older people, in particular, but many of us already know that there are children in intensive care across these islands who have fallen to this horrendous infection. Therefore, I ask that the public health messaging be stepped up.

Another query that has been raised with me by private nursing home care providers is around testing and how government and the private sector can best work together. We need the private residential sector to look after our older people and those with disabilities who cannot be cared for in their own home. I hope that the Minister can give some reassurance to them.

Like many others, I wish our Minister of Health all the best. I know that people will look to political leaders, but, as Paul Given said, others will also look to their religious and spiritual leaders and we should remember them today. They too will be on the front line, particularly in the most difficult of circumstances, when funerals are restricted to two. All of the things that we hold dear will not be there for us to hold on to in these most trying of times.

Mr Allister: I want to begin by commending the Health Minister for the leadership that he has shown and given in this matter. It is good to have a steady hand on the tiller at this time. Of course, he represents some of the most selfless and committed individuals from across our health service that keep the service going. With others, I pay a heartfelt tribute to them for all that they have done and all that they have yet to do. I suspect that we do not know the half of it at this point. To health service workers and to all who are keeping the machinery of government, particularly health, moving a very big "Thank you".

Some members have referred to the legislation that we are discussing as "draconian" and that is a fair enough description. Although the individual who gives rise to the word "draconian" — Drakon — was a leader in the 7th century BC in Athens who reached considerable notoriety for the harsh penal codes that he imposed — *[Interruption.]* Not quite. I am sure that the honourable Member who interrupts from a sedentary position — most surprising, given his august status in the House as Principal Deputy Speaker — is a well-read gentleman who knows all about Drakon. He introduced various penal codes that, for the most trivial of offences as well as the most serious, decreed that the penalty was death. I do not think that we are quite as bad as that but, make no mistake, these are proposals that none of us, as legislatures, should be at ease

with, because they strip out rights and protections that all of us should value.

2.30 pm

Mr Stalford: I am grateful to the Member for giving way. Earlier in the debate, I referred to the Special Powers Act. The Member will recall that the Special Powers Act was introduced in 1922 and was renewed every year that the Northern Ireland Parliament sat. That being the case, does the Member recognise that there is an inherent danger? I say this as a politician: once politicians acquire power over people, they are often reluctant to return it to the people.

Mr Allister: I absolutely agree. To all intents and purposes, this is a special powers Act, because, by its essence, it is removing the norm and the hedge of protection that is in place and giving extraordinary powers of a summary nature to government. In his speech, Mike Nesbitt articulated some of those points very clearly. None of us, therefore, should shrug and say, "Just let's do this". These are serious measures.

It is notable that the actions that can be taken by government, according to the legislation, have been placed at the lowest possible level with regard to how they can be taken. These matters are to be perfected by statutory rules rather than statutory instruments. As the House knows, a statutory rule can be made pre-emptively without effective scrutiny; there may be retrospective scrutiny, but there is no prospective scrutiny. Therefore, the powers that we are giving away are being given away at the cheapest possible price of mere statutory rules, and we are doing that in legislation that not only can last for two years — which seems longer than it needs to be at this point — but be extended in six-month bites. It is not the case that there is a cut-off point after two years; this is legislation that can be extended incrementally. That can be done in Northern Ireland by a Northern Ireland Department taking these powers and extending them. These are serious matters that we should not be meekly accepting.

I have to say something that I referred to yesterday: I am made even more uneasy about the exercise of these powers by virtue of the fact that, simultaneously, we have stripped out of the House many of the oversight scrutiny powers of MLAs. I refer to the fact that, yesterday, without debate — on a vote on the nod — we removed from the House the right of MLAs to table questions for oral answer or

topical questions to any Minister on any issue. That coincided with the moment at which we are about to give those Ministers the most extraordinary powers. Instead of thinking that that might be a time to amplify and increase scrutiny, and to add to the opportunity to question, we go in the opposite direction and, as a House, remove from MLAs the right to ask a question for oral answer, and we actively discourage the tabling of questions for written answer. That is a House that is headed in the wrong direction in circumstances such as these.

Ms Sugden: Will the Member give way?

Mr Allister: Yes.

Ms Sugden: Is it not the case that the purpose of parliamentary questions — oral and written — is to not only scrutinise, but to inform Ministers and highlight issues? When I ask Assembly questions, I do not do it for an answer; I do it to raise an issue. There are suggestions that the Northern Ireland Executive intend to create a portal — almost reinventing the wheel of what Northern Ireland Assembly questions are intended for. Whilst I appreciate the concern about limiting questions because of the considerable amount of work that they entail, is the Northern Ireland Executive removing an opportunity to raise issues that those at the Executive table might not find on the ground?

Mr Allister: Yes. The Member makes a valid point. Very often, the question is asked not so much with great expectation as to the answer, because sometimes the answers can be disappointing in just how opaque they are, but in order to put the focus on an issue.

Here we are, heading into territory where we have bestowed on Ministers — yes, in a time of great extremis, it is necessary to give extra powers, but it is not a time when it is necessary simultaneously to remove powers of scrutiny. That is my gripe about this matter: that we are coinciding the — I will not say "excessive" because much of it is necessary — increase in powers to Ministers at a time when we are surrendering and downgrading the right to ask questions in the House of an Executive that — I am going to frankly say — a week ago, could not agree when our schools could be shut and that were pulling in opposite directions. The past few weeks in that regard were not a confidence-building measure. Therefore, to now see that we have bestowed upon those Ministers —. Without Question Time, we are effectively going to have government by press conference. Of course, it is necessary and right

to keep the public fully informed, but this is an elected House for a purpose, and the purpose should be that Ministers convey, through the House, as much as they can to those whom we represent.

Mrs D Kelly: I thank the Member for giving way. I want to bring some clarity to what was agreed. The political parties sought to act in a responsible way by freeing up Ministers to deal with the crisis at hand. People are dying outside here, and we wanted to ensure that Ministers would be freed up by not having to answer lots of questions. The Health Minister alone, at that point, had over 800 questions on his desk. Therefore, an agreement was reached, as the independents ought to know, and Ministers gave a commitment from the Executive to come before the House to make statements and to answer as many questions as needed from Members, so scrutiny will prevail, albeit in a different way.

Mr Allister: The Member makes a valiant effort to dress it up, but the reality is that the facility that existed for MLAs to ask the questions that were on their minds of Ministers about actions that they were taking in their Departments has been stripped out and taken away, and in its place, we have the offer that Ministers may, at their discretion, by and large, come to the House, make a statement and answer or dodge questions as they wish. That is a very poor substitute. It is not something that I believe needed to be done.

The Member referred to the 800 questions to Minister Swann. Those 800 questions were in written form. We are talking about a Minister coming to the House once every two or three weeks to answer maybe half a dozen questions. That is what we are talking about in the scale of things, and yet that facility has been removed. I simply make the point that I do not think that, in these circumstances, that is healthy. It is not a step that should have been taken, but taken it has been.

I wish to make a few miscellaneous points for the Minister's consideration. Under the Bill — somebody already referred to the fact that the powers are expressed pretty vaguely, and maybe there is a reason for that — is there a power to compel a factory, for example, to close?

I have had representations today from constituents, working in factories in my constituency and in Minister's, who, by virtue of the sort of employment that it is, on an assembly-line or a production line, are effectively working shoulder by shoulder. That

makes a mockery of all we are told about social distancing. What is the capacity to deal with that situation? The ultimate extreme action is to close such a factory. If such an extreme action were necessary, is there power in the Bill to do it? Does it lie elsewhere? Does it fall within the clause about stopping gatherings and closing premises? Does that extend to closing factories? Maybe it does, maybe it does not, but it is the sort of vagueness that Mr Nesbitt talked about in his contribution. We need some clarity about issues like that.

Where, Minister, does this legislation sit with the Civil Contingencies Act 2004? Is there a crossover? Are we going to be relying on both? Under that Act, there are also extraordinary powers that can be taken. I do not read this Bill as superseding those. Are we going to see a mix and match of those powers? Should it be made clear to the public that it is not just the powers that are in this Bill, shortly to become an Act, but also those in the Civil Contingencies Act?

If it comes to it, and things get as bad as is feared, are we going to be fettered in any way in calling in the necessary support of the army in this part of the United Kingdom? Is there going to be any fetter on that? There certainly should not be. If we get to a point where hospitals, particularly on the border, are being overrun by people from outside the jurisdiction, anxious for help, are there steps we can, would or should take in that regard? Are there powers in the Bill to allow the Minister to deal with that extreme situation?

Mr O'Dowd: Will the Member give way?

Mr Allister: Yes.

Mr O'Dowd: The Member likes to look for areas that might be provocative and cause tension etc — that is his style. Is he seriously suggesting that we should stop cross-border healthcare? What if patients from south Armagh, south Down or Derry, or wherever, go across the border seeking healthcare? Are you suggesting that, if we block the border, the southern authorities should blockade their side of the border? Surely, what he should be seeking at this time is cross-border cooperation in healthcare and looking after our loved ones, rather than trying to create a problem which should be a solution.

Mr Allister: I do not think I am trying to create a problem. I am asking a legitimate question. If we should, in the extreme of this situation, arrive at a point where the National Health

Service facilities in this part of the United Kingdom are put beyond breaking point, because of an influx from outside this jurisdiction, is it not a fair and legitimate question to ask? Does the Minister have the powers to deal with that situation and remedy it? I think he should, but the Member thinks he should not — maybe it is the Member who lets his politics override his judgement.

Mr Stalford: Will the Member give way?

Mr Allister: Yes.

Mr Stalford: Does the Member recall the outbreak of foot-and-mouth disease that took place in Northern Ireland in 2001? On that occasion, the army was deployed to help deliver essential supplies.

At that time, I think we had a Government up and running at Stormont that included all parties, so there is no legitimate reason why people could object.

2.45 pm

Mr Allister: I think the Member is right in what he says.

I do not see this as a green and orange issue. This virus is colourless as far as that is concerned, but it does concern me somewhat that, in recent weeks, it was the greenery of some people's view that led their thinking about the schools needing to close: because it had been done south of the border, it had to be done north of the border. I think that it was those people who were allowing their politics to rule their head in this matter. Will that same politics rule their head if it comes to the need for army support? That is a legitimate question to which we need an answer from those who want to make politics out of this situation. Let them tell us. If it comes to it and we need army support in this Province to get through this crisis, are they going to stand behind that and support that or is that trumped by their politics? It is no time for that, and I trust that that will not be the situation. I will leave it there.

Mr Carroll: I want to begin by sending my thoughts to everybody who has been forced to self-isolate, especially those people who do not have family or friends to call. My thoughts are with them at this time, and I extend my condolences to the families of those who have tragically lost their life as a result of this deadly and dangerous virus.

I am incredibly frustrated that, once again, the Executive have had to wait for Boris Johnson to act when international advice was to take action. Two weeks ago, the World Health Organization criticised Boris Johnson's do-nothing, herd-immunity approach. When Europe was dubbed the epicentre of the pandemic, Boris Johnson did not want to act, so the Executive did not. It is worth remembering that the Executive refused to close schools, despite the fact that all around us schools and workplaces were closing their doors in the interests of public health. They were miles ahead in taking action. It is also worth remembering that the Minister of Education snarled at me this day last week when I suggested that schools should be closed down. It has taken two weeks of public outrage, international criticism and pressure from NHS staff to get us to a more serious shutdown, and, still, not enough measures are in place to protect the vulnerable from COVID-19.

Can the Health Minister tell us why we are still refusing to test people in their hundreds and thousands? Drive-through testing centres are being set up in the South, but someone with two or more symptoms here cannot get a test. It simply boggles the mind.

Can the Minister tell me why the Executive have not moved to requisition private healthcare facilities and equipment into public use to resolve the shortages in the health service? As I am sure Members will know, a company outside Belfast is charging £120 for a testing kit and another in the South sells ventilators internationally, but we have shortages across this island. Where is the effort to take over production of personal protective equipment to make sure that our health service is properly protected? Profit should not trump public health at any time, but especially not at this time.

Finally, where are the wide-ranging financial measures to protect those who have lost their jobs or will be unable to support themselves because of this virus? Neither spending five weeks on a universal credit waiting list nor receiving basic statutory pay is good enough. Rent freezes, mortgage freezes, a ban on evictions and freezing of utility bills are the real emergency powers that should be enacted. Instead of taking these steps, the Executive are quickly moving to emergency powers to simply force people indoors.

We in People Before Profit will happily back the progressive proposals in the Bill — for example, to recruit to the health service — but this legislation does not include real measures that

would protect workers, the self-employed and the vulnerable, and this has been a problem all along. Indeed, much of this legislation seems to be aimed primarily at coercing people instead of providing the financial provisions to allow people to stay at home. I share the concerns of Amnesty International about the legislation. It states that the powers that are being granted to public health officials, constables and immigration officers are:

"broad, serious and potentially invasive".

In the short time that we have had to look at the legislation, I attempted to amend it in order to reduce many of those elements. The People Before Profit Alliance believes that it is wrong to potentially detain people when employers are still able to force people to go to work. In my experience, people want to socially distance themselves and self-isolate in order to protect themselves and their families. However, those people urgently need financial security from the Government, not simply state coercion. Powers of detainment, for example, should never be considered before financial security has been secured. How can the Executive contemplate detaining people if they have not even secured provisions that would allow thousands of construction workers, agency workers or the self-employed to stay at home?

Furthermore, the emergency powers will potentially be conferred for two years. That is a massively draconian shift, which the People Before Profit Alliance attempted to amend so that the Assembly would have to ratify those measures every two months. That is basic accountability to ensure that extreme measures would not remain in place longer than absolutely necessary. It is regrettable and deeply problematic that those amendments did not make it to the Floor. I urge the Executive to bring those powers back to the Floor of the Assembly for regular ratification in order to ensure that there is oversight against any potential abuses of power. If Westminster can look at those powers every few months, why can the Assembly not do that? I think that other Members have raised that issue already.

