



Northern Ireland  
Assembly

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# Northern Ireland Assembly

Monday 25 January 2021

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** Before we commence, Members, I advise the House that I was notified on 20 January 2021 that Ms Linda Dillon has resigned as Chairperson of the Committee on Procedures with immediate effect. At the same time, I received notification from the nominating officer for Sinn Féin that Ms Carál Ní Chuilín has been nominated to fill the vacancy of Chairperson of the Committee on Procedures, also with immediate effect. I am satisfied that the requirements of Standing Orders have been met. Well done.

## Ministerial Statements

### Review of Support Services for Serving and Retired Prison Staff

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

**Mrs Long (The Minister of Justice):** Thank you, Mr Speaker. I am pleased to publish two reports that I commissioned last summer. One report is on the support services provided for operational prison staff, and the second report deals with the support services provided to retired prison staff. Both reports are well researched and evidence-based, and it would be difficult to disagree with any of their recommendations. Before commenting further on the reports, I place on record my thanks to the authors, Siobhan Keating, Gillian Robinson and Graham Walker, for the work that they undertook. They deserve considerable credit as all three have busy full-time jobs in the public sector, and much of the work was completed in their own time. I have no doubt that all Members, when they have had time to read and digest the reports, will recognise the significant contribution that these three individuals have made.

I will begin by putting the reports in context. The work of our Prison Service is hugely important. Prison staff provide a vital public service. They

work in a challenging, complex and, at times, volatile environment, which, for most of society, is out of sight and out of mind. They deal with some of the most difficult and dangerous members of our community and do so in a professional, compassionate and caring way. In reality, many prisoners are themselves vulnerable. Understanding some of their adverse childhood experiences, while not excusing their behaviours and offences, is important not only in helping staff to manage them in a prison but in preparing them for successful rehabilitation in the community.

The scale of the challenge that staff face in seeking to reduce the likelihood of prisoners reoffending should never be underestimated. The truth is that, when everyone else in society has failed to address their often complex needs and the underlying causes of their offending behaviour, we ask our prison staff to step in, challenge and support them to change. It is on record that 80% of those coming into our care left school under the age of 16; 47% had no qualifications; and 69% were not in employment. Over half had a history of alcohol and/or drug misuse; one third had mental health issues; and 58% had a history of self-harm. That is a challenging cohort of individuals, who represent, in microcosm, many of the wider societal challenges that we observe in our community. The Prison Service has an incredibly demanding role in dealing with all of those complex factors while maintaining good order and safety for themselves and those in their care.

It is also worth reflecting on the transformational change that prison staff have delivered in recent years. The latest reports completed by inspectors for our prisons are very positive. Indeed, in 2019, Hydebank Wood received 15 out of a possible 16 marks available from inspectors. All our prisons have received top marks for their resettlement and rehabilitation work, and inspectors have commented on the very positive relationships between staff and those in their care. Our Prison Service has been on a remarkable journey as it has delivered its Prisons 2020 programme, and it is encouraging that inspectors now state that levels of violence have reduced, as have levels of self-harm, while the outcomes for prisoners are among the best that they are seeing anywhere. In 2014-15, there were 112 assaults on staff and 260 prisoner-on-prisoner assaults. Those statistics have been improving year-on-year, and, in the current year, 2020-21, the respective figures are 26 and 33. While there is no room for complacency, that is a very significant improvement.

Further evidence of the progress made by staff can be seen in the way in which the Prison Service has managed the ongoing COVID pandemic. In many other jurisdictions, prisoners are being locked in their cells for up to 23 hours a day. We have taken a very different approach and have worked hard to keep prisoners out of their cells and COVID out of our prisons. We have placed every prisoner in single-cell accommodation, and, with the exception of committal prisoners who are required to self-isolate in quarantine units, all our prisoners are out of their cells and participating in a landing-based regime during the day and for evening association. We have delivered 35,000 virtual family and legal visits, and, within the constraints under which we must operate, we are delivering virtual learning and skills.

Since March 2020, only three prisoners in our general population have tested positive, and I am sure that Members will agree that that is a remarkable statistic. It is appropriate on this occasion that we acknowledge that achievement and recognise that it is a credit to everyone working in our prisons.

When we consider the immense contribution that prison staff have made in the past and are making under difficult circumstances right now, it is right that we do everything that we can to support them. That is why I welcome the reports that I am publishing today. Dealing first with the provision for operational staff — those currently serving — the report recognises the efforts that the Prison Service has been making as part of its Prisons 2020 programme and commends the service for what has been delivered within the finite resources available. It will be no surprise to Members, however, to learn that much more needs to be done. The report makes 12 key recommendations, which focus on staff recruitment; staff training; supervision; mental health awareness and resilience; HR systems and processes; critical incident procedures; and psychological interventions and counselling. Although many of the recommendations will be straightforward to implement, others will take more time, because services will have to be procured and additional funding secured. A small number of recommendations will also require discussion with the Department of Finance, as the Department with responsibility for Northern Ireland Civil Service HR policies, procedures and practices. In publishing the recommendations, I am also publishing an action plan, with very clear timescales for implementation. I believe, and my view is shared by the authors of the report, that those plans are approaching implementation with commitment and ambition, not least in the

context of the current pressures caused by the pandemic.

In reading this report, one thing is clear, and that is that there is no easy or quick solution. A menu of measures is needed if we are to support our prison staff in the way in which we should. That is what the report highlights, and it is what I am committed to providing as we move forward. I have asked the director general to lead an internal implementation group and to report to me on progress as it is made. I will also be asking Siobhan and Gillian to evaluate the progress that we are making. It will, of course, be important to ensure that staff are kept updated as progress on implementing the recommendations is made.

I will now turn to the report that focuses on retired staff. I share the view expressed by many Members that the lack of bespoke support available for former prison officers, when compared with that which is available to former members of the police through the Police Rehabilitation and Retraining Trust (PRRT), is a glaring omission. That must and will be addressed, and I assure Members that I am committed to putting in place a delivery model, as recommended by Graham Walker, later this year. It will take time to make the necessary arrangements. In what is a very challenging financial environment, funding will have to be secured, but I am aiming to have a provider in place by October 2021.