In order to ease some concerns on the detention aspects in the Bill, I ask the Health Minister specifically that he make a public statement declaring that his Department will not pass on the details of any migrants to the Home Office during the crisis, in line with the recent statement to that effect from the Irish Government, and also that staff receive guidance and updates to confirm that asylum seekers and those without status here are able to access free healthcare that relates to

COVID-19? If he does so, I am sure that it will provide some important assurances to those members of the community who are vulnerable and often marginalised.

Finally, I want to take the opportunity to pay tribute to and thank the incredible, brave, compassionate workers in our front-line services. We will be indebted to them for ever for putting themselves and their families second and the health of the community first. We cannot thank them enough. I can only hope that their important work is, never again, rewarded with lesser wages and conditions than they deserve.

Ms Sugden: I want to begin by thanking the Minister for his work. I remember saying on restoration day that he had the hardest job of all. I do not think that anyone, even him, anticipated how true that would be a mere few months later. I am genuinely impressed by the Minister's candour, professionalism and compassion for all the people of Northern Ireland. I would extend those comments to the wider Northern Ireland Executive. It is about people, not politics, finally.

I recognise that people are scared. They are confused. They are fearful for their health and that of their families. People have died from contracting COVID-19. I offer my sincere condolences to the families and friends of those who have passed. My thoughts are also with those who are receiving healthcare for any illness in all health and social care settings across Northern Ireland, the UK and, indeed, the world. The circumstances that we anticipate place them in the most vulnerable position. I expect that they are very scared right now. I say to all those who are on the front line — health and social care staff, the police, the Prison Service, pharmacy staff, retail staff, and all those who are now working not for themselves but for others — you have my support, compassion and representation. Whatever I can do, I will do it. I am sure that we will do it as an Assembly. That has been apparent today.

To an extent, agreement to the legislative consent motion is academic. I say that not to undermine the genuine concerns that have been raised by many — not least Mr Nesbitt, Mr Allister and Miss Woods — which, in normal circumstances, would be entirely valid and would probably render the Bill unacceptable. I say it to acknowledge the seriousness of the situation. If we are abandoning democracy, we are doing it for survival.

I appreciate the comments from Ms Kelly around removing the burden of Assembly

Questions from Ministers. Again, I will reiterate that I do not seek to put any undue burden on an already overwhelmed Northern Ireland Executive, but I seek to raise those queries that I feel will be lost. I am sure that every Member in this House has received considerable correspondence via social media, email and telephone. I go to bed at two in the morning and I wake up at seven and those messages are unanswered. The channel of Assembly Questions is a good opportunity not to expect answers but to raise queries to ensure that some issues that may have been overlooked are being addressed, because when we do that, the people that we represent, all of us, including the Northern Ireland Executive, will benefit.

This is not normal, and I sincerely hope that it does not become our new normal. When this passes, and I think that we are all praying to God and whoever else we put our hope in that it will, there needs to be global work to understand why this has happened and how we can prevent it happening again.

I will use this opportunity not necessarily to debate the specific clauses in the Bill and legislative consent motion but to seek clarity or, at a minimum, raise issues to ensure that they are not overlooked and that people will not fall through the gaps in the chaos of survival. I will, however, try and keep it in line with the parts of this Bill.

The practical outworkings of the Bill are ambiguous. Even after the Prime Minister's statement last night, they are perhaps even more ambiguous than they were before. One of the key areas that I want to talk about is statutory sick pay, and I know that it is provided for in the Bill. I appreciate the removal of the three-day wait. People should not be financially disadvantaged by these circumstances. Statutory sick pay, as many Members will know, is typically paid up front by the employer on day four, and I will expect employers to also pay employees on days one, two and three directly.

I ask the Minister, and maybe he can come back to me if he is unable to answer today, does the Coronavirus Bill provide a mechanism by which employers can claim the additional three days statutory sick pay that the Bill will enact? How soon will it be reimbursed? I appreciate that this has a short-term financial burden on the employer, but short-term cash flow is the problem that can and has led to many employers making serious decisions that have disrupted their businesses and the lives of their employees, and they may never recover from it.

Also, regarding statutory sick pay, I have been contacted by a number of employees last night and this morning telling me that their employer is requesting a sick note or self-certification to enable them to stay at home. That is, again, after the PM's announcement last night. Previous UK Government advice said that that was not required, but it seems that there remains considerable confusion about the liability of allowing people to stay at home. I will go into that further.

If the employee makes the decision to self-isolate, are they only entitled to statutory sick pay, as per their contract of employment? If the employer makes the decision to send staff home, is he or she liable to pay full pay while not receiving income at the other end? If the Government instruct businesses to close, as we heard last night, are they taking on the liability to pay workers? How are they doing that? Who gets minimum statutory sick pay? Who will be entitled to the coronavirus job retention scheme, which pays up to 80% of wages? Do we advise them to go on to new style jobseeker's allowance, which is not means-tested on savings and partners' income, or the sickness benefit of ESA, which is quite similar, or do we tell them to go on to universal credit, which they may not be eligible for anyway, again, depending on their financial circumstances of savings and partners' income?

I appreciate that this is not entirely your remit, but you are responding to a lot of the concerns in relation to this more widely and I am grateful to you for doing that. We nearly need the whole Executive here because we could talk about every issue that seems to come up with this Bill.

However, it is that confusion that is leading people to continue to work and to employers reluctantly making them stay. The concern is that that will not delay the spread of the virus, and that is where we are right now.

3.00 pm

Another area of concern is the question of essential workers. If employers who have been forced to close — further to announcements that were made this week and last night — will be able to access the coronavirus job retention scheme on behalf of those workers, that is fantastic. That will have removed uncertainty for those who are nervous about their own health and that of their families. I welcome that and I look forward to more measures specifically for self-employed people, which, we hope, may come today.

The devil is in the detail, however, and I appreciate that the Bill, in itself, may not provide that, but we have to be concerned about the outworkings of the Bill that we are passing via the Assembly and all the other devolved regions but specifically in Westminster. As I expect all Members as well as Ministers are, I am finding that the fast-moving pace of the situation makes it incredibly difficult to provide good advice to our constituents. I am finding it particularly difficult to cross-reference that information with standard employment law and with other laws that are in place. Things are not clear. Many Members have said it, but the point needs to be well made because that is where the correspondence from my constituents is coming from. It is leading to further anxiety and, again, it is leading people to make decisions about their work and their income.

So, what is essential? I know that some have described it as meaning key workers and those employees that support those key workers. I was contacted by the owner of a tyre centre for motor vehicles this morning. That is not really an essential service, or is it? What if a nurse, a doctor or a teacher who is looking after key workers' children gets a flat tyre? Where do they go so that they can continue to travel to their place of work where they are saving lives? That service becomes essential at that point.

I would not really consider off-sales as essential retail but I understand, at this stage, why many might disagree with me. *[Laughter.]* Those retailers have not been given any direction. If we go back to the crux of why the Prime Minister had to make his announcement, its purpose was to limit the numbers of people being in close proximity to one another in order to delay the spread of the virus.

Mr O'Toole: Will the Member give way?

Ms Sugden: Please, go ahead.

Mr O'Toole: I am glad that the Member had the courage to raise the issue of off-sales and I agree that more clarity is needed. Does she agree that it is particularly important — though no one in the Chamber would responsibly describe off-sales as an essential service — that there is also the danger, in these unique circumstances, of creating a kind of black market? It is important that people have clear guidance on what is and is not permissible so that customers and business owners know how to operate within the law.

Ms Sugden: I agree entirely. The lack of detail and clarity is where we are going to find

ourselves in difficulty. We do not want to get to a point where people are taking the risk in order that they remain in employment and are, potentially, spreading the virus. Sometimes, I get frustrated that the message around delaying the spread of the virus is not made entirely clear.

He will forgive me for saying it because I know that the Minister has said this many times: it is inevitable that we will all contract the virus at some stage. The difficulty will be if we all contract it at once, therefore putting overwhelming pressure on the health service all at once. That, then, limits its ability to look after the most sick and vulnerable. When that ability is limited, that is when people will die.

To go back to my point about off-sales, the Prime Minister, ultimately, made his announcement in relation to limiting close proximity. Close proximity can be controlled in off-sales premises in the same way that it can be controlled in supermarkets. So, do they remain open? If they can stay open, will their employees be able to access the coronavirus job retention scheme or will staff who, understandably, want to self-isolate be reduced to statutory sick pay — depending, again, on their employment contract as per my earlier point.

I am genuinely not trying to advocate for off-sales to remain open, but their staff are going to work tonight. Gardeners are asking me if they can cut lawns, because they are outside and not interacting with the people that they work for, but then we are telling family members that they cannot come to each other's properties and premises. I think a lot of this advice is really unclear. Whether you can or you cannot, ultimately no one wants to be at work. We are in a situation now where we want to be at home with the people who we live with, to limit the spread as much as possible. If they can only access statutory sick pay, instead of the 80% of wages, then maybe they will make a choice to go to work.

It is easy for me to say, "If in doubt, do not go to work", but, in doing, so they may not have enough money to put food on their table, they may be at risk of defaulting on bills and they may face legal action. I have a constituent who contacted me last week because they had received a notice of intention to enforce repossession on their home that had been sent last week by the Northern Ireland Courts and Tribunals Service on behalf of their mortgage lender. Has this been thought about? Have we thought about the impact of standard correspondence that is triggered when people

miss however many payments within their mortgage contract? It has the potential to deeply unsettle, in a context where good mental health is already being challenged.

We are hearing that services are being reduced, and I fully understand the rationale for that in delaying the spread, but, Minister, in some circumstances, are we limiting our response to the next phase by our actions within the delay phase? Let me qualify this. For example, licensing has been suspended. Will this include ambulance workers, needed in the weeks ahead? Will it include HGV drivers, who I understand we have a considerable shortage of anyway?

I do not expect all the details of this to be worked out. The fast pace of this inevitably means that things will be lost, which again means that I see the necessity of my earlier point about being able to correspond with Ministers. I have no way to do that now. If anything, I am chasing down their special advisers or writing to the private office. My method of keeping them informed is much more convoluted and resource-intensive than submitting a question in the Assembly, which, quite frankly, I do not care whether they answer. I just want them to know.

I make the point again — I made it when I was Minister, and I will make it now — the purpose of this Assembly is to scrutinise, not necessarily on the basis of holding the Government to account, but that is our role. That is democracy, ladies and gentlemen. The Assembly is also there to support Ministers in their work, and we do that to inform them and to be the representatives of the 100,000 constituents of East Londonderry and all the various constituencies across Northern Ireland. It is that representation role that informs them for the job that they have to do, which is right. I implore Ministers to look to their MLAs. We are here to support you and to find out the bits of legislation that you may have overlooked, the policy that might have unintended consequences.

Mr Buckley: I thank the Member for giving way. On her point about unintended consequences, I have been contacted today by constituents who fear for the lives of their elderly, who are in care homes and nursing homes across this country. Some are incapacitated in such a way that it is their loved ones who visit them in these homes whom they really rely on in this time. We have seen recent reports from Spain on the BBC news that suggest a higher number of elderly have now become vulnerable in care homes and, sadly, passed away because they have not been provided with the appropriate care. It

has been rightly pointed out that many who work in our care homes are professionals who are unsung heroes at this time, but, sadly, as we have seen in Northern Ireland in the past, that is not always the case. So we have loved ones who really want to visit their elderly relatives whom they sense are in real danger, but are unable to do so at this time because again we have a message of, "Is it safe to go?". Some homes have applied a blanket ban and others have not, but there is no clarity. They desperately need clarity in this time, and it is important that we as MLAs can relay that back to Ministers at a time like this.

Mr Deputy Speaker (Mr Beggs): I encourage Members to be brief in their interventions. They could add their name to the speaking list if they wished.

Ms Sugden: The point is entirely well made, and every Member has mentioned it in their contribution. The need for information is critical. When the general public are concerned and anxious, we provide them with information to reassure. It is not entirely a criticism; I understand how fast-paced this is. I understand that the resources within the Northern Ireland Civil Service are limited. We had a voluntary exit scheme, which took out a good part of our experience and a lot of our resource and, ultimately, that is why Northern Ireland has stopped its Assembly asking questions, when the other regions have not, because our resource here is limited.

We are into this Assembly mandate for maybe a month, after three years without an Assembly. The secretariat and the Northern Ireland Civil Service were run down; staff were deployed elsewhere. I suppose that we are where we are and we need to try to put our best foot forward in trying to help the people of Northern Ireland and trying to save lives.

I say to the Executive, let us help you. Do not be that Executive that sit behind closed doors and get nervous about the input of the MLAs who hold you to account. You are members of the legislature as well. Take MLAs' advice, their experience of casework and the comments that they are getting on the ground and let us see how we can make this work for everyone, so that we limit the worst effects of this virus.

Minister, I really could stand here all day and go through every Department and talk about the various remits and the things that we have not considered, but your time is much more precious than mine.

I want us to all spare a thought, maybe more than that, for all those hundreds of thousands of people who are stranded outside the UK and Ireland and who cannot get home. Whilst waiting to contribute, I had messages from Bali, Australia and Turkey, and I am aware of an issue in Peru. They are telling me that there are hundreds of thousands of Britons stranded abroad. My concern for them is where do they go, do they have shelter and food, and do they have access to the rights that we enjoy here, but people do not in the places that they are visiting? I cannot stress strongly enough that, whether they are here or abroad, they are our responsibility if they are constituents of Northern Ireland.

I have limited power or influence on the UK Government, and I appreciate that the Foreign Office falls within the remit of Westminster, but we do have an influence collectively as the Assembly and the Northern Ireland Executive. The Minister attends the COBRA meetings. What are we doing about our people abroad, because that is a concern? If we are anticipating that this will go on longer than a month, for maybe three months, four months, what are we doing to try to get our people home? Maybe it is not a priority right now, and I accept that, and hard decisions are having to be made — we heard that yesterday when Mr Allister talked about his very tragic constituent — but I think that it has to be a consideration. They are as much our responsibility as anything else.