We should not underestimate the scale of the challenge that we will face in addressing the needs of former staff, and it will take considerable time to do so. In publishing the report, I am again publishing an implementation plan to demonstrate that commitment. I hope that the Assembly will support me in making progress, and I look forward to engaging with Members and in particular with the Justice Committee on the implementation of the recommendations and the progress made on delivery. The director general will be briefing members of the Committee further this week.

In acknowledging the very valuable work of our Prison Service, it is right that we as an Assembly ensure that appropriate support mechanisms are put in place in a holistic way for serving and former staff. Consequently, I commend the reports to the House.

**Mr Givan (The Chairperson of the Committee for Justice):** I join the Minister in thanking the authors of the reports for the work that they have carried forward. I engaged with both groups, and I am pleased to see some of

the recommendations come through in the outworkings of the process.

For many years, Criminal Justice Inspection (CJI) has carried out investigations and made recommendations about prison establishments. There is a Prisoner Ombudsman who advocates for prisoners, but prison officers have often felt left behind and not included. We now have a baseline. It identifies some things of concern, but, nevertheless, we have a baseline to work from, and I assure the Minister that, for my part on the Justice Committee, that will be something on which we will want to engage with her Department.

I welcome the PRRT recommendation for retired officers. I have said before that I have family members who served in the Prison Service.

The Minister is right; this was a glaring omission at the time. When the Maze closed, people were paid off and felt abandoned. They were not given the support that they should have been given. I particularly welcome that outworking of the report. I also thank the Member for East Belfast Mr Lyttle and the Member for Upper Bann Mr Beattie. They have shown an interest in all of this as well and, indeed, this is the outworking of some of those endeavours. I know that they will continue to raise these issues going forward.

Has there been an estimate of the costings associated with the full implementation of these recommendations? How soon will those figures crystallise so that we can engage with the Department of Finance in respect of that?

**12.15 pm**

**Mrs Long:** I thank the Chairman for his very supportive remarks on these reports. I agree with him entirely that, whilst serving prison officers have access to the police PRRT, unfortunately that same access is not currently available to former prison officers, and that is a glaring omission that we want to address. Since taking office just over a year ago, I have met prison officers and seen at first hand the vital role that they play in keeping safe the people in their care. I am also well aware of the challenges that they face. Many of the recommendations will be relatively straightforward and can be met within our current budgets. However, others will have to be about reprioritising some of our funding, and we will want to discuss that with the Committee in due course.

The Member is, of course, right that other recommendations will require additional new funding, some of which could be significant. It will be challenging in the context of the challenges that already face the Department. However, I am committed to working with the Department of Finance and other Executive colleagues. We should remember that the mental health of our prison officers is not a stand-alone issue for the Department of Justice. It is a matter for the entire Executive, because these are citizens of Northern Ireland who may be struggling with their mental health because of the service that they are giving to the community. Therefore, all Departments have a role to play in assisting us to reach our objective of having proper support in place. I will be engaging with the Committee when we have more detailed figures about the costings. We will also be engaging with the Committee — hopefully, constructively — in order to get support as we discuss some of the more complex HR issues with the Department of Finance as we take this forward.

**Ms Dillon:** I thank the Minister for her statement. I also thank the authors of both these reports. I welcome the fact that Siobhan and Gillian will be evaluating the progress of their recommendations; that is really important. There seems to be almost an expectation that stress is an inevitable consequence of working in the prison system. In the right conditions, staff should not have to think that stress awaits them and lies before them. I met staff in Maghaberry around October time — it seems like a long time ago — when things loosened up a bit and I could meet them. Meeting the staff without management was a really important process to give them an opportunity to highlight their issues and concerns. It also gave them an opportunity to tell me about the things that they think are working and the improvements that they have made. The key to dealing with stress is to recognise the signs early, and early intervention is absolutely vital, as is prevention. We cannot prevent it in all cases, but early intervention is vital. Does the Minister's action plan include actions relating to early intervention and prevention?

**Mrs Long:** I thank the Member. I know that she has a particular interest, has visited the prisons and spoken to officers and is aware of the challenging circumstances that they have been working under, particularly during the COVID situation. They have done an incredible job.

The wider issue of early intervention is absolutely crucial. It is about not just responding to issues that may cause people distress and harm but building resilience prior to

that, and that is included in the report, particularly in terms of, first of all, engaging with families during the recruitment and training process, because there is a family resilience issue. We know that the threat against prison officers follows them home, and that can often be very distressing for members of their family. Extremely distressing incidents while they are in the prison, whether that be acts of violence, self-harm, attempted suicide or suicide, can be very traumatic experiences for officers who come across them in the course of their work. Dealing with people who have, at times, very complex needs can in itself provide a challenge, and engaging with families in a more holistic way is one part of the early intervention.

It is also about trying to build resilience in individual officers so that they have coping strategies. It is also important that they know exactly where to go, so it is about improving signposting so that they can access services.

It is important to say that, while the report sets out the work that needs to be done, it recognises that a considerable amount of work is already happening in prisons. As you know, the Prison Service launched Prisons Well in March 2019, which is an employee well-being programme based on four key strands: support, inform, prevent and assist. That has been ongoing in the prison system over the past year, and important progress is being made already. We hope through these reports to consolidate and build on that and particularly focus on building resilience and supporting those who, despite the investment in resilience, still find some of the work that they do traumatic and disturbing.

**Mr O'Toole:** I thank the Minister for briefing us today. We, as a party, welcome both reports, and it is welcome that action is being taken on the findings. The Minister touched on the question of Budget allocations, but I am not entirely clear on what the position is. Will an allocation be made in the 2021-22 draft Budget that has just been published, or will you seek a specific allocation from the Finance Minister in the weeks ahead as he goes through the consultation period?

**Mrs Long:** To clarify, we see most of the recommendations that will be able to be implemented quickly as relatively straightforward. They will be able to be implemented within a few months, mainly through existing resources or reprioritising current funding that is available to the Department. There are others for which more significant funding will have to be secured, but I

think that that will be done in discussion with the Department of Finance during the current Budget round and, crucially, in future monitoring rounds. Some of it will have, if you like, an initial start-up cost that might be funded out of one particular year, and the running costs may be something that we can absorb in the Department.

**Mr Beattie:** I thank the Minister for bringing the report forward. It is a really good report, and I commend those who brought it to us. It addresses so many issues. There are so many questions that need to be asked, but we are limited to one. Recommendation 6 talks about human resource and looks at our prison officers. It makes the point that those suffering from mental health issues are not inefficient. I put a similar motion before the Assembly: unfortunately, it was not carried, but, sometimes, you can lose the battle but win the war.

Minister, you will know that mental health issues can be exacerbated by an increase in workload, which can be due to serious staffing issues. The night custody officers have serious staffing issues, which may be adding to that. Will you outline how we are, in the short, medium or long term, trying to address those staffing issues?

**Mrs Long:** I thank Doug Beattie for his question. I also thank him for the work that he has done to raise issues concerning the Prison Service. As the Chairman of the Committee recognises, it is an area where he has shown particular interest. I appreciate very much the questions that he has asked and the light that he has shone on the issues. It is hugely important that Members take an active interest. As I said, Linda Dillon has visited the prisons, engaged with officers on-site and seen some of the work that they do. That is important because, so often, people do not understand the prison system or its work.

The Prison Service has continued to recruit operational staff throughout 2020, including custody prison officers, night custody officers and prisoner custody officers. Since January 2020, 114 people have been recruited, and 18 individuals are undergoing training, including 16 night custody officers. There are also plans to bring in further night custody officers before the end of the financial year. However, as with other front-line services, prisons have been affected by the pandemic and the recent increase in community transmission. While the numbers of operational prison staff who have contracted the virus or are self-isolating are

fluid, approximately 8% of the staff are currently unavailable.

It is to the credit of the management and staff that that has not impacted on the support provided to people in their care. A landing-based regime has been maintained throughout the pandemic. However, the Member has rightly stated that, often, additional workload can lead to additional stress. Of course, mental health issues are a particular concern and consideration.

As of 20 January, out of an operational staffing level of approximately 1,350 officers, 36 officers were absent on sickness absence due to stress, depression or anxiety, including work-related and personal mental health issues. Some 29 officers are attending PRRT for its psychology-related service, and three are waiting to start.

**Mr Lyttle:** I thank the Minister for her important statement and for the work of the review team that she appointed. This is a significant day in the ongoing work to deliver adequate support services for our prison officers, and I am grateful and proud that it is an Alliance Party Justice Minister who is showing leadership on the issue. I particularly welcome the recommendation to extend PRRT support services to former prison officers who sacrificed everything for everyone in our community. Is there a timescale for the implementation of that recommendation? Will the Minister need Executive support to fund that vital provision?

**Mrs Long:** I thank the Member for his question. He is another Member who has shown a particular interest in the well-being of prison officers and the challenges that they face, particularly but not solely retired prison officers. He has also actively campaigned for the extension of PRRT services to prison officers, so I anticipated that he would be delighted at that recommendation. I am not surprised that he homed in on that one, though there are many other good recommendations in the report.

The hope is that we will be able to commission a service around October of this year, and, yes, it will require additional funding and investment. Again, that is where the cooperation of other Executive Ministers and the Department of Finance will be required. This is an important part of ensuring that staff who are about to leave the Prison Service and move on after a period of service with us are able to go back into the community and play a constructive role, be economically active and be healthy. If we

can help people to transition successfully from the Prison Service into other lines of work at the end of their career, it has a benefit to our economy, the health service and to the benefits system. It is not only a justice matter but one that we will want to work on in a cross-cutting way, and I anticipate that we will be able to take it forward at pace. I do not anticipate resistance from the Executive on the issue, because, to date, they have been hugely supportive of the work that we have undertaken in trying to develop the right support services for front-line workers.

**Ms Flynn:** I thank the Minister for today's important statement. We know that, compared with other jurisdictions, levels of sickness and absenteeism are disproportionately higher here. On that basis, has the Department or the Minister carried out any assessment of how those levels vary across the prison sites?

**Mrs Long:** That is a valid point, because, if you look at prison systems in other parts of these islands, you will see that the levels of absenteeism are lower. However, it is worth bearing it in mind that, when prison officers there go home at night, they are, by and large, removed from the influence of the people whom they serve during the day, unlike the prison officers in Northern Ireland. Unfortunately, our prison staff often go home under severe threat. We should remember that that causes a lot of stress and anxiety that members of the community more widely may not necessarily be aware of. We have all seen incidents in which names of prison officers have been placed on walls, placards, bonfires and other places. That kind of intimidation takes its toll on the mental health not only of the prison officers but of their family and friends. We are, therefore, conscious that there are additional stresses in prison work here that, perhaps, do not exist in other places. However, when the Member has time to read the full report, she will see that good analysis has been done on the causes of stress for prison officers. The evidence base in the reports is robust. The key for us is to look at what we can do to help the officers who genuinely are struggling with anxiety, stress and depression so that they can find a way through that and be able to continue to work as prison officers in a safe and supportive environment. I believe that that is what the majority of people who are off sick in the Prison Service want to be able to do.

### 12.30 pm

It is also worth noting that, whilst absenteeism in the Prison Service is higher than in other

parts of these islands and, for example, in the PSNI, the service is a unique environment. We need to take that into account when we look at the figures. People spend all day in quite intense situations that are emotionally draining in some cases. Much of the work that has been done in existing support for our prison staff has shown an improvement in being able to get people back into their employment, but that is not possible in all cases.

**Mr Dunne:** I thank the Minister for her statement. We appreciate the effort put in to address the issues. We all appreciate the good work of the Prison Service as staff carry out their business against the ongoing threat and the risk from COVID-19 in the workplace.

Recommendation 12 focuses on HR and occupational health support. Does the Minister recognise the need for further investment to save? We are all concerned about the sickness level. Recommendation 12 mentions that sickness absence is:

*"in excess of £3m per year for the last three years".*

We are all concerned about that. More needs to be done to support prison staff and to increase the efficiency of the workforce.

**Mrs Long:** The Member makes a valid point. Absenteeism costs the Prison Service money, and it costs us money in running the Prison Service. As other Members have said, it also puts other members of staff under pressure, because they have to take up the slack when people are absent, even if that absence is justified and with good reason.

My hope is that people see the opportunity in the report and its recommendations to support people to work through the issues that they have, to continue and to come to the workplace confidently and well. They should be able to continue to work with shorter absences or, indeed, no absences at all. The money saved from that upfront investment would more than justify the investment that we would have to put in at the start to make that happen.