Minister, I wish you and the Assembly well because I see the work that we are doing to represent and put forward the views of our constituents and to assist and advocate on their behalf. The weeks and months ahead will be really difficult, but we will come out the other end. That is what we have to look forward to and that is what I am trying to encourage my constituents to look forward to.

Mr Deputy Speaker (Mr Beggs): I call the Minister of Health, Robin Swann, to conclude the debate on the motion and the amendment.

Mr Swann (The Minister of Health): Thank you Mr Speaker. I thank Members for their contributions and for their acknowledgment of my staff, the health and social care staff, domiciliary staff, pharmacists, doctors, GPs and all those people across Northern Ireland who, as I think Mr Allister said, are working not just for where we are now but for what is still to face us. It is then, Members, that we will look for your assistance, help and understanding.

3.15 pm

I will just update Members. A lot of issues were raised about PPE, and I want to make Members fully aware that, earlier today, I authorised the release of 30% of our pandemic stockpile. That is probably earlier than we would have wished, but it is because of, I suppose, the concerns that have been raised. The additional pressure now comes on those in the trusts, the GP practices and every other facility to make sure that that PPE is managed wisely. That is the challenge at this minute in time. It is a challenge that I cannot manage. It is a challenge that my Department cannot manage on the front-line level. There is a responsibility there.

Folks, I stood here a fortnight ago and said that sanitiser was being stolen from our hospitals: face masks are being stolen from our emergency departments. The pressure may be on us, as a Department, and the trust to make sure that the PPE is there and is available, but there is also a responsibility on the wider public to make sure that it is available for those who need it, when they need it.

I turn to today's contributions. Members, if you will indulge me, I want to cover as many of them as I can, because I am one of the Ministers who has stopped answering Assembly questions. That is simply because we had nearly 800 of them. Members, if someone looked at some of those questions today in hindsight, they would wonder whether it was really worthwhile to ask them. If some people from outside the House looked at some of those questions, they would ask why they were ever asked in the first place.

I will start with the contribution from the Deputy Chair of the Committee. She raised issues about the well-being and deployment of students and retirees. A number of Members raised that issue. I assure Members that students and retirees and, indeed, the volunteers whom we are asking for, as empowered by the Bill under the VEF scheme, will have the necessary training and support and that their health and safety is paramount. Whilst those measures are being progressed urgently, essential processes for recruitment are still taking place but much faster. As for where they will be deployed, those staff will be deployed as operational needs require, to make sure that we have a balance in the need that is there but matched up with the skills and experience at the level of the people who are supplying them.

The Deputy Chair also asked about indemnity for Health and Social Care activity. The

provision of clinical negligence indemnity to healthcare workers and others carrying out NHS activities is a devolved matter. Clause 12 provides powers to provide indemnity for clinical negligence liabilities arising from HSC activities carried out for the purpose of dealing with or in consequence of the coronavirus outbreak where there is no existing indemnity arrangement in place.

The Deputy Chair also asked about the sectors where employees can absent themselves for emergency volunteering. It covers employees and workers who are engaged in COVID-19 volunteer activity, so it includes agency workers, and those eligible will receive compensation for the loss of earnings and travel expenses. The scheme has been designed on a UK-wide basis, but, as for how we manage some of our other volunteers coming forward, I spoke with the Minister for Communities this morning, and she is engaging on how we manage that. This is an Executive-wide approach. Although I lead on the Bill today because it is health-based and health-grounded, the response is across the Executive.

The Deputy Chair also raised the issue of volunteering leave. Emergency volunteering leave will create temporary, unpaid statutory rights for eligible employees and workers, so that they can take emergency volunteering leave. It is a day-one right for employees and workers, and it will be for up to a period of 16 weeks. An employee or worker may take only one period of emergency volunteering leave in any volunteering period and that must be in a block of two, three or four weeks, so that it is fair to their employer as well. If they take up a volunteering space in the health and social care system, that provides value as well.

John O'Dowd raised a number of questions and made a valid point. Be under no illusions: we will lose businesses and jobs, but my aim, as Minister of Health, is to lose as few lives as possible. That is where our focus must be and should be at all times. He said life would go back to normal. Folks, I do not see the "normal" going back to what we perceived it to be. There will be a new "normal". We will look at life and society differently. Be under no illusion: this will have a profound effect on how we respond to society afterwards.

John O'Dowd also asked about the rationale for the amendment that I moved this morning. The amendment to the legislative consent motion was simply an amendment to capture some last-minute amendments to the Bill and to make sure that those provisions were included in the

Bill. They were raised by the Department for Communities to refer to district council meetings, business improvement districts, statutory sick pay, commercial leases and business tenancies. The reason for the amendment was to make sure that we captured in the Bill what we could.

Again, I want to reinforce that, as the Chairs and Deputy Chairs of various Committees said, the contents of the Bill cover the Executive Office, Economy, Communities, Justice, DAERA, Education and Health. They all have input into the Bill. I get the privilege and honour to lead it because COVID-19 is seen as a health matter. Many Members made a point about the six-month clause: a new clause for a six-month review has been added. That allows the House of Commons to express a view on the continued operation of the legislation, and the review clause does not apply to the temporary measures that are being devolved.

As Health Minister, for the parts of the Bill that are within my remit and within the function and action of my Department, I will come back here and give regular updates. I have committed to do that as Minister. I am not averse to taking the criticism of the House, should be it be constructive or otherwise. I have been here too long to let this issue get to me — well, it does get to me personally — to let the challenge of Members in the House get to me.

The Chairperson of the Committee for the Executive Office asked about pensions for retired returnees and for the reconfiguration to be temporary. The pensions clause — 45 — exists to remove any pension restrictions as an obstacle, so that has already been covered in the Bill. It is open as something that we can do, as we need to deploy.

On the enforcement of what can be closed, as I said, the Bill provides for the enforcement of measures to close premises and prohibit gatherings. It is important as part of social distancing measures. Those measures and the enforcement powers focus on owners and occupiers of premises and organisers of events; they do not target individual people, however foolish they may be, who may choose to ignore advice and attend events. I recognise that that may not be enough if individual people do not heed the instruction and continue to behave in a way that puts their health and that of others at risk. If additional measures are needed, such as fixed penalty notices, to deal with individuals who behave irresponsibly, with the agreement of my Executive colleagues, we will not hesitate to introduce them.

I move on to contributions from other Members. My party leader, Steve Aiken, said that, as we face the crisis, it will bring out the best of us. I hope it also shames the worst of us, who cannot see that their selfish actions today, yesterday and tomorrow will cost lives. They will put pressure on our health service that will see it not being able to cope. I think of John O'Dowd's depiction of someone who is irresponsible today not being able to be beside a loved one suffering from the severe ravages that COVID-19 will bring.

Paula Bradshaw referred to those in the community and the volunteers who are stepping up. We cannot allow that spirit of volunteering and contribution to be in vain. We cannot fail those people by not supporting them in doing that. She mentioned another challenge that, I think, Matthew O'Toole raised as well. The Bill will cause us to look at death in a very different way over the next few months. The normal tradition for all sides of the House — a wake, visiting the house and putting out a friendly hand of comfort or a hug to someone who has been bereaved — is no longer advisable or acceptable. That friendly hand of comfort or hug could lead to another death. Folks, this will be tough. We are in a tough few months. We will see the other side, but, if we do not listen to the advice that has been given and follow the guidance in the Bill, not all of us will see the other side. That is as basic and blunt a message as I can give.

The Chair of the Justice Committee, Paul Givan, made a number of comments. I am fortunate that my Executive colleague the Justice Minister addressed some of the aspects of the Bill that are relevant to her yesterday. If the Executive need to pass additional legislation, we can. We can also supplement what is in the Bill with regulations; there is that ability. The Chair of the Justice Committee touched on the human side of what COVID-19 means to each of us as MLAs. It will reach out and hit families. How a family reacts will be a challenge. He said that people seem to be ignorant of or just do not want to comply with the guidance that we are giving on social distancing. Those people may feel that they are immune because they are young. The statistics — Steve Aiken referred to them — show that over one third of those who have tested positive for COVID-19 in Northern Ireland are under 40. The next third fall into the 44-to-65 age bracket, and the other third are older than that. The virus does not respect age. To the young people who think that they are immune, I say, "You will not be immune to the effects of some of the actions in the Bill, nor will your loved ones be able to bask in what, you think, is your immunity to

COVID-19". The challenge of social distancing is about stopping the spread in homes, workplaces and our general society.

I thank the Member for his prayers. Many in Northern Ireland rely on prayers and will look to them at this minute in time. Those prayers are valued no matter what they are. If you are in your place of worship — I think that it was Dave Allen who said, "If you have any God or no God" — say a prayer of thanks tonight for our health service and the work that it is doing.

The Chair of the Economy Committee spoke about the volunteer register. I spoke to her colleague, the Minister of Communities, this morning because Communities is leading on that. She also had a query about article 36. Yes, it will be used only if it is needed and we have to compel colleges, schools or childcare to open to support the children of the key workers who keep our health service running.

The Chair of the Agriculture, Environment and Rural Affairs Committee spoke of the support that organisations such as the GAA and the Young Farmers' Clubs of Ulster can give. They can prepare to support those in our community who face isolation but do not have the family that most of us can rely on, including those who are socially isolated and distant in rural communities. Through the steps and measures that we are taking, we do not want to isolate people from society; we want to shield them from the virus. There is a big difference, and there is a responsibility on other organisations to contact and support those people.

3.30 pm

Patsy McGlone referred to health workers being a key group. Patsy: 100%. The more testing we can do, the better, and, this morning, I stated that we will increase the number of tests to 1,100 per day. As soon as I mentioned that, I took criticism from across the House, with Members stating that it is not enough. It is not enough, and that is why we are pushing on. Three weeks ago, we were doing 32 tests a day. We are now up to 1,100 a day, and the push to do more tests continues so we can ensure that our front-line staff can get back to work as quickly as possible. We want to support their families. We also want to support the other vulnerable groups in our hospitals. We want to make sure that we are not treating non-COVID patients beside COVID patients and putting an additional strain on our hospital facilities. So, if we find a case in a care home or in a facility that looks after people with learning disabilities, we will not keep all those people together. If we find one case, we will test everyone around

them. We are focusing the tests. As our capability increases, which it will, we will target and test those who will benefit most.

Mr McGlone asked whether the powers available to the Public Health Agency could be extended to environmental health officers in district councils. The answer is yes. The public health regulation-making powers, under clause 46 in schedule 17 to the Bill, can confer functions on the Public Health Agency or other bodies or persons to help support the public health response to COVID-19.

The powers relating to potentially infectious persons in schedule 20 allow the director of public health in the Public Health Agency to advise or direct others under arrangements to prevent or control the spread of coronavirus. It is about how we ensure that we use people to the best of their ability and skill set.

On supporting people who are subject to early release from prison, my officials are working to ensure that mental health support is there for anyone who is suffering from mental ill-health during this difficult time. Support will include an increased online resource as undoubtedly our workers in this area will fall victim to this virus as well. Mental health is also a major part of what my Department does, but it is also supporting the other work that we do in asking people to socially isolate.

The Deputy Chairperson of the Education Committee quoted Heaney:

"If we winter this one out".

Folks, if we can get through to society to follow this guidance and listen to the simple advice, there will be more of us. We will see the summer. It is as simple as that. Heaney's guidance was right, but we have to follow the guidance, regulations and direction from the Department of Health as well.

Mr Nesbitt asked a number of questions about the prohibition of events and wondered whether, for example, a building site constitutes a gathering. It is not the policy intent behind the clause for public events, but it is something that my Executive colleagues in TEO are looking at. The legislation for powers relating to events, gatherings and premises in Northern Ireland enables TEO to give directions, but, before doing so:

"the Executive Office must—

(a) have regard to any relevant advice published by the Chief Medical Officer or

any of the Deputy Chief Medical Officers of the Department of Health in Northern Ireland, and

(b) consult the Chief Medical Officer or any of the Deputy Chief Medical Officers."

Therefore, before making a declaration of the risks of coronavirus in Northern Ireland, to enable the activation of powers relating to potentially infectious persons in Northern Ireland, the Department of Health must consult the Chief Medical Officer, and such a declaration by the Department of Health must be published online and in the 'Belfast Gazette'. Hopefully, that provides the clarity and reassurance the Member was looking for.

As Martina Anderson said, the perception of the joint office of our First Minister and deputy First Minister as they deliver messages to the people of Northern Ireland cannot be underestimated. It shows the unity of purpose that the Executive have in dealing with the challenge of coronavirus.

Ms Anderson also referred to the human rights implications of the Bill. The front of the Bill carries the declaration on the European Convention of Human Rights, and the Health Secretary, Matt Hancock, made a statement under section 19(1)(a) of the Human Rights Act 1998. So, in my view, the provisions of the Coronavirus Bill are compatible with the Convention rights. That is similar and akin to declarations that are made in any piece of legislation in Northern Ireland.

Martina Anderson and Matthew O'Toole asked why immigration officers need these powers and queried what the powers will allow an immigration officer to do. I think that their concerns were over the powers of immigration officers. The powers ensure that immigration officers will be able to support the wider public health effort where they encounter a person who is, or may be, infectious during the course of their normal functions at the border, or while exercising immigration enforcement functions in-country. The proposed powers will allow an immigration officer to direct or remove such a person to a suitable place for the purpose of screening or assessment or to keep that person in a suitable place for a time-limited period before he or she is handed over to the relevant health authorities. That time-limited period is up to three hours but it can be extended by a further nine hours. Immigration officers are required to consult a public health officer to the extent that that is practicable before exercising those powers.

Justin McNulty talked about how this role was pressurised but, as I said last week or the week before, this role is a privilege. It is an honour to hold the role and to represent an untiring, relentless and dedicated workforce. With regard to how I see the health service in this country at the minute, the health service is more than a sound bite. The health service is more than a headline to be chased because our health service means life itself for so many of our constituents. Let us not get distracted about what the health service could be doing; the health service is doing everything that it possibly can.