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

As with all finances — Members are aware, having seen draft Budgets and other things — that money is very tight. I agree with the Member that an invest-to-save argument can definitely be made in this context. The money that we invest at this stage will be recouped in more and better attendance down the line,

when people feel better supported and their mental health is in a better position.

**Mr O'Dowd:** Minister, in your statement, you rightly point out that many people in our prisons are vulnerable, suffer from mental health issues and, indeed, if you had a different system, may be in different centres of care. With the high levels of sick leave for prison officers, what is the Minister doing to ensure that staffing levels are right to ensure that the vulnerable are looked after and that there is not more pressure placed on the prison officers who are present, so that we have a service that is about care and rehabilitation?

**Mrs Long:** The Member will be aware from my answer to a previous question in that regard that, as things are, we are recruiting new officers and have continued to do so. We continue to recruit new night custody officers, prisoner custody officers and custody prison officers. Since January last year, we have, I think, recruited 114 officers. We have 18 individuals currently undergoing training.

We continue to recruit, and we manage carefully the resources that we have. Members will be aware of the work that I did during COVID to ensure that prison officers who had to work longer shifts in order to be able to manage the particular risks of COVID were recompensed adequately for that. We recognise that prison is a challenging environment and that we have to be properly staffed.

At the outset of COVID-19, we made a strategic decision that, where it was possible, we would not have a 23- or 24-hours-a-day lockdown for prisoners. I do not believe that that would have been sustainable, and that is obvious now that we are over a year into this. Some people may have thought that it was an easy way forward, when we expected that the crisis might last six weeks, but we did not feel that it was tolerable. We did not believe that it was good for the mental health of prisoners or staff. The two are intimately linked. If you find somebody who has been self-harming or attempting suicide, it is a traumatic experience. It is in everybody's interest for people to have better mental health and well-being in the prisons.

We have worked very hard to end doubling up in prisons. That is one means of controlling transmission. We have also put in controls to ensure that COVID is not being spread in the prisons. We have worked on a landing-based regime that allows us to use our staff to best effect so that people still have some association

time and still have the opportunity to not only get some training but to exercise and do all the other things that contribute to mental health and well-being. I very much recognise that, whilst it looks like a simple solution, keeping people in their cell for long periods of time is the cause of much more harm and difficulty.

As a result of that and the work that the director general and others have done on their communication with prisoners about the regime and how it would be managed, we have seen quite extraordinary levels of cooperation between prisoners and prison staff. That stands as testament to the fact that there has been a huge transformation in the prison environment and in the overall relationships between prison officers and prisoners. People recognise that prison officers are acting in their best interests and are willing to cooperate and work with them. That was most notable when virtual visiting was first introduced and, indeed, when in-person visiting was reintroduced. Many prisoners discussed it with the prison staff and decided, on balance, not to ask family to come to the prison, even though they could, because they felt that it was safer not to do so. They have continued with virtual visiting and have, I think, been finding some benefit from it.

One of the things that we have noticed from virtual visiting is that prisoners benefit from being able to see inside their home, see their family interacting in a more normal setting as opposed to a visitor centre, and see their pets. Those seem like small things, but when you have not seen them for a long time, they make a huge difference to people's mental health. All those things have helped. Obviously, they are not a replacement for in-person visiting, though we intend to keep virtual visiting in place afterwards.

All in all, staffing has been really carefully managed by the prison management, but that has not impacted negatively on prisoners, who are still able to access some training and skills via virtual means and have access to association and exercise. We genuinely believe that we still have to focus on rehabilitation. Many prisoners will finish their sentence during the COVID crisis, so it would not be just or fair if they were in some way deprived unnecessarily of the preparatory work that needs to be done in order to give them the best possible start when they come out of prison.

**Mr Butler:** I thank the Minister for bringing the report to us today. The review is, indeed, very positive, and I thank the team for its work on the review of support services for prison officers and those who are retired.

Minister, high sickness levels have been brought up on a number of occasions. I will also bring to your attention what I believe to be high rates of early retirement that are predominately due to mental ill health but that can also be related to stress and, sometimes, PTSD. I thank the Minister for her positive response to my first iteration of a private Member's Bill to help to tackle that.

Minister, I take issue with something in the report, and, hopefully, you can shed some light on it. It states that incidents of assault have recently gone down from 112 in 2014-15 to around 26 to 33. I have been told that assaults are not being recorded in the manner in which they were when I worked there. I have been told, for instance, that, if someone empties a cup of urine on a prison officer, that is not counted as assault. Are we confident that, when we look at the reduction in assaults, we are talking about the same thing and that we are not looking at figures that might not mean what we think they mean?

**Mrs Long:** I thank the Member for bringing that to my attention. Yes, as far as I am aware, the figures for the recordings would still qualify as assault for what was recorded. However, there may be, if you like, a nuance in the recording that was not there previously. I am happy to return to that with the Member in due course and get confirmation of it on his behalf.

I recognise that assaults are not just physical and violent assaults; other assaults can be exerted on people when they are in prison. There can be very challenging environments. There are also people who, because of mental health issues and, indeed, other behavioural issues, can be very challenging and difficult to deal with, but what they do might not qualify as an assault on an officer. It is simply seen as a behavioural problem that has to be managed. That can be challenging for officers. I will come back to the Member on that, because it is important that we have confidence where we see that kind of improvement.

However, if you look at the overall picture of the reduction in self-harming, in the number of suicide attempts and suicides and in the number of violent assaults, you will see that all those things are moving in the right direction, and the trajectory is right. I am not saying for a minute that we can be complacent, because any life lost or anyone harmed in the prison system is one too many, but the overall pattern is improving dramatically. That is in large part due to leadership not only from the management of the Prison Service but from the officers themselves.

**Ms Armstrong:** Thank you, Minister, for your statement. It is not very often that we get good news on a Monday afternoon, and this is certainly good news. I will always support any actions that help people to do their job and that support their mental health.

Does the Minister agree that this should all be based on need, given the glaring omission that retired prison officers have not been able to avail themselves of the support of the Police Rehabilitation and Retraining Trust (PRRT), with many suffering in silence as they are unsure where to seek the support that they need in an appropriate environment?

**Mrs Long:** I agree entirely with the Member that it is important that the work that we do with prison officers is not only needs-based but trauma-informed. It is a unique and challenging environment. It is important that the offer that we present to them is bespoke to the service. It is also important to recognise that it is potentially quite a large cohort of people. Many of them will have left the Prison Service in recent years. Some will have left the Prison Service quite a while ago but will not be fully rehabilitated or able to find employment, and they will still require more support for their mental health and well-being. The important thing is that we are able to establish the services. We can then start to address how we meet those needs and make sure that people are aware of the services through signposting and other things. The POA and other bodies will be more than able to ensure that former officers, as well as current officers, are fully aware of the services that we hope to commission later this year.

**Miss Woods:** I thank the Minister for her statement and for the reports. I also thank the review team, whom I met, along with a number of constituents, to raise their issues; some of the recommendations reflect the conversations that we had. Like Mr Beattie, I wish to ask about recommendation 6 and the wording of letters sent to staff. I am aware that this falls under the remit of the Department of Finance, but is the Minister content with the revised wording? Is she aware whether the word "inefficiency" is still being used?

**Mrs Long:** The Northern Ireland Civil Service (NICS) HR policy, as you will be aware, is a matter for the Department of Finance. However, I am sure that the Member will agree that the report shows that a one-size-fits-all policy may not be the best way forward when it comes to HR for people who are desk-bound in their jobs compared with the management of those who

are in the prison system. We have discussed this issue on a number of occasions. As things stand, it is a matter for the Department of Finance, but it is one area where we need to have further discussions. Further consideration has to be given to the particular context in which people are working.

I agree about the challenges around the wording of such letters. While it may be standard, and, indeed, appropriate in some cases, to say that there are issues of inefficiency, we have to tread very carefully when it relates to someone's mental health. Suggesting that someone who has mental health issues is simply inefficient is not a helpful start in trying to rehabilitate and support them through what may be very difficult times. We are acutely aware of that challenge, which is reflected in the detail of the reports. It will also be reflected in the engagement that I hope to have with the Department of Finance on these issues, which the Member will see in the action plan.

**Mr Allister:** Minister, a number of former prison officers who were injured and otherwise suffered in the terrorist campaign expect to be beneficiaries of the victims' pension. Have you any news for them? Will you comment on the fact that, at last Wednesday's Finance Committee meeting, an Executive Office official told us that the cost of the pension for next year, if it were in payment, would be £21.6 million, which is a long way shy of the exaggerated figures that some have been putting around?

**12.45 pm**

**Mrs Long:** Mr Deputy Speaker, you will be conscious that the question touches only tangentially on the issue, but I am more than happy to provide the Member with an update. We are currently on track to meet the opening date of the beginning of March for applications to the scheme, which is the date that I had set in the Department. The Member will appreciate that there are a lot of moving parts to it, so I say that with a degree of caution. I would give it a green rating, but, given the high-risk nature of the work and the fact that it is being done in a very pressured environment, I might have to downgrade that to an amber risk, simply because anything at this stage could go wrong and not all things are in my gift. We are, however, making good progress with the application process itself. We have designed the forms and have in place the medical assessment contracts and the computer systems for receiving applications. All those

things that are in my remit have moved as I had hoped, so we are hopeful that we will be able to be open for applications in mid-March.

The funding that has been discussed publicly is a whole-life cost not a one-year cost, so we need to be cautious about comparing what is a one-year cost to a whole-life cost. I said at the time that the estimated costs that ran through the Government Actuary's Department were around £165 million initially. That was when the focus was mainly on those who were severely physically injured. The scheme has now expanded geographically for applicants. Psychological injury has been introduced into the mix, and applicants will also now qualify with a reduced level of psychological injury. Initial estimates were that seven to eight times the number of people could apply than when it was initially estimated at 168,000, so the Member will be able to calculate very quickly in his head from where the upper estimate came. As I said at the time, however, the figure came with a health warning because it was a very rough, back-of-an-envelope-type calculation. It had not been through the Government Actuary's Department. Indeed, there will be overlap between those who have both psychological and physical injuries, so it is not necessarily as straightforward.

The work on that is being taken forward by the Executive Office. It is working very hard to try to identify the cohort of people who may apply and to work out to what degree that is likely to increase costs. My expectation is that the whole-life cost will be greater than the £165 million, and significantly so. I also expect, however, that it will be less than the £800 million upper figure, which was always the ceiling for our preparedness.

What also has to be borne in mind is that, given their age and ill health, rather than take the pension as a regular payment, some people may decide to take a 10-year lump sum in lieu. We also have back payments to make for the pension, because we have to pay back to the date when this was commenced. When you add all of that together, the start-up costs are likely to be quite challenging for the Executive to meet. I am fairly confident in saying that it will be difficult.

The routine, annual costs of paying out the pension may be more manageable for Executive finances, so the discussion that we requested and hope to have with the Secretary of State is about the degree to which he can assist us with the scheme's start-up costs. If we can get over that hurdle, we will be in a much

stronger position to be able to put the pension in place.

It is right that the Executive and the Assembly should make a contribution to the scheme, but the UK Government ought to make a significant contribution to it. Securing the finances is not my role. It is for TEO, and the courts have ruled on this, to get the funding and give it to my Department to deliver the scheme. My focus is on making sure that there is a scheme to deliver that funding to and that people can start to submit their applications come March of this year.

**Mr Deputy Speaker (Mr Beggs):** That concludes questions to the Minister on her statement. I ask Members to take their ease for a few moments.

## 2020-21 January Monitoring Round and Covid-19 Funding Position

**Mr Deputy Speaker (Mr Beggs):** The Speaker has received notice from the Finance Minister that he wishes to make a statement.

**Mr Murphy (The Minister of Finance):** I wish to provide Members with an update on the 2020-21 January monitoring round. Members will be aware that, after the October monitoring round, £100 million of COVID funding was held in reserve, all other available resource funding had been allocated and capital DEL was overcommitted by £12.7 million. On 5 November, the British Government announced a further £400 million in COVID resource funding. On 23 November, the Executive agreed allocations that included £300 million of support for businesses. Some £150 million was held in the hope that it could be carried over for rates support in 2021-22, and £26.6 million of resource was held in reserve to meet any unforeseen emerging pressures over the remaining four months of the year. Shortly before Christmas, the Treasury increased the guaranteed COVID funding that was available to the Executive to £3 billion, which was an uplift of £200 million. Due to the late stage of the financial year at which that was provided, it is anticipated that the Treasury will agree to our request to carry that forward. Therefore, that amount has not been considered as part of this monitoring round.