Matthew O'Toole stated that it is time to be honest. Since I took up this role, with coronavirus and COVID-19 hitting Northern Ireland, being honest is all that I can be. I have been blunt. I have been frank and, at times, I have probably gone further than some would have wished me to in my public messaging. That 14-15,000 people in Northern Ireland could die if others do not take their responsibilities seriously is a message that I cannot hit home hard enough. Now is the time for people to act.

Rachel Woods' questions about how we look after our homeless people and how we look after the vulnerable are well placed. It is work that is ongoing but probably not fast enough. It was said to me in a passing comment the other night that, when Belfast became so depleted of normal shoppers and normal people, the numbers of homeless in our city became more apparent. That is an issue that we should be tackling anyway outwith this Bill. Most of Miss Woods' questions are outwith this Bill but they are not outwith the competency of the Executive or my ministerial colleagues. Your questions been heard today, and I will make sure that the Hansard report of this debate is shared with all my ministerial colleagues. The issue was also raised by Claire Sugden. Although the focus is now on my Department and what we can do to tackle COVID-19, it has to be on others and how they support the Department of Health's approach.

Rachel Woods also spoke about the removal of liberties. Those who know me and my politics will know that the Bill does not represent my political way or political thought, in any direction, but I see the Bill as necessary because there is no greater removal of personal liberty than the removal of life. If we do not enact this legislation and move quickly enough to take the steps that we need to take, that is exactly what we will be talking about. To remove the liberty of life for more of our

constituents than it has to be would be the greatest failure.

I thank Jim Allister for his words of support for not only me but the rest of the Health Department. Yesterday, I said in the media that the measures that were going to come forward were draconian, because we had had an indication of what was coming. Jim Allister described how Draco used the penalty of death for those who failed to comply with his rules and regulations. Folks, it was an apt description; these rules are draconian. If people refuse to abide by the advice and guidance that the Department of Health is giving and the measures in the Bill, it will be to the cost of the lives of others. That is why they are draconian, and that is why they have to be enforced. If we take these steps now, we have the ability to fight back against the virus that is hitting us across Northern Ireland.

He also asked about the civil contingencies legislation. The Bill is to supplement and enforce any gaps in provision that were found in our legislation, Scottish legislation, Welsh legislation and English legislation. I am probably going further in the challenges to the civil liberty that we value and hold dear in our country. It is about supplementing and supporting the legislation that is there, and plugging that in. A four-nation approach has been taken to make sure that those pieces of legislation are encapsulated and consistent across the country.

Jim Allister and John O'Dowd had a challenge with regard to where this was going in some respects. Jim's points and questions were well made, and John's response was equally valid. Will I use the army? Will I call in the army if I have to? If we get to a stage at which the army can provide a service that we cannot, I will use whoever is at my disposal. I will use whatever tool I have at my disposal to tackle this virus. If the Irish Army wants to come up and help us when they are sorted out down there, I would be more than happy to welcome them. Let us not let this issue be politicised. It has not been, to date, and I do not think that it would serve the House or the individuals well if it were to be. I know that that is not where the Members were going; they were legitimate concerns.

I put on record the co-working that we have had east-west and North/South, from our Chief Medical Officers, from the Public Health Agency in Northern Ireland and from the HSE in the South. Northern Ireland's first case was someone who had travelled through Dublin. We were able to sort out the contact tracing because of the established relationships that

we have on either side of the border. There is, therefore, the ability to work across all borders and, if we have to use it, we will.

Jim Allister and Claire Sugden asked about definitions of security and social security and raised issues about statutory sick pay. I do not have the detail; there is no point in me trying to find it in this file. I have been leading on the health issues, and I have been left with the delivery of the Bill, but I will get the answers for the Members, because they have asked apt questions. The Minister for Communities has come into the Chamber to make a statement. I do not know whether her statement will cover some of the questions that have been raised.

Gerry Carroll asked for regular updates. I have already committed to coming back and giving updates on the health components of the Bill. He asked about the notification of migrants to the Home Office. No, I will not do it. He also asked about access to free healthcare. COVID-19 is a notifiable disease, so there should be no restriction. There is no restriction in receiving free healthcare in Northern Ireland within our NHS, so that concern should not exist.

3.45 pm

The final contribution was from Claire Sugden. This is about the people. This is about ensuring that as many of our people as possible survive. That is why this legislation is being passed, as well as the legislation on statutory sick pay and all the rest of it. The Minister for Communities will, I am sure, update the House on that at some time.

The Member asked about Assembly questions, and I covered that point earlier. She has been in contact with me about a number of cases, and we will keep working on those. As regards Executive colleagues coming here to provide regular updates, if I were nervous or frit of Members' input into this debate or whatever I was doing, I would not be standing here, I would not have brought the legislation here. She can be assured by that commitment from me.

Again, I emphasise that the measures in the Coronavirus Bill are temporary and are proportionate to the threat that we face. They will be used only when strictly necessary and will remain in place for as long as is required to respond to the situation. The provisions in the Bill are intended to protect life and the health of the public and to ensure that Health and Social Care staff are supported to deal with the significant extra pressure that is being placed on the health system.

I put on record my thanks to Executive colleagues for their ongoing collaboration and support throughout the process. This has undoubtedly shown how the Executive can work collectively and effectively together with one clear purpose, which is to ensure that we have the necessary legislative measures in place to deal with the COVID-19 outbreak. I express my gratitude to the Health Committee for all its efforts and assistance and to all the other Committees that have taken forward different parts of the Bill. I am particularly grateful to the Committees for taking the time to examine the legislative consent memorandum relating to the Bill, for the pragmatic approaches that they have taken on the issue and for their positive engagement with all officials. I must also add that all those actions were performed within a very demanding timescale, and I thank the Chairpersons and Committee members for their endeavours.

Finally, I pay tribute to our brilliantly selfless Health and Social Care staff, across all professions, who are working tirelessly to care for our friends and loved ones in this unprecedented period. Staff across all Departments, as well as the Assembly, have worked over the last number of weeks with their colleagues in Wales, Scotland and England to make sure that we have a Bill that addressed the needs and requests of the House. I thank the back-room staff who are working tirelessly to prepare for how to flatten the peak but will eventually have to tackle the peak. I also want to personally thank the professionals in my Department, in the Health and Social Care Board and in the Public Health Agency. The worst is yet to come, but, by planning for the worst and working for the best, we will get through this. However, it is important that we all play our part. We must all work together, from businesses prioritising the welfare of their employees to people continuing to do the basic things such as thoroughly washing their hands.

In conclusion, I reiterate that I consider the Coronavirus Bill to be an important and positive measure that will help to ensure that Northern Ireland Departments have the necessary legislative measures available so that we are well prepared to respond in a way that offers substantial protection to the public. In practical terms, I believe that Members understand the importance of including Northern Ireland provisions in the Bill and will give their support to the motion today.

I pass on my personal condolences to the families of those who have already lost someone to COVID-19. There will be more, but, by taking responsible actions in the House, we

can reduce that number. I commend the motion to the House.

Question, That the amendment be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Coronavirus Bill dealing with emergency registration of health professionals in clauses 2 and 4 and schedules 1 and 3; emergency volunteers in clauses 7 and 8 and schedule 6; mental health and mental capacity in clause 9 and schedules 9 and 10; health service indemnification in clause 12; registration of deaths and stillbirths etc in clauses 17 and 20 and schedule 12 (Part 3); food supply in clauses 23 to 27 and schedule 14; inquests in clauses 29 and 30; schools, childcare providers, etc in clauses 35 and 36 and schedules 15 (Part 3) and 16 (Part 3); statutory sick pay in clauses 40 to 42; pensions in clause 45; protection of public health in clause 46 and schedule 17; powers relating to potentially infectious persons in clause 49 and schedule 20 (Part 5); powers relating to events, gatherings and premises in clause 50 and schedule 21 (Part 5); courts and tribunals: use of video and audio technology in clause 55 and schedule 26; powers in relation to bodies in clause 56 and schedule 27; commencement in clause 73; power to suspend and revive provisions in clause 74; expiry in clause 75; power to alter expiry date in clause 76; power to amend Act in consequence of amendments to subordinate legislation in clause 77; power to make consequential modifications in clause 78 and procedure for certain orders made by a Northern Ireland Department in clause 82 as introduced to Parliament on 19 March 2020; and those provisions made by amendment during the passage of the Bill as they extend to Northern Ireland.

Discretionary Support (Amendment) (COVID-19) Regulations (Northern Ireland) 2020

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

Ms Hargey (The Minister for Communities): I beg to move:

That the draft Discretionary Support (Amendment) (COVID-19) Regulations (Northern Ireland) 2020 be approved.

The regulations, brought in under article 135 of the Welfare Reform (NI) Order 2015, will amend the Discretionary Support Regulations (NI) 2016. The First Minister has agreed to the legislation being brought forward under urgent procedure. Due to the urgency of making the amendment, the Committee for Communities has not had the opportunity to complete its scrutiny of the draft legislation. The regulations are a direct response to the coronavirus pandemic, and my priority as Minister for Communities is to protect the health and well-being of those who find themselves in a crisis situation as a result of COVID-19.

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

I am determined that my Department will do everything it can to help people who are diagnosed with COVID-19 or are advised to self-isolate. The amendment will be one small but important step in getting much-needed support to many vulnerable people. Discretionary support was introduced as a specific scheme in the North to replace the social fund community care grants and crisis loans. The amendment will go further by enhancing the existing discretionary support scheme. It will ensure that additional financial support is available to the most vulnerable people. That support is not available in England, Scotland and Wales and, alongside the welfare mitigation package, will ensure that people here have access to a more flexible social security system.

The aim of discretionary support is to address the needs of people in extreme, exceptional or crisis situations where there is significant risk to the health, safety or well-being of the claimant or a member of the claimant's immediate family. Awards can usually be made either as a loan or a non-repayable grant to assist with a range of crisis situations. That can include an award to

assist with living expenses, where a claimant has no means of meeting immediate costs for themselves or their immediate family. Entitlement is determined by the level of income, rather than entitlement to benefit. That means that people in low-paid employment can access discretionary support. The income threshold is set with reference to the national minimum wage over-25 rate and is automatically adjusted when that rate increases. From 1 April 2020, the income threshold will increase to £18,137. Discretionary support already delivers emergency financial support to people facing a crisis, but the support that people can access is limited. The Discretionary Support (Amendment) (COVID-19) Regulations will introduce a new emergency payment to help people during this crisis. The amendment will allow my Department to provide non-repayable grants, rather than loans, for living expenses. The payments will be available to people who find themselves with no means of meeting immediate living costs as a result of being diagnosed with COVID-19 or being advised to self-isolate because of COVID-19.

I want to make it clear that the provision also applies to any member of the person's immediate family. That means that, if one person in a household is told to self-isolate, another will be able to claim discretionary support under the provision. Payments will be made to cover the number of days from the date of the claim until the claimant's next income is due to be received. In recognition of the exceptional circumstances we now face, there will be no restriction on the number of COVID-19-related grants that a person will be able to receive. If they continue to require immediate assistance with living expenses, further payments will be considered.

The amendments that I have announced today will have an impact on the discretionary support budget, which is currently set at £16 million per annum. It is too early to accurately estimate the increased demand, but, assuming a 100% increase in the grant awards, the estimated additional expenditure will be £9.6 million in the next financial year. I can advise the House that anticipated increased expenditure has been shared with the Department of Finance. I can also assure Members that there is already a robust budget management approach in place for discretionary support. If a potential overspend is identified and additional funding is not available, my Department has the legal authority to reduce the amount awarded for subsequent applications. To date, no budget controls have had to be implemented in respect of the discretionary support budget, and I trust

that there will be no need to apply controls in the next financial year.

All Members will appreciate that these are challenging times, and I want to reassure people that the legislation will help to reduce the risk to vulnerable people by providing the necessary financial assistance to those who need it. I will continue to examine whether further changes to the discretionary support scheme are feasible, and I am determined to increase the emergency financial support to people at this time of crisis.

Ms P Bradley (The Chairperson of the Committee for Communities): As the Minister has said, given the fast-moving nature of the health crisis that we are in, the Committee for Communities has not had the opportunity to discuss the regulations. However, I am confident that the Committee would have few objections to the measures that the Minister has taken in order to support claimants who are affected by COVID-19, whether that be themselves or a member of their immediate family. In particular, I have no doubt that the Committee would be fully supportive of the assistance being provided through discretionary grants rather than loans. There is a general view that loans simply serve to place people in debt that they have to pay off over a long time. We have enough anxiety in society today without adding to it by indebting people.

The speed at which the regulations have been brought forward should be seen as positive. We do not want people wondering what support they can expect in a week or two. That support is required now. The policy is, in effect, an extension of the current discretionary support policy. However, unlike the current policy, the regulations ensure that people will be able to make repeated claims within any 12-month period, and, as long as there is evidence to support the claim, a grant may be provided.

I note that, as the Minister has stated, the additional expenditure would be upwards of £10 million a year, assuming a 100% increase in grant awards. The Department has advised in the accompanying SL1 that it has engaged with the Department of Finance to highlight the anticipated increased expenditure. It is, therefore, not entirely clear whether the anticipated increase in expenditure has been agreed. Can the Minister clarify that in her response?

Finally, while the new policy is welcome, it will be of little help if we do not have the people to process the applications or if the applications cannot be processed in a very short time. Can

the Minister shed some light on whether additional resources will be dedicated to aid the processing of discretionary support applications, on whether the application will be short and on what level of evidence will be required to support the application?

When the crisis is over, we will be judged by the decisions and actions that we took to support the people through it. The regulations are just a small part of that support. I urge the House to affirm the regulations.

With your indulgence, Mr Principal Deputy Speaker, I will speak as a Member of the House. First, I thank the Minister for her diligence in her endeavours to help and protect the many vulnerable families and individuals in the communities that we all represent; indeed, I thank all the Ministers on our Executive for their combined effort in steering us through the most fearful of times. At this time, I think of all of the workers who are literally putting their life on the line: the entire Health and Social Care family. I think particularly, of course, of those I worked with when I worked for the NHS.

No words could convey the anxiety that I feel or the gratitude that I have, knowing the wonderful people they are, for the selfless dedication that they are showing not only to our health service but to our country.

4.00 pm

In finishing, I think of all the mums and dads who, like me, are thinking about their children who are at work. As parents, we want, no matter what, to protect and cocoon our children, no matter what age they are. We owe them all a debt of gratitude, no matter what job they are doing today. We, as parents, will continue to worry because it is our job to do so. I say to all those who are not meant to be at work or out on essential business today, "Stay at home. Many of the people who are work today have mums and dads, like me and many others in the Chamber, who are worried sick about them. Please, stay at home and keep our essential workers safe".

Ms Ennis: Like other Members, I pay tribute to our fantastic Health and Social Care staff. I send my thoughts and my solidarity to them. They are navigating us on this nightmare journey. More than thoughts and words, what we need to send them is the tools and equipment to deal with the volatile and dangerous environment that they now work in. I am glad that Minister Swann has announced

that he will source additional personal protection equipment for front-line staff.

I, too, welcome and endorse the motion. The regulations will enable the Department to provide a discretionary support non-repayable grant, rather than a loan, for living expenses to claimants who find themselves in crisis as a result of COVID-19, whether or not they have had a previous grant for living expenses in the past 12 months. In short, the regulations will provide a short-term living grant for someone who is infected by the virus or has to self-isolate, if advised to do so, or if a member of their family is affected. That is absolutely the right thing to do.

I take the opportunity to applaud the pragmatic, logical and real-world measures that have been taken by Minister Deirdre Hargey and her Department during this uncertain and difficult time for our communities and our society. She has acted swiftly over the past number of days to ensure that there is flexibility in our social security system so that, as she has said, people will not be punished for doing the right thing. I welcome the £1.8 million, which equates to three years' funding, for the independent advice sector to assist people with benefit changes as part of a mitigations package, supporting and protecting 50 front-line jobs and securing three years' funding for the appeals and representation service.

Our independent advice sector plays a crucial role in assisting people to access their social security benefits and helping them to make appeals. We will need it in the time ahead as we face the challenge of the COVID-19 virus. The Minister has moved to ensure that funding for community and voluntary groups will continue in the time ahead with upfront payments for the next three months. I welcome the commitments that she has made in discussions with the Housing Executive on a homelessness contingency plan. I know that she has also committed to explore measures that could be put in place to protect renters in the uncertain time ahead.

The Minister's actions and those of her ministerial colleagues prove that we do not need to invoke the divine inspiration of some higher power. People who have been impacted on by the pandemic cannot wait for that. What is needed is those in power to use that power now to protect citizens. It is difficult to give out advice in these times. We know that it is a changing picture. It is a changing and evolving situation that will throw up new challenges in the days and weeks ahead. Will the Minister say whether she is considering further changes

to discretionary support to deal with the current crisis?

Mr McGlone: Basically, I welcome the scheme. I thank the Minister for taking the initiative to deliver it and to try to get help out to where it is most needed. I am sure that all of us have been inundated via Facebook, email and everything else by people who faced a dilemma this morning and could have nil income — zero — coming into the house.

I want to ask the Minister a number of questions. The first relates to staffing and resource, an issue that was raised by Ms Bradley. Does the Minister feel assured that she has adequate resource to deliver and get the money out there to the people who need it at this time? Previously, discretionary support was a great idea, but, often, there was huge difficulty in getting through on the lines. Secondly, what provision has been made or is being made for people who face that dilemma this morning of having no work? The major announcement yesterday by the Prime Minister has left an awful lot of people with no shop door to open this morning. That falls into two categories: one is the employees — there is that HMRC scheme — and the second is the self-employed. Thirdly, we have heard that provision has been made for renters and people who are homeless. We have had inquiries in our constituency office from students who live in Belfast, principally, but in other cities as well who have had to return home. They have consequent liabilities in Belfast or wherever their rental accommodation is, and, of course, they are on a low income. I will leave those issues with the Minister, and I commend her on her initiative in bringing this forward, subject to those matters being clarified.

Mr Butler: Thank you, Minister, for being with us in the Chamber this afternoon and for bringing this before us. I want to put on record — I am sure that you will join me — my thanks to all your staff in the different branches who go above and beyond the call of duty at the moment to ensure that some of the most vulnerable people in our society have the support that they so badly need.

These are, indeed, uncertain times, as has been said by nearly every Member so far today. We face many pressures in Northern Ireland, and many people will be adversely affected. It is, therefore, imperative that we collectively in the House support our Ministers to do all that we can to ensure that the physical, emotional and financial support is there to mitigate any hardship that may be faced. The Ulster Unionist Party, therefore, supports the proactive approach of this Minister and other Ministers in

their Departments looking to introduce support packages, one example being the SR before us today. However, there is no doubt that we can and should do more. The Ulster Unionist Party will support and work with the Minister for Communities and her Executive colleagues to ensure that every possible measure of support and assistance is introduced.

There is also no doubt that these are exceptional circumstances and, as such, will require an exceptional response with various pieces of new legislation and the amendment of existing legislation that, ultimately, provides the appropriate support for those in need. As highlighted by the Committee Chair, the regulation before us will provide a short-term living grant to someone infected by COVID-19 or who has to self-isolate. I welcome the Minister's clarification for people who are affected and support for those people. All that is welcome. However, it is imperative to ensure that the process to avail of the grant is efficient and properly resourced. We look forward to that clarification today. We support the regulation.

Mr Blair: I thank the Minister for bringing the statement and information to the Assembly today. I rise on behalf of the Alliance Party to support and, hopefully, raise a few concerns. In doing so, I will try to avoid a repetition of concerns already raised. I am mindful of the unique circumstances in which the motion was moved and the urgency that brought the motion to us today. I am hopeful, though, that, as we go forward, more information can be released on the application process for such grants, that bureaucracy will hopefully be kept to an absolute minimum and, therefore, waiting times also can be reduced. Hopefully, the Minister can give us some information that that process may be publicised, at least online, to increase public awareness of that.

I do not intend to repeat the concerns raised around HR resources in Departments at this time. We are all aware of the reasons for such shortages and urgencies in Departments and, indeed, other employers. It might be worth mentioning that, as recently as yesterday, I heard that some new universal credit applicants were already finding that the verification processes were not coping with demand and applications were being delayed as a result of that. I am hopeful that that can be addressed, especially in the context of the measures being brought forward on welfare mitigations as we approach the 1 April deadline.

I raise those issues as concerns and not as criticisms. On behalf of my colleagues, I assure the Minister and her teams in the Department

and its various agencies of our total support in these difficult times.

Mr O'Dowd: I will keep my comments short. I welcome the introduction of the measures today. Last week, in the Economy Committee, I called for the rule book to be ripped up or, at the very least, put in the drawer until we get through the crisis. It is clear that the Executive are working on that very basis. They are bringing forward initiatives from the various Departments to ensure that we do whatever we can to protect the vulnerable in our society and those who are losing their jobs. I accept that there is much more to do and that, every time we make an announcement, more questions come in, understandably so. However, the fact is that the Communities Minister has brought forward initiatives that are about putting food on people's tables, keeping a roof over their heads and lessening the anxiety that many people face. I welcome the announcement today.

Mr Carroll: I thank the Minister for moving the motion. I am sure that she and others will agree that everything needs to be done now to ensure that people are financially supported through this difficult, fast-moving and unprecedented period.

I would like to ask the Minister about the regulations and, going forward generally, ask her to respond to some of the points that have already been raised. Has there been any discussion in her Department about staffing? I appreciate that the situation is, obviously, fast-moving, that some of her staff are self-isolating and that there are health issues to consider. I have heard, as have other Members, that people are having difficulty in getting advice over the phone, particularly with regard to universal credit, employment and support allowance (ESA) and other benefits. Some disruption is expected, at least, this week and possibly next week, but has there been any discussion in the Department about trying to alleviate those pressures to ensure that people are not forced to wait on the telephone line for several hours, which, I know, has been happening in some cases? I am also hearing concerns that information about universal credit is not readily available to people. I would appreciate some answers to those questions.

Ms Hargey: I thank everyone who has contributed. There were a lot of similar issues raised.

Paula mentioned funding, and we have a bid in for £9.6 million extra that we require, but that could change again, depending on what the

demand is. We already have part of that in the Department where we are looking at money that has not been spent in-year for this situation. The Finance Minister is looking at that bid at the moment and is aware that that money needs to be made available. The Executive and Members know that there is a definite need for this discretionary support to ensure that families' needs are met. I see that being concluded positively very soon.

The issue of staffing has come up a lot, and I gave an update on that at this morning's Executive meeting. Our staff are trying to defend the basic front line of essential public services. The main one is to make sure that we process benefit payments and pay them out as quickly as possible. Obviously, they are coming under huge pressure, and the staff in our jobs and benefits offices and call centres and our health staff should be hugely commended. They are going into work to deliver that front-line public service, even though the wider advice is to stay at home, and I can see that commitment from them.

There is a strain. We have seen over 10,000 new claims for universal credit since the week beginning 16 March, so that gives a sense of the scale. Yesterday alone, there were 5,000 calls to the universal credit helpline. In the first two hours yesterday, there were almost 10,000 calls in relation to discretionary support.

4.15 pm

That gives you an indication of the magnitude. We have never faced a situation like this before. The system is trying to change and we are trying to respond to that need. Staff have been working round the clock, especially our front-line staff, and we are going to be announcing future policy changes today in an attempt to refocus staff into front-line essential services.

On issues around debt and fraud, people will be redirected, and have been redirected in the last couple of days, to really focus on front-line essential services to make sure that we have the staff there. That is being updated on a regular basis. It is being fed into the Executive emergencies group in case, across the Civil Service, we need more people.

We are also looking at IT issues, and we have made urgent IT requests for those who need to stay at home. Universal credit, for example, is an online digital system. If we have enough IT equipment, people can work from home and still deliver those essential services. The focus therefore falls on the discretionary support,

because that is not an automated system. We have to do that manually, and we are making plans to streamline it, looking at a one-page application and a processing time that really takes the bureaucracy out of this — basically, to rip up the existing rule book, because we are not working in normal times.

That is some of the stuff that we are doing, and we will keep it under daily review. I am engaging with the senior team in the Department. There has been ongoing engagement with trade unions and others to look at this, at what we can do to ensure that staff are protected and that we really show our appreciation of those staff, who are defending an essential front-line public service.

Sinéad touched on the independent advice sector. It has been magnificent over the last week or two in supporting us. It was part of a community and voluntary sector emergencies group meeting that I chaired in the Department last Friday, and it is really stepping up to do all that it can in responding to these needs and delivering essential services to people on the ground. We are indebted to that sector for its role and the contribution that it is making.

The regulations that I am putting forward today are only part of a wider package of changes that we are looking to bring about. Alongside the new payment, I intend to relax other existing rules around the discretionary support scheme to assist people during this period, because we are in the midst of a public health emergency. These changes can be made without the need for legislative amendment; they are policy changes, and as I bring them forward and announce them, I will be doing so publicly. I also give a commitment to the Chair of the Communities Committee that I will alert the Committee to those changes and send weekly updates on changes that we are making, because things are moving at a very fast pace. Something that happened two hours ago may change in another two hours, so we will try to communicate with Members as much as possible. Even in the questions raised here today, and in all of these briefings, the Executive want to give a commitment that we will find a way of getting questions answered for Members, so that they can go out and give answers to their constituents.

Discretionary support awards for short-term living expenses are normally calculated to cover the number of days until the claimant's next payment is due. My officials now have discretion to increase the number of days for which short-term living awards are made, and this should avoid the need for an early repeat

claim. I have also instructed officials to increase the benefit rate used to calculate a short-term living expenses award; they will now be calculated at a rate of 100% of the adult daily rate, which is an increase on the existing 60%. I am also looking at options this week to amend the legislation on the income threshold, because there is a concern. The benefit cap is £20,000, and the income threshold falls below that. Is there an urgent need to amend that? I am confident of bringing forward other measures to look at that.

Patsy, you touched on staffing and resource. We are trying to throw everything at this to defend essential services. We are rolling back — or, I suppose, rolling down — other services, and I will be making announcements later this afternoon in an attempt to streamline existing benefit processes. We have already suspended face-to-face, we have suspended the need to come into jobs and benefits offices, and I will be introducing more measures this week and in the coming days about further streamlining to ensure that our staff are paying out benefits and also responding to those who are phoning.

We are also looking at whether the demand for universal credit has dropped since the Chancellor's announcement. A lot of universal credit claims came in last week, before the announcement about 80% of salaries, so we are assessing how much of a drop off there is. We know that people may start to seek discretionary support as we relax the regulations and criteria. We will keep that under hourly, not even daily, review.

Regarding the housing component, housing is a critical issue for those paying rents in the social rented sector. I have had a number of engagements with housing associations and the Housing Executive. They will not start any proceedings for people who are falling into debt. I am also exploring ideas around the potential for discretionary housing support, which would support those in the public and private rented sectors. I will look at issues around evictions and notices to quit and will outline that in the coming days and weeks.

John touched on other issues around the application process. We are trying to streamline it and create a one-sheet application form. Hopefully, over the next 24 to 48 hours, you will see that and it will be on the system. There will also be streamlining for the staff who have to do discretionary support claims individually and manually. We will try to streamline that as much as we can, to make sure that we are getting support and payments to those who need them.

On the verification process for existing benefits, I will announce later today or tomorrow how we are going to streamline and cut back on those, to save time on checking and looking at verifications, and to ensure that staff can be redirected to other essential services.

Gerry touched on the issue of phone lines. I have given you a sense of the demand that is there. I cannot speak highly enough about the staff, who have thrown everything at this. They have been turning up to work every day in really tough circumstances. They have to be completely commended for the essential front-line public service that they are delivering.