Departments have declared a significant level of reduced requirements in relation to previous COVID allocations, which has resulted in

£219.2 million of resource DEL being available for allocation. In view of the additional £200 million now available, which the Executive should be able to carry forward to next year, I have made the £150 million that was previously held for further rates support available for allocation now.

Reduced requirements totalling £105.4 million of resource have been declared by the Department for the Economy, the most significant of which is the £93 million that was allocated for the high street support scheme. The Department of Health has surrendered £90 million of the funding that was previously provided for the COVID response. It has been confirmed that Treasury will directly fund pressures arising from an increased carry-forward of annual leave. That, along with a contribution from the Department for Transport for airport support, will free up £66.6 million of previously allocated COVID funding. Latest forecasts of regional rate income show that £46.4 million that was previously provided for rate relief measures will not now be required, which reflects a reduced cost rather than a reduction in the support being provided. Taking account of those changes, the total amount of COVID funding available for allocation is now £509.8 million.

The £60 million previously held centrally for support to businesses and the £1.6 million held for the transport sector have now been provided to the Department for the Economy and the Department for Infrastructure. In addition, Departments have bid for a further £215.6 million of COVID support. While Ministers are considering what further support can be provided, it is important that there be no delay in delivering the support that has already been identified. Therefore, departmental bids have been met in full. Details of the allocations are shown in the tables provided with this statement.

Including the £60 million that was previously held centrally, the Department for the Economy has been provided with £154.5 million to provide much-needed support to individuals and businesses in the financial year. That includes further support for tourism and hospitality, small businesses and company directors. The Department of Education will receive £7.5 million to continue the response to COVID-19 in schools and to extend the lost learning programme to special schools. My Department will receive £101.6 million, including £100 million to extend the localised restrictions support scheme in view of the new restrictions and £0.6 million to provide rate relief for local newspapers, which are a key part

of the fabric of our society. The Department for Infrastructure will receive £12.1 million to help address the impact of COVID on that Department. Some £294 million of COVID funding remains available for allocation, and I have asked all Ministers to bring forward proposals for further support as a matter of urgency.

In non-COVID spending, Departments have surrendered £93.9 million of resource DEL, £55.7 million of capital DEL and £12 million of financial transactions capital (FTC) during this exercise. On resource DEL, reduced requirements include £23.8 million declared by the Department of Health; £10.9 million from the Department of Finance, reflecting the anticipated return of rate relief funding from large supermarkets; £8 million declared by the Department for Communities as a result of housing benefit for tenants being lower than forecast and £3.5 million due to delays in recruiting staff for universal credit due to COVID-19. The Executive Office has surrendered £8.3 million in relation to funding for historical institutional abuse, and a total of £9.5 million has been returned by the Department of Agriculture, Environment and Rural Affairs and the Food Standards Agency in relation to the Executive funds provided to give certainty ahead of Treasury providing funding related to the Brexit protocol. The Department of Education has surrendered £16.2 million in relation to the education end-year flexibility scheme, which is a mechanism to facilitate local management of school budgets.

On capital DEL, the majority of the reduced requirements are as a result of project delays but also reflect some additional receipts. The Department of Health has surrendered £19 million as a result of delays in ICT projects. In the Department for the Economy, a reduced requirement has arisen as a result of a £7.8 million repayment of the loan to the Presbyterian Mutual Society.

Factoring in changes to centrally held funding, there is £110 million in resource DEL, £46.4 million in capital DEL and £55.7 million in financial transactions capital of non-COVID-19 funding available for allocation in January monitoring. Departments have bid for £98.2 million in resource DEL and £24.2 million in capital DEL for non-COVID-19-related pressures. However, some of those pressures have been funded directly by the Treasury, leaving remaining pressures of £58.4 million in resource DEL and £18.1 million in capital DEL. Those bids have been met in full, and the allocations include £9.7 million to the Department for the Economy for higher

education quality research and further education colleges' pay remit. Forty-five million pounds has been allocated to the Department for Infrastructure to support the Driver and Vehicle Agency and Translink. Detail of those allocations is shown in the table accompanying this statement.

In order to ensure transparency, the funding provided for the COVID-19 response, and that from the Executive's existing funds, has been separately identified. However, it is the overall financial position that should ultimately be considered. After meeting all the Departments' bids and taking COVID-19 and non-COVID-19 funding together, there is unallocated funding of £346.4 million in resource DEL, £28.3 million in capital DEL, and £55.7 million in financial transactions capital.

I encourage my Executive colleagues to utilise the funding available in this financial year. A number of significant proposals have already been identified, which the Executive will consider later this week. In addition, alongside the Scottish and Welsh Finance Ministers, I have requested increased flexibility to carry forward COVID-19 funding, and I expect a response from the Treasury shortly.

**Dr Aiken (The Chairperson of the Committee for Finance):** I thank the Minister for meeting me earlier today. Discussing how we will spend an underspend of close to £435 million in a very, very short time was probably one of the more unusual conversations between a Finance Minister and the Chair of the Finance Committee.

The Committee will welcome that all departmental bids have been met in full, including, in particular, a further £100 million for the COVID-19 localised restrictions support scheme, the replacement funding for the European social fund, the £20 million for the company directors' scheme, and the Treasury's capital funding for improved broadband through Project Stratum.

There are, however, a number of features of this monitoring round that make it very unusual and worthy of deeper scrutiny. First, the Minister advised us of £200 million of reduced COVID-19 resource requirements and £100 million of non-COVID-19 reduced resource requirements. After all the allocations have been made, more than £346 million of resources are still available in what is the final monitoring round of the financial year. That is remarkable. However, this, of course, has been a remarkable financial year for all — unfortunately, for the wrong reasons.

Given the substantial sums left unspent, will the Department undertake another monitoring round before the end of the financial year, and will the Minister make a further statement on the other anticipated allocations in a timely manner? Can the Minister also advise on the likelihood of a substantially increased carry-over facility for unspent funding into the next financial year? That is particularly important in areas of health. Will such carried-over amounts be hypothecated as COVID-19, or will the Executive have full discretion in respect of their spending?