As I have said, we will check constantly and it is an hourly review, not just a daily review. We will see if we have too many staff who, rightly, have to self-isolate or take time off and then we will redirect our services where we can, while still dealing with this public crisis. Any time that this gets critical or urgent, it is flagged up to the Executive emergencies group and to the Chair of the Committee, to keep people up to date. We are working with the Department of Work and Pensions, which is dealing with critical pressures in England, Scotland and Wales, and we will continue to monitor this hourly.

Question put and agreed to.

Resolved:

That the draft Discretionary Support (Amendment) (COVID-19) Regulations (Northern Ireland) 2020 be approved.

Ministerial Statement

The Economy in Light of COVID-19

Mr Principal Deputy Speaker: The Speaker's Office has received notice from the Minister for the Economy that she wishes to make a statement. Before I call the Minister to make her statement, I would like to advise Members that, in the light of social distancing being observed by parties, I am relaxing the Speaker's ruling that Members must be in the Chamber to hear a statement if they wish to ask a question. Members will still have to make sure that their name is on the speaking list if they wish to be called.

What I am not relaxing for Members is the need to be short and concise in your question. This is not an opportunity for debate, and long introductions will not be permitted.

I also take this opportunity to remind Members that if they ask the Minister more than one question, it will be for the Minister to decide which question she elects to answer.

Mrs Dodds (The Minister for the Economy): I am sure that I do not need to remind any Member of the gravity of the situation we are facing. It is, without question, the most serious global health and economic crisis that any of us have ever lived through.

First, and foremost, I place on record my gratitude to all those working on the front line to keep us safe and give medical support to those who need it. I also appeal to people to act responsibly, follow the advice, stay home if they can, and help medical staff by not acting recklessly and adding to the burden on our health service.

Business owners, too, must follow the advice. Non-essential retail is closed, but, if you are outside that category and you are remaining open, make sure that you take the necessary steps to protect your workers and practise social distancing. Workers should not feel forced to work side by side. If a job cannot be done within the Public Health Agency (PHA) advice for social distancing, employers need to let employees go home until a better system is put in place. This is too serious for shortcuts.

The impact of the virus and the necessary measures that have been put in place to contain it have had a devastating impact on economies around the world and Northern Ireland is no exception. Just this afternoon, I heard that Bombardier has been in touch to say

that all of its worldwide operations have ceased, for the moment. The impact will not be fixed overnight. The impact of coronavirus will be felt for many years to come. Our economy is suffering; our businesses are under extreme pressure; and people are living under not only the threat of the virus but the threat of losing their job. The impact is on real people and real families. People are concerned about how to put food on the table. People who have spent a lifetime building their business are afraid that it will be gone.

Over the past two weeks, I have had a series of meetings and teleconferences with representatives from the retail and hospitality sectors and from right across our business community. There is fear about the future of their sectors. There is fear about the livelihood of their staff. There is fear about how to get through these challenging months. Our economy will suffer, but we will come back.

I have heard of the many challenges that businesses face, but I have also been inspired by people's determination. Businesses have offered to help in sourcing things; individuals have offered their help in looking after people or providing vital services; companies have said that they can adapt their production lines to produce ventilators or personal protective equipment (PPE). More than 30 companies have offered to participate in manufacturing consortia to make ventilators. O'Neill's has started to manufacture PPE, and other companies are exploring the same route. A number of individuals and companies have sourced PPE masks from markets across the world. Several companies are in the process of accreditation to manufacture hand sanitisers, and four companies in Northern Ireland are working on providing COVID-19 testing. Business is doing what business does: reacting and innovating.

People who have found themselves out of work have also offered to help and examine how their skills could be used elsewhere, where the greatest need is. I am examining a proposal to develop a holistic solution, with coordination between the Department for the Economy and the Department for Communities. That would include utilising the current online systems, employer vacancy service and JobCentre Online, with some wrap-around support through Careers Service and universal credit. It is that spirit of determination that gives me confidence that we will see this through and that our economy will recover, and I will be ready to assist in that recovery phase.

I also recognise how difficult the current challenge is and pledge to do what I can to help businesses through this period. I met the local banks and urged them to be flexible and to work in partnership with government. I am pleased that, yesterday, we made progress with the launch of the coronavirus business interruption loan scheme and that some of our local banks helped to co-design the scheme so that it works better for Northern Ireland businesses. The coronavirus business interruption loan scheme is a crucial step in getting credit flowing to firms that urgently need it during this difficult period, and I encourage businesses to work with the relevant financial institutions to ensure that the scheme delivers cash to those in need as quickly as possible.

The Chancellor's statement on Friday evening, when he announced an employment support package, is also welcome and is one of the most important measures to have been introduced. We know that we need to keep people on the payroll to allow companies to weather the storm and to pick up quickly on either side. The job retention scheme reflects the calls from the Executive, our business leaders and trade unions, which have seen similar schemes be introduced across Europe to help firms to pay wages and retain their employees.

I am pleased that many companies that had already announced that they had to cut huge numbers of staff have now rescinded those announcements. That demonstrates why the scheme is so important. It is an extraordinary Government intervention, but extraordinary crises require bold action. I am encouraged that the Government have listened to our call

4.30 pm

I urge all eligible firms to take advantage of the measures that have been announced to support their workers. The coronavirus job retention scheme will provide an income of up to £2,500 a month for those employees who are not working, or up to 80% of the average wage. That will be backdated to 1 March, and I understand that the Chancellor is prioritising that to ensure that it comes forward in April.

The self-employed and sole traders require further help. Those schemes do not cover everyone, so the Executive have asked the Treasury to extend support to that category, either by averaging out the past year's earnings to calculate a figure, or by paying a guaranteed income. Although this is not yet forthcoming, I

understand that the Chancellor is considering those parts of the economy.

The increases, by £1,000 per year, to the working tax credit and universal credit will also help to protect the most vulnerable in society.

In addition to the Finance Minister's recent announcement on a freeze of business rates for three months, we have made an announcement confirming that we will pay a £10,000 grant to small businesses and a £25,000 grant to companies in our beleaguered hospitality, tourism and retail sectors. Together those schemes will inject £370 million, to support tens of thousands of our most vulnerable businesses and to help with cash flow. Those grant schemes will benefit 27,000 small businesses and 4,000 businesses in tourism, hospitality and retail.

I understand that time is of the essence, as some businesses have already announced closures. Officials from my Department have been working with officials from the Department of Finance, over the weekend, to ensure that we have a suitable mechanism to make those payments, and that those companies facing cash flow issues are issued payment as expeditiously as possible. The administration of a scheme involving payments of over £370 million was never going to be straightforward. In making that operational as soon as we can, we are ahead of where our counterparts in England, Scotland and Wales are.

Although our immediate focus has been on putting in place a system to process the £10,000 grant, I can assure Members that we are working hard to put in place processes for the £25,000 grant for our hospitality and tourism sectors. I am seeking to identify any gaps in the measures that have been announced nationally and in Northern Ireland. I hope to be in a position to respond further, to meet the particular needs of our businesses here, particularly around self-employed people, clarity for those on zero-hour contracts and for businesses that cannot avail themselves of the other measures that are available.

To return to the issue of small business grants, the eligibility criteria will be for those business that are eligible for small business rate relief. There are 27,000 of those business in Northern Ireland. We have used the LPS system to identify the businesses, but only around 9,000 of those businesses have a Bacs system to allow for initial payments.

I hope to make a written statement tomorrow to indicate that we are putting together a web

portal where businesses can register if they are eligible for the small business rate relief grant, but have not supplied their bank details or do not pay their rates through the Bacs process. The rating list that we will use is basically last year's list, but we hope to amalgamate that with a list of those who will come into the category. We will try to expand the new list so that it is as broad and wide and possible. We must support the economy to recover.

All higher and further education institutions have convened a number of measures to manage and deal with the pandemic, such as the establishment of major incident teams and the activation of contingency measures. As the situation develops, all institutions will be in contact with the Department to inform it of any major developments. Each Northern Ireland higher education institution, with the exception of St Mary's, is closed for teaching and social activities. St Mary's remains open but tuition is being undertaken online. All institutions are working hard to facilitate remote working for staff members where possible.

Queen's University has cancelled all exams, and the university will arrange alternative ways to assess students. Stranmillis, a college of Queen's, will operate under the same measures. Ulster University has cancelled examinations and other face-to-face assessments scheduled for the end of the current semester, and those will be replaced by alternative online assessments. The Open University has also taken the decision to cancel face-to-face exams.

Student accommodation at the institutions remains operational. Those students who wish to remain in university and university colleges will be supported to do so. Both Queen's and Ulster University recognise the particular difficulties being faced by their international student communities. Students who are not normally resident in Northern Ireland and who wish to return home as a result of the pandemic will suffer no academic disadvantage. Colleges are distributing technology and equipment to allow the buildings to be closed except for access in the event of a significant technical failure or to allow essential maintenance. Face-to-face delivery will continue remotely using digital learning.

Each college is continuing to work through the ramifications and practicalities of the revised operational areas. We are facing very challenging times. I welcome the positive response of the further education colleges. They have all now closed but are determined to deliver for their students through digital learning

and by maintaining college administrative processes to ensure that student support services, including educational maintenance allowance, FE grants and hardship funds, continue to be paid.

College staff have an important job to do and will keep further education operational, albeit remotely, for learners as best as possible. They are working to ensure that we are ready for recruitment for next year; to maintain the IT and estate infrastructure; and make payments to suppliers and staff. Our number one priority is to try to maintain delivery of the best possible teaching and learning to students at this time. College staff will continue to ensure that the most vulnerable students are supported and that arrangements are in place that will lead to the continued payment of a weekly training fee and education maintenance allowance.

The Executive have agreed to the provision of a payment for each pupil or student who is entitled to free school meals, and we are engaging to try to get that money paid directly to those for whom it is applicable.

My officials are liaising closely with the regulators, CCEA, which is working with awarding organisations to establish ways of awarding vocational qualifications. We will do that in conjunction with other UK regulators, awarding organisations and stakeholders. Obviously, for colleges, there is a greater range of vocational qualifications and those who award them.

There are other areas of my Department that are vital. Officials have been working closely with the critical national infrastructure energy providers. These include: SONI; NIE Networks; the power stations; Mutual Energy; and the gas network operators, Phoenix, Firmus and SGN. We are doing that daily to ensure that their business continuity plans are proving to be sufficiently resilient to mitigate the risk of interruption to services. Officials are also liaising on a daily basis with the Utility Regulator to support its work on maintaining the electricity wholesale and retail markets. Our first priority is maintaining supply, especially to vulnerable customers, in these unprecedented times.

One of our key priorities, over the coming months, will be to ensure that there is food on people's tables. This week I had a teleconference with food producers and retailers. The agri-food sector has proven itself to be extremely resilient in the past, having overcome numerous challenges, and I have confidence that we will be able to put food on

our tables. In order to ensure that the Government are best placed to ensure the sustainability of the agri-food supply chain, we will engage regularly to collaborate with those who keep the food chain functioning.

My message to people is simple: our food supply chains are strong, you do not need to panic buy or stockpile. This only hurts other people, mostly the vulnerable and the elderly. Be sensible, our shops will be open for food, and, when you do shop, ensure that you follow social-distancing guidelines. To supermarkets and retailers, please remember your responsibility to protect your workers and shoppers at this time. None of this is easy, but, by working together for a common goal, we can, and we will, get through it.

Mr Principal Deputy Speaker: Thank you, Minister. We now have an hour for questions. A lot of Members wish to speak so I remind Members of my earlier request that they keep it short and snappy.

Dr Archibald (The Chairperson of the Committee for the Economy): I thank the Minister for her statement. The broad remit covered in your statement really shows the amount of issues that there are in this particular Department. Obviously, so many of them are so important to people's livelihoods. First and foremost, ensuring an income for individuals and families is vital, and the job retention scheme was really very welcome last week. As you outlined, we do need to see support for the self-employed, those on zero-hours contracts and agency workers. It is important that everyone has that same certainty.

There are many issues that we could raise, and I am mindful of the Principal Deputy Speaker's warnings. How do we ensure that vulnerable or elderly people have access to gas or electricity if they are self-isolating or ill? What about income for students and their rental accommodation? These are all issues that have been raised, and we are working to get answers. I welcome the clarification that you have given about the business grant schemes. Can you give more clarification about the time frame for trying to get it out the door? Can the grant be worked out for businesses who pay their rates as part of their rent? Finally, particularly over the last 24 hours, we have been contacted by many people whose businesses continue to be open and they are concerned about social distancing and having proper hand sanitising facilities in place. What direction is being given to businesses on those issues and also on closures and the enforcement of closures?

Mrs Dodds: That was a considerable range of issues, and I hope that I manage to cover them all in my response.

First, if we look at energy, one of the things that we are very concerned about is that we maintain the network and the generation of power. We have been monitoring that very carefully. Our other aim is to ensure that vulnerable people will have access to power at all times. There is an issue with top-up cards, where people need to go to a shop to top-up their energy. We are asking the companies to look at that because, normally, with Northern Ireland being a small, close-knit community, family will organise the top-up for people who are vulnerable, elderly or have been instructed to stay at home. That is what we do. There are people who may fall through this net, and we would like to have a system in place whereby those people can be catered for. I have asked the Consumer Council and the companies to look at this issue and to come back to me as quickly as possible so we can get some guidance.

4.45 pm

There are two sets of grants. There is the £10,000 grant for small businesses. Those will be eligible to people who qualify for small business rate relief. There are about 27,000 of those businesses in Northern Ireland. That is a lot of businesses. When you look at how to match the data that you have to a payment system, you see that that starts to complicate the issue. We are doing this on Land and Property Services (LPS) data. They hold BACS details — general bank details — for around 9,500 or maybe just over 9,500 of those businesses. There are another 17,000 or 18,000 businesses we need to get details for. The quickest and simplest way is by bank transfer. I hope that, by tomorrow, we will have a portal open where people can register and we can get that money out to them as quickly as possible. Obviously, for those for whom we already have BACS details it is a simpler issue, but we need those whose details we do not have to register. I will give information on that tomorrow. We are aware that that will generate a lot of interest, so we need to make sure that we have built enough strength and security into the system and that it works. We do not want to add to the stress of small businesses. That is our first priority.