I welcome that the Minister is having discussions with the other Finance Ministers, but it would be welcome to have a statement from the Treasury sooner rather than later, if we are capable of doing this.

### 1.00 pm

Can the Minister also explain some other issues? I will be brief, Mr Deputy Speaker. I refer to the £35 million of reduced capital requirements relating to ICT projects in different Departments. Can the Minister advise whether there is a Department-wide problem getting ICT project money spent, as there appears to be?

Finally, can the Minister explain the allocations from the Treasury in respect of the £8.5 million for annual leave accrual in the Economy, Education and Infrastructure Departments? The reduction in the taking of annual leave in-year appears to coincide fairly neatly with the reduction in sick leave that the Northern Ireland Statistics and Research Agency (NISRA) has reported in the Civil Service in the first quarter of this financial year, coinciding with the lockdown. Can the Minister advise, therefore, if there is a problem with the management of Civil Service sick leave and annual leave?

**Mr Frew:** Great speech.

**Mr Deputy Speaker (Mr Beggs):** The Member has asked several questions. Latitude is given to Chairs of Committees, but I would urge all Members and Chairs of Committees to be more concise. Minister.

**Dr Aiken:** Thank you very much, and I thank the Deputy Chair of the Committee for his remarks — *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order. We are in questions to the Minister *[Laughter.]* Minister.

**Mr Murphy:** I thank the Chairman for his range of questions *[Laughter.]* I will deal with them as briefly as I can.

The first was whether we would have a further monitoring round. As I advised him — of course, it is a matter for the Executive to agree — my intention, given the amount of money that we need to spend before the end of the financial year and the shortness of time, is that we allocate as schemes come in rather than corraling them into a single statement. However, there may be an opportunity at various stages to make additional statements, which he asked about. I do not anticipate another monitoring round, but I anticipate keeping the Assembly and the Finance Committee, in particular, advised, obviously with Executive approval, on spending over the next number of weeks.

The Member asked about the carry-over of funds. We, alongside Wales and Scotland, which face similar issues in dealing with their COVID allocations, are pressing Treasury for flexibility to carry over more. We have, I suppose, some degree of assurance in terms of the £200 million that we received very late in the year, just prior to Christmas. The more of the available money that we can carry over into the next financial year, the better for us because we will face significant pressures next year. The question of discretion in how that is spent is something that we will have to bottom out with Treasury once we get the flexibility explored. I expect to hear something from the Treasury this week, and I can advise the Assembly once I do.

The ICT issue that I referred to in the statement related specifically to the Department of Health. I do not know whether it points to any bigger problem across other Departments, but we can certainly make enquiries.

The annual leave accrual costs were costs for which people had set aside COVID money but which were then met by Treasury. A range of costs have been met by Treasury, amounting to some £60 million, I think, which meant that that money was back in the pot for disbursement as part of COVID, which added to our pot. There was a reduction in the cost of that, and some of the costs were met by Treasury. Whether that coincides with the sick leave issue, I do not know; we will have to analyse that. There has been a reduction in sick leave over the year; perhaps that points to a way of working, going forward. I have no wish to extend this, but the flexibility that people have in working from home and being able to make family arrangements perhaps does lead to a reduction

in sick leave where people may be obliged to take that to meet other family pressures. I think that we will be into different ways of working when we come out the other side of the pandemic, and, hopefully, they will be better ways of working that are more productive for our staff all round.

**Mr Frew:** A total of £430 million is unallocated, and £346 million of that is resource. The Health Minister alone, with all the Department's pressures and waiting lists, has returned £90 million. What explanation goes from the House and the Finance Minister to the plethora of people who have been deprived of earning a living to provide for their family and have received very little support this past month, if any, and all the people who rely on healthcare at this time and are sitting on waiting lists? What explanation, Minister, can you give?

**Mr Murphy:** In relation to people who have not yet received support, I have urged all Ministers to come forward with propositions for spending the money. As I said at the beginning of my statement, in November, we had allocated all the COVID money available to us. It was not a question of sitting on this pot and then running out of time at the end of the year. We had allocated all of it bar £150 million that we were carrying over for rates relief for next year, which was widely requested by the business community, and £26 million was held in reserve. We actually had a concern that we had left ourselves short if we were to end up in a situation post Christmas — the situation that we are now in — of an extended lockdown.

I have asked Ministers to bring forward propositions to assist in spending this out. I have asked them to prioritise sectors in their remit that have not yet received funding for whatever reason. Some schemes are difficult to put together. The verification of who is in various sectors and how much they have earned or lost and all those things is challenging, but I have asked people to prioritise those who have not yet received any support, because they would be most aggrieved if we ended up with some returned money at the end of the financial year.

In relation to the Health Department, it will be up to the Minister of Health to explain where the £90 million was surrendered from. I have to say, though, that my general experience is that the Department of Health has been so under-resourced for many years that its ability to do too many things at one time is severely restricted because the capacity is not there. That is the consequence of years and years of austerity cuts to the Health Department; it is not

a consequence just of this year. The Health Department struggles every year with winter pressures, and, this year, it has a pandemic on top of that. The ability to concentrate on other areas such as waiting lists and things like that has, I have no doubt, been challenging, but the Health Minister could explain all of that better.

**Mr O'Dowd:** Minister, students have had an awful year. They are paying rent for accommodation that they cannot use and their educational experience is less than optimal, despite the best efforts of the tutors and their colleges and universities. Would you look sympathetically on a bid from Diane Dodds, the Economy Minister, if she were to come forward with one to compensate our students for their rent and tuition fees?

**Mr Murphy:** I concur with the Member entirely on the difficulties that students have faced. Many people, I suppose, like the rest of us, not knowing the course that the pandemic would take, undertook contracts for the rental of property that they were then not able to use. Their ability to attend courses and to get the adequate level of tuition that they would have expected in normal circumstances has obviously been much restricted. As a consequence, hardship among students has grown, and there is evidence of that.

I have said to the Economy Minister that students is one area where her Department should try to identify some additional support. I think that she is intent on doing that, so I look forward to some bid from her. Quite what it is intended to address will, I suppose, be a matter for the Department for the Economy, but I encourage it to talk to student organisations and to get some advice from them on where the pressures are most felt by students at this time and to make sure that it applies sufficient resource to try to address that.