Our second priority is looking at the issue of businesses in retail, hospitality and tourism that have been so impacted on by COVID-19. It is hard to believe, but, this time two weeks ago, I was in the States talking to tourism operators

who operate the North American market. I was there talking to them about Northern Ireland, the expansion of that market and how we might look at direct flights. We talked to some airline operators. How times have utterly changed. This fast-moving crisis has changed that industry, and I must pay tribute to those in the industry. I have heard numerous people in the industry say, "Look, this is a health crisis. We need to make sure that we deal with the health of our people and our customers", and they will have to abide by that. That will require significant intervention, and that is where the £25,000 will come in.

As an aside to that, when this is over — it will pass — we will need to look at how we help the tourism and hospitality industry to recover. That will also require significant intervention.

Mr Principal Deputy Speaker: Minister, I am sorry to interrupt. The Chair was very naughty about the number of questions. I let it go a bit

Mrs Dodds: Thank you. I am sure there will be plenty more.

Mr Principal Deputy Speaker: I am sure there will be.

Mr Middleton: Minister, I welcome your comments around businesses, employees and the support that will be provided. Obviously, we need more support for those who are self-employed and those who are on zero-hours contracts. We also need clarity around essential and non-essential workplaces.

One essential workplace that we are aware of is supermarkets, and you have touched on the fact that supermarkets at the minute struggle to keep their shelves filled due to people stockpiling and panic-buying. Can you ensure us that our supermarkets will be able to cope and that the food supply chains will be able to cope over the next number of months?

Mrs Dodds: That is an important question and, obviously, something that people stress and worry about. Many people ask why on earth people are buying so much food, and some of the supermarkets estimated that there was about £1 billion more food overall bought in the last number of weeks than they would normally expect — a huge spike in panic buying. That reflects that people are afraid and anxious and reflects the critical situation that we are in. I teleconferenced with some of the major supermarkets, the food distributors and those who represent the retail chain just yesterday. We had a very good discussion. They assure

me that the food supply chain is strong, that there is no need to panic-buy and that those who do so put the chain at risk because they create such heavy spikes in it. I understand that people are anxious and afraid, but I ask them to consider others, particularly those who are vulnerable. There is an onus on supermarkets to ensure that their stores are safe for their workers and customers, that they practise social distancing and that they create an environment that is not chaotic.

Mr O'Toole: I thank the Minister for coming to the Assembly and updating the House. She has given a thorough steer on things. I will try to keep my questions and remarks brief and focused.

The Minister mentioned the various types of support that are available, those that have been announced by the UK Government and by the devolved Executive. I am sure that Members would echo this, but it is important that the point of information — the portal — that business users access, whether they are large employers or small employers, is as simple and straightforward as possible and that the Minister uses Members as signposts, oracles and megaphones for that simple message. Some people are not just accessing government support for the first time but accessing finance of any kind. Those are people who are, perhaps, sole traders who have not needed any form of external intervention in their business for many generations. The simple truth is that we in the Western World — not just in Northern Ireland or the UK and Ireland — are voluntarily shutting down a large part of society for an unknown period. People need answers and they need public representatives, so use us to help clarify that simple portal to provide information.

The Minister mentioned the importance of self-employed people. That is true; I echo that. We need clarity for hairdressers and taxi drivers — for everyone. They are a fundamental part of our economy, and, often, they are employers too. I will make a specific point that is relevant to Northern Ireland. One of our strong industries, particularly in the past few years, has been the creative industries. There has been a flourishing of film and TV production, particularly in Belfast but also outwith. Someone from that industry contacted me to say that there is an issue in the industry around self-employed people and people who have successive PAYE contracts. Will the Minister focus on that in particular? There is an issue there with people who are not just self-employed but PAYE. Thank you for your

indulgence, Mr Principal Deputy Speaker
[Laughter.]

Mr Principal Deputy Speaker: There will be no more of that.

Mrs Dodds: These are extraordinary times, Mr Principal Deputy Speaker.

Nlbusinessinfo is a good source of information for our businesses and communities, and there is, obviously, the Economy website. We will try to get as much information out as clearly as possible at all times. We are all in this together. We all have loved ones who may be impacted on by this, and we all know someone whose work, finances or health will be impacted on by this terrible situation.

With your indulgence, Mr Principal Deputy Speaker, I will reply on the creative industries. I am due to have a phone call with Northern Ireland Screen. I recognise the issues and difficulties, and I will take them up after my discussion with Northern Ireland Screen. It is often about the self-employed and how they can access support, so I recognise the issue and we will deal with it.

Mr Stewart: I thank the Minister for her remarks. I welcome much of the support that is in there, a lot of which has come from Westminster. You say that you will be there when the recovery begins: the recovery begins now. We are, potentially, looking down the barrel of the worst economic crisis in the history of capitalism. Think back to 2008: there was never the closure of pubs, restaurants and bars and the grounding of flights. This will affect everyone in a massive way. The recovery begins now, because the businesses need support to go into hibernation, if needs be, keep money coming in and keep people on the books.

I will touch on the Member for South Belfast's point: information on this is key. I welcome the steps in the employment protection programme that Westminster has introduced. I spoke to one company in my constituency, yesterday, that had spoken to three accountants and had got three different takes on how that will affect their business. They are coming to MLAs and councillors en masse, maybe having never done so before. They need the information from you. They look to you, Minister, and your Department for guidance. I know that it is a fluid situation, but they want somewhere to go.

On the rates scheme — I know that the Chair of the Economy Committee touched on this — if a

business pays its rates directly to a landlord but is one of the qualifying companies, be it in retail or hospitality, and if the landlord qualifies for small business rate relief, will the business get that, or will the landlord get it? Secondly, if a company has three or four premises and ultimately ends up in the higher NAV bracket, having paid four sets of rates to local government, will it qualify for the higher grant?

Mrs Dodds: Thank you for that series of questions. I will endeavour to be very quick on this one. The employment protection scheme is a game changer for the economy. Previous to that, on Friday afternoon, Invest NI companies were lining up to announce that they could no longer continue. The employment support scheme is a game changer for those companies. It allows them to retain workers at 80% of their salary, up to a ceiling of £2,500. There is no limit on the timescale, and there is no limit on the number and the money. That is a game changer for the economy. Having studied similar support schemes in other areas, I know that it is an extremely attractive package. There is more to do, and that is important.

I stress that it is a Treasury scheme, and Treasury is working on getting the details of that scheme to us and setting out how it will impact on the community. As those details become available, I will make them as available as I can through the nlbusinessinfo website and our website. If you want, I can write to individual Members. I take the point from Members that we are all inundated with an extraordinary number of queries on the issue, but bear in mind that it is a Treasury scheme. The Chancellor today indicated that he hopes to get it up and running for the end of the pay cycle in April, so it has a little way to go. It is very challenging to run such schemes and to get the information right so that it does not descend into chaos at a time when people need it most.

I am allowed to proceed, Mr Principal Deputy Speaker? On the issue of landlords, for those who qualify for small business rate relief, there is a phrase that "the benefit should go to the business and not to the landlord". I hope that that is the qualifying issue on this as well.

Mr Muir: I thank the Minister for her update, particularly on the grant situation. I welcome the update that was provided yesterday by the deputy First Minister that the money will be in businesses' bank accounts within days. That is important. It is also important that the portal that goes out tomorrow — this has been echoed by a number of Members — has clear information on it. Lots of rumours have been going around about how the grants will be paid, whether it is

by cheque or whatever else, so it is important that there be clarity on that.

I have a few questions. Will the portal clarify who is eligible for the higher level of grant that will be paid? A number of businesses have asked whether they will be eligible for that grant. I think that the criterion is that the business has to be in retail, hospitality or tourism, but I would like a bit of information about that.

It is really important that representations are made to the banks. The job retention scheme will not come in for a while, so it is important that banks provide forbearance for businesses.

We were obviously hoping for an announcement today about the self-employed. That has not happened, so I wanted to get an update from the Minister on the representations that have been made to the UK Government on the issue, because time really is of the essence.

My last question, which is probably the most crucial, is about who should stay at home. There has been a lot of ambiguity and a lot of queries about who are essential, key workers and about whether the Executive in Northern Ireland will provide more clarity on that. There is a public health element to that in ensuring that staff are aware that they should stay at home.

We also need to ensure that supply chains, particularly in agri-food and pharma, are retained. We must ensure that the staff that are doing that vital work are supported to be able to continue those supply chains and get those goods moving. We need clarification on who exactly should stay at home, and who are the essential or key workers.

5.00 pm

Mr Principal Deputy Speaker: Minister, before you respond to that, let me say something. Folks, if this continues, Mr Carroll, Ms Woods, Ms Sugden and Mr Allister will not be called. Some might think that that is a good idea. I, personally, do not. It is important that everyone should be able to ask their question. Please, folks, try and keep it more focused than it has been.

Mrs Dodds: I will desist from going through the grant stuff, because I have already answered it. I will address the higher-level grant, though. We have focused on getting the £10,000 grant to a stage where it is virtually ready to go, because it impacts on 27,000 small businesses. We will bring forward the other scheme quickly, bearing

in mind that all the information for all those businesses has to be pulled and separated from the LPS database. It is not a straightforward issue.

There is an important issue with the banks. I met with all the principal banks last week and I intend to have another conversation in the next day or so with them. I am getting some feedback that there are issues with mortgages and that trying to switch to paying interest only etc is attracting arrangement fees. I want to bring some of those everyday issues, which are so important to all of us, to the banks and make sure that they are extending credit and forbearance to businesses in this period when the economy is in such a slowdown.

For those workers who should stay at home, the advice last night was extended. All shops that are deemed non-essential should shut. It was also indicated that those who could work from home should do so, but that essential businesses would continue. There has been some attempt, at a UK level, to draw up lists of businesses that are essential and non-essential. I got that first thing this morning and looked at it briefly. It does not reflect the critical importance of supply chains. In other words, a business may make something, but it needs another business to input into the supply chain. That is how supply chains work in manufacturing, so we will need to give a little bit more thought to that, and how we feed that in, at both UK and Northern Ireland levels. It is very important that we get that right.

Mr Dunne: I thank the Minister for all her efforts, and her staff in the Economy Department who have worked tirelessly to try to resolve a number of these issues. You have already mentioned the banks. I came across some cases in my constituency where there is difficulty getting access to the interest-free loan scheme, because the individual banks are not on that scheme as yet. What will the Minister do to try to resolve those issues? Can she assure us that she will continue to lobby to get further support in relation to the ongoing rates issue, which is a mighty burden for a lot of premises, especially on high streets and in the tourism sector, in these very difficult times?

Mrs Dodds: As I indicated earlier, the business interruption loan scheme was just launched on Monday. Banking institutions from here have been busy making sure that it works for Northern Ireland. I have looked at some of the details of the scheme, and it is not without its problems for Northern Ireland businesses. Those will become more and more apparent, and we will have to work again at modifications.

This scheme was set up really quickly. Some of those things, when they are set up quickly, do not cover all the eventualities that the Treasury thinks that they do. Some of the issues are not yet ironed out, although the scheme has been launched. Banks should now be able to give you advice on that. The important thing about the business interruption scheme is that it is now interest-free for 12 months, which is very important.

Mr O'Dowd: I will keep my comments short; I do not want to miss out on Mr Allister's contribution. The Minister mentioned in her opening remarks that Bombardier, an aerospace company with international reach, has suspended operations. I assume that that is for two reasons. One, no one is buying, and, two, it is out of care for the workers. I have an aerospace company in my constituency where the workers are frightened of the conditions that they are working in and they are frightened to go home in case they lose their jobs. Given the fact that the Department, the Executive and the Westminster Government have put in place measures that will secure companies' futures going forward, what advice will the Minister give to companies and employees who are facing conditions in which they cannot provide the two-metre-distance rule?

Mrs Dodds: I am sorry to hear that. It is my firm opinion that companies need to provide safe workspaces for their employees, that they need to follow the PHA guidance on this, that they need to ensure that they have the two-metre rule in place and that they need to have proper procedures around social distancing. We all have a responsibility — each individual in this Chamber has a responsibility — but companies have a huge responsibility to the workers who they employ and the care that they give them. I am sorry to hear that, but I hope that advice will be heeded and that companies very strongly arrange their systems and their rotas so that their employees can work in safe spaces.

Mr McGuigan: I welcome the statement from the Minister and the ongoing work in her Department. I also welcome her clarification on some of the announcements that have already been made regarding the small grants and the furlough payments that have allowed workers to remain at home secure in the knowledge that they will be seen through these times. I note that you mentioned that there is ongoing work with regard to those on zero-hours contracts and those who are self-employed. Time is of the urgency with those discussions. This is a financial crisis that we are discussing here today, but there is a worldwide pandemic, and

financial decisions that are slow are having a big impact on people's lives. We are told that this week is the week where COVID-19 will spread quickly among us, and there are people who are at work today who should not be at work today. They are at work today because they are scared and the Government have not taken a decision with regard to their financial security through this process. I urge you to move quickly on some of these things, and I urge for greater clarification on what are considered essential and non-essential workers. Again, there are workers today who are at work and who should not be at work. My question, which I am getting to now, is in relation to any support that could or should be put in place for businesses that are operating as social enterprises or under charitable status.

Mrs Dodds: To answer that last point, social enterprises are businesses that operate for profit but return that profit to the causes that are dear to them. There are many really good examples of that in Northern Ireland, and the social enterprise sector is buzzing with good things happening in Northern Ireland. Those businesses will be able to avail themselves of exactly the same schemes on the same basis as every other business, private or public. It is exactly the same.

My understanding is that, if you are on a zero-hours contract, you still are within the PAYE scheme. Therefore, you should be able to avail yourself of support as well, with a rounding up of the number of hours that you have worked.

Mr McGlone: I thank the Minister for her detailed response today. I thank her particularly for raising the issue of the self-employed, specifically in regard to the business support scheme. An issue has been raised with me of those who use their homes for business, and I have been asked whether there is an entitlement or an eligibility under the scheme for that. Another issue that has been raised is that of electricity supplies where a business has closed. There are standing charges that still have to be ongoing and paid by that business or it falls on the supplier. Is there any chance that there could be discussions, presumably with the help of the regulator, on derogation of that?

Finally, we have just had a message about staff who, under the furlough scheme, are being advised to go home. The employer is an exceptionally good employer who wants to make sure that agency staff are treated in the same way as the permanent staff who are on site.

Mrs Dodds: It is important that all workers are treated in the same way. If companies bring people in to work for them, it is important that they do that, and that the Government also do that. My view is that agency workers should be treated in exactly the same way on those issues. They, too, are PAYE workers in the same way as everyone else.

We will work with the energy companies. Our first priority is to ensure that there is a robust system to maintain supply and the grid. That is the absolutely overriding issue. We recognise that there is the issue of standing charges. We ask companies to look at some kind of forbearance with regard to those charges at this difficult time, or to get finance to ensure that they cover those particular issues.

Mrs Barton: I thank the Minister for coming to the Chamber to update the House. It is very much appreciated. My question relates to students. As the Minister will be aware, I represent Fermanagh and South Tyrone. Many of the students from my constituency have now come home because of the situation. Many second- and third-year students live in private rental accommodation. They are expected to continue to pay their rent until the end of their contracts, which is in August. Has the Minister thought about any support for those students, who are now living at home and still have to pay their rent? Many of them would have had jobs to help them to pay that rent.

Mrs Dodds: I thank the Member for her question. It is, indeed, a good question. Perhaps, I should have included these remarks in my statement. My Department has been working with the Student Loans Company to ensure that the third tranche of the loan is available and will be paid to students, provided that they cooperate with all the qualifying issues that have to be done. Within our power, we have been able to ensure that that will happen. We have been doing that with regard to the payment of EMA and any other grants or funds that are available for further education. Some people have raised the issue of private training organisations. There are a number of those organisations. We have indicated that we will continue to pay the contract even though those organisations may be closed, so that students can continue to be paid their training allowance and to ensure that everyone is covered and will not be penalised in a very difficult situation.

Mr McAleer: I thank the Minister for her statement. I, too, will be brief. To go back to the issue of childcare, I am aware that some businesses are registered as charities. From

my reading of the guidelines around the small business grant scheme, I do not believe that they are eligible for that. Can the Minister clarify that? On the same issue, another Minister has issued a number of after-school and day care facilities with guidelines to say that it has been decided that their facilities are not to close, yet there are no children in them. There are big financial consequences for them to continue with their businesses when they are empty. Does the Minister have any advice for businesses in those situations?

Mrs Dodds: The only qualification around the small business grant scheme is literally that the business is eligible for small business rate relief. If a small business is eligible for small business rate relief, it will be eligible for the scheme. We will look at any business that falls through the net as we go through the process. However, we have been focused on trying to provide for that number of people.

The issue of childcare facilities is difficult. I have been contacted by a number of childcare providers who have found it difficult to continue to operate now that parents have been told to stay at home.

5.15 pm

Such providers are generally self-employed, which is why it is really important that we get the Government on board with a scheme for the self-employed and those who are sole traders. That is hugely important.

The scheme that was announced last Friday was a game changer for the economy in Northern Ireland. It will help businesses and thousands of employees right across Northern Ireland, but about 15% of the workforce in Northern Ireland is self-employed. They are some of the most entrepreneurial people that we have, and we want to ensure that they are supported, too.

Mr McNulty: I thank the Minister for her statement. As has been said by a number of Members, there needs to be clarity on the financial packages for self-employed hairdressers, architects, taxi drivers, mechanics, car valets and washers, music tutors, beauty therapists and driving instructors. Those people need some clarity fast around where their financial support will come from.

I also re-emphasise that some companies have been forced to furlough employees. There also needs to be support for agency staff. Newry library let agency staff go yesterday, and they

feel that they have no protection and have been discarded as an outcome of the coronavirus. What advice can you give to McGrane Nurseries who provide plants and gardening paraphernalia to the likes of Lidl and Aldi across the island? A lot of people will be in their gardens over the next number of months because they will have nothing else to do, and I imagine that Aldi and Lidl will still need those plants. What do you advise that nursery to do, given that social distancing can be implemented in that business?

Mrs Dodds: Despite the long list, I have already addressed most of the issues that you raised, so I will not go over those because I do not want to incur the wrath of our Principal Deputy Speaker.

I know that this is tough, and I know that some of those businesses have spent a lifetime investing in and growing their businesses and this is really tough for people. I accept and appreciate that, and I want people to know and understand that I realise how tough this is, but we must be careful that we follow the health advice and warnings in relation to this. So, if your business is deemed non-essential and you are told that your business should close through the announcements that have been made, your business should close. That is for the health and safety not just of you and your workers but for the general public. I am sure that we have all seen the infographics that show how this thing is spread and how it is rapidly spreading in some areas. Just as an aside, the World Health Organization has indicated how rapidly this is growing right across the world not just here in Northern Ireland. This is a global phenomenon. If your business has to close, it should close for your safety and those around you.

Mr Beggs: I thank the Minister for her statement. I, too, have been contacted by a range of employees, including office workers, warehouse workers and childminders. Yesterday, the UK Government produced a six-page document entitled 'Further businesses and premises to close', which is largely focused on the retail and hospitality sector and reinforces the two-metre rule that has been widely talked about. Can the Minister confirm that it applies to Northern Ireland as well so that there is clarity on that issue? Also, can she advise what responsibility business owners and employers have to their employees to encourage home working and, if necessary, close or provide personal protective equipment?

Mrs Dodds: The advice that is on the Government website does apply to Northern Ireland. It is absolutely critical that businesses heed that advice. That is for the safety of the businesses, the workers and people who will come into those businesses. So, yes, it applies to Northern Ireland, and, yes, it is absolutely crucial that we heed the advice.

Miss Woods: I thank the Minister for her statement. We are so desperately in need of the continuing flow of information from the entire Executive, so I appreciate her being here today. I will get straight to the point with two questions. I note that departmental officials are working closely with energy suppliers: will anything in the continuity plans for energy suppliers mean that they will be compelled not to cut people off? Secondly, does the Minister have any information on any support that is going to be in place down the line for those who are self-employed, and when does she envision that information being issued by the UK Government, if available?

Mrs Dodds: I have already answered the question about self-employed people. We had heard that the Chancellor was going to bring forward a package today. Last Friday, after the announcement about employee support, Conor Murphy and I wrote to the Treasury to say that that is good as far as it goes, but that it should go further and that we should be looking at support for self-employed people and sole traders. I cannot think of other ways to do it but, as I said in the Chamber, the easiest way is probably to look at tax returns and average those or to use a basic minimum income.

I heard today from some remarks in the House that the Government were not that fussed about a basic minimum income, so I am really interested to see what they bring forward. I would urge them — urge them — to bring it forward with all speed. It is not just employees who are affected by this situation but other parts of our economy. It is very important that that message goes from this House to the Secretary of State, to the Treasury and to the Business Secretary.

It is important to point out that we will work with the energy companies to make sure that they look after their vulnerable customers. They have a register of vulnerable customers — people who are already known to them — and we are aware of the register. We will work with them to make sure that they do not cut off vulnerable customers and that they address the issue of top-up cards. Family is very important in Northern Ireland, and families will look after their elderly folk, but we need to make sure that

there is a system in place to catch those who do not have relatives or friends close by.

Mr Allister: May I suggest, Minister, that mixed messaging, particularly around which manufacturing businesses should be open, is an acute problem? We had an exhortation to the effect that if you cannot work at home, go to work. We had an exhortation from the Government; "Go to work if it is absolutely necessary". We had the deputy First Minister saying yesterday on Twitter that all non-essential workplaces must shut. We have had videos that say, "Stay at home". Which is it, Minister? What is the Executive's advice to the manufacturing industry, for example, across all our constituencies?

Speaking of one such industry, Wrightbus, in my constituency, announced today that it is closing for a number of weeks. However, it has gone public to say that it has been unable to get an answer from your Department about whether its agency workers are covered. You have said today what your view is. Why can your Department not convey that to a major employer like Wrightbus rather than it having to go public, saying that it cannot get an answer?

Mrs Dodds: First, I will address the issue around Wrightbus. I was not aware that it had contacted the Department but I will look into that. That, of course, is very important. We have been exceptionally busy, and the Member will know from this Building that we are now operating in a situation where most of our staff are working from home. Communication is not always the best, and in this very difficult situation, particularly in the Assembly, I hope that you will bear with us. I am thankful and grateful for the way that we have worked together to make sure that we do the best that we can in a difficult situation. I was not aware of that development but I will look into it and I will address it head-on. I have given you my view, and those are the representations that we will be making on that issue.

The Member talked about mixed messaging, but the message is very clear. Last night, the Prime Minister indicated a further shutdown of the economy. I noticed that the Minister of Housing, Communities and Local Government has provided advice today around which businesses are essential and non-essential and about what they should do.

The advice is clear: if your business is not essential, if it is in retail and it is not essential, if it is in one of a whole range of areas and it is not essential — tourism, hospitality etc — then you should not be open.

As for manufacturing, I understand that today has been a more confused picture, but my advice if you are an essential manufacturer is clear. We have many such manufacturers in Northern Ireland, for example in the food supply chain, without which our communities simply could not survive; supermarkets, who are out there doing their best in very, very difficult circumstances; and small, local corner shops that are open for us at all times. Those are important businesses, but the advice is absolutely clear, and it must be heeded. You need to engage with social distancing, and you need to ensure that your workers are safe and protected. That is absolutely important.

I met the supermarkets yesterday, and it was really interesting. One of them said that it had introduced lines at the tills for social distancing. Others said that they had simply calculated the square footage of each of their stores and had security people outside who were allowing only a certain number of people into the store at any one time. People are working quite hard in very difficult circumstances.

Mr Carroll: Thanks for your declaration of support for the smaller parties, Mr Principal Deputy Speaker; it was much appreciated.

I thank the Minister for her answers so far. Two quick questions. Obviously, students have been losing jobs in restaurants and bars that have had to shut down. Are there any conversations in the Minister's Department around specific student support funds or grants or anything like that, or allowing them to access benefits? An update on that would be useful.

The Minister may be aware that the Open University has provided free online courses in this period, so can I suggest that her Department promotes the excellent services that Libraries NI has online, in a bid to provide some comfort to people in this period of social isolation?

Finally, does the Minister know the number of companies that cannot avail themselves of the higher end of the grant? She said that 27,000 companies can, so can she give an indication of how many companies are not eligible?

Mrs Dodds: The 27,000 figure that you quoted is the number of companies in Northern Ireland that are within the small business rates relief scheme. All of those are included.

In terms of students, as I said in response to a previous question, we have taken steps to ensure that, even though students are not at university, their financial commitments are

recognised and the third tranche of their payments via the student loan system is made. We can have a conversation with the Communities Minister around the needs in the economy, although I will say that I was talking to different recruitment companies, and there are huge numbers of jobs out there in some of the sectors that are under most pressure. I encourage people to have a look at what is out there and what is available, because there are temporary contracts available in different sectors of the economy that are very important.

On online teaching, it is my view that, where it is possible and where it is within my remit, online teaching communication should be made. It is really important at this time, when some people are left in their own homes for prolonged periods of time, that we look after each other's mental health and that we keep in contact with each other. If there are people that we cannot keep in contact with, there are tools that we can use that people can avail themselves of.

Ms Sugden: I want to know about accessing the coronavirus job retention scheme. If an employee decides to self-isolate, will they be able to access that scheme through their employer? If the employer sends their employees home, will the employees be able to access that scheme? If the Prime Minister is telling everyone that they have non-essential jobs and they all have to stay at home, can all those employees, through their employer, access that scheme as well?

5.30 pm

I also want to draw something to your attention, and this is not a question. I have a constituent in Portstewart who has lost their job and cannot get home because flights are being cancelled. His private landlord is telling him that if he does not make his payments, he is going to be evicted from the property. That is a really big concern, given the number of students who will be left on campus because they cannot get home. I appreciate that the UK Government are saying to people get home as soon as possible, but that is not realistic any more, because flights are cancelled.

I made a point earlier in relation to people across the world who are not getting back to the UK. The UK Government say to get home but flights are cancelled, it is not happening and we are leaving people stranded. The coronavirus should not leave British and Irish people stranded.

Mrs Dodds: I too have been contacted by people who are stranded in different parts of the world. It is a really difficult issue because the direct flights have been cancelled, and sometimes to take the roundabout route is a hugely problematic issue in terms of the sheer cost and the ability to do it. One lady's flight had been cancelled because of problems with airspace in different areas. I recognise it as a problem. If you want to write to me about that specifically, I can add my list to your list and we can set that forward and try to deal with it, because it is emerging as an issue.

These are huge issues for students. My advice is that, if those students are within the United Kingdom, they would be as well to be at home, but that is me saying that. Again, write to me on that particular issue, because it is very important.

In terms of the job retention scheme, it is UK Treasury scheme. It is for furloughed workers. That furloughed phrase is very important, as far as I know, from what we have read and had communicated to us. If your employer says that your job is no longer available to you because of the impact on the economy of coronavirus, you can become a furloughed worker and be eligible for up to 80% of your pay, up to a ceiling of £2,500 per month. It is for furloughed workers, and that is the most important thing that we need to look at in this scheme.

Mr Principal Deputy Speaker: Thank you, Minister, that concludes questions on the ministerial statement.

Adjourned at 5.32 pm.

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