**Mr O'Toole:** I do not know whether the Finance Minister is a Pink Floyd fan or whether he has ever listened to 'The Dark Side of the Moon', but, when I look through the monitoring returns, I am reminded of the lyric:

*"Plans that either come to naught or half a page of scribbled lines."*

Notwithstanding the incompetence of Departments like Economy and the indifference of London, was it not the job of his Department to corral a single strategy to make financial allocations to get us through the COVID crisis? When will he come forward with that plan, and

will he guarantee that we will avoid the huge underspends that now, I am afraid, look likely?

**Mr Murphy:** I am a fan of Pink Floyd and have listened to 'The Dark Side of the Moon', but I cannot recall that lyric; obviously, I have not listened to it enough.

I will say — the Member knows this because he has been in for every statement that I have made on COVID allocations — that, over the course of the year, we have received funds with literally maybe two days' notice. We did all the allocations in October and then received a further £400 million in November. We then received a further £200 million in December. Doing any financial planning on how we were to spend out all of that was impossible, because we never had any advance notice of the totality of what we were receiving. When we received some funds at the end of the summer, in my recollection, we were told that that was it for the year. In October, we had allocated all the money available to us. In November, we received an additional £400 million, and we allocated all of that.

What we have and are dealing with now are returns from Departments that bid for funding and said, "Give us that money. We can spend it on x, y and z schemes". They have now returned that money to us. That is the difficulty that we face; it is not a lack of allocation of money over that period of time, even though it came to us with no forewarning or ability to plan out what was available to us over the year. Had we been told at the start of the financial year, as we entered the pandemic, that we would get £3 billion over the year, I am sure that the Executive could have put together a plan to spend it out. We never had any notice of what the total amount would be, yet we managed to allocate it all. What we are now dealing with is money that has been returned from Departments' allocations that they have not spent.

**Mr Muir:** Back in September, I asked the Communities Minister about the risk of handing money back to Treasury. She responded by saying, "No surrender" and that:

*"it is a mortal sin to send money back".*

— [Official Report (Hansard), 08 September 2020, p44, col 2].

It is disappointing that that risk is now real. The localised restrictions support scheme (LRSS) and COVID restrictions business support scheme (CRBSS) grants are welcome for

businesses, but they do not cover all their overheads. Has consideration been given to making a one-off top-up payment to assist those businesses?

**Mr Murphy:** I am sure that Ministers intended, with all good intent, to spend the money that they had. Some of the funding that they got was demand-led. I know that, in particular, we were expecting significant demand for support from, for instance, the non-essential retail sector pre-Christmas that did not actually materialise. We cannot go out there and force businesses to apply to schemes. We make an assumption. Similarly, I am sure that, with Communities, there were things that did not materialise in the way that it anticipated. Nonetheless, that leaves us with a significant problem that we have to address.

We have sufficient funds for the LRSS and the Economy scheme. We are now into a much more extended period of lockdown, and some are suggesting — certainly, the Health Minister suggested in his last public commentary on the issue — that, with regard to where he has now brought us with the recommendation of lockdown until March, we could even be looking at the other side of Easter. There will need to be sufficient funds to continue to roll out the payments that we have already established with the schemes, so the ability to make a one-off higher-level payment for that is restricted.

We are looking at it, however. This morning, I engaged with senior officials in the Department to look at where we could get support out to businesses through the information that has been gathered over the year by Land and Property Services (LPS) in the work that it has done with a variety of businesses. For instance, some businesses were above the threshold earlier in the year for the £10,000 and £25,000 grants and could not avail themselves of them. They continue to struggle. We may look at that area. I assure the Member that we will do all that we can to get support out where it is needed.

**Mr Givan:** I have some sympathy for the arguments that the Finance Minister made on the late notice of receiving additional funding from Treasury. However, the public will not have any sympathy when they hear about that £430 million global figure, they will be, rightly, outraged if that money is not spent, given the Executive's decisions to close down businesses and deprive people of a living. There is a really big onus on the Finance Minister to lead the Executive in getting that money out.

In doing that, whilst Departments can make bids, will the Minister, in his own Department, amend the LRSS to support sports clubs? Will he take forward a scheme for travel agents? I know that he met them in November, and they have asked for a scheme. They have been decimated and have had to refund many people who made bookings. Will he ensure that the Department of Health commissions the private sector? Individual citizens are commissioning the private sector, and there is capacity to do surgeries. It is wholly unacceptable that the Department of Health is handing back £90 million when people should be getting surgery, if not through the NHS, through the private independent sector.

**Mr Murphy:** On the Member's general point, I will say that I am leading the response in the Executive. At the last number of Executive meetings, I have spoken at length about the need for all Ministers to get their Departments going and get that money allocated. I have spoken about the need to give priority to people who have not received support before.

Funding is available to the sport sector through the Department for Communities that takes into account loss of income and revenue, including from hospitality. The difficulty for LPS is that the hospitality side of a sports complex or whatever it is, whether it is a soccer ground, a Gaelic ground or a rugby ground, is often a very small part of it and is not independently rated from the rest. There is a problem there. In order to ensure that there is, if you like, a one-stop shop for sports organisations, the Department for Communities handles that and will allocate according to lost income, including from hospitality.

I have every sympathy with travel agents. I have met them and have asked my officials to work with them in the absence of any other Department standing up to do so. It is not our responsibility, but I have asked my officials to work with travel agents to gather up information. The difficulty is that we have only one paying-out agency — the LPS — which is actually a rate collection agency that repurposed itself. A strong proportion of those people do not operate from a premises; they operate from their houses and online, so they do not have a premises to which we can attach a payment. I have asked the Economy Minister to come forward with a scheme, because that sector has definitely missed out. I hope that attention will be drawn to the issue this week, because there is a small number of sectors that, for one reason or another, have missed out. Travel agents are certainly one of them,

and I have every sympathy for finding support for them.

**1.15 pm**

**Ms Flynn:** I thank the Minister for his statement and for all his work over the past number of months. Does he agree that some of the COVID money that is available to the Executive could or should be used to award a "Thank you" payment to all our health and social care workers, including our student nurses and domiciliary care workers? That would be a gesture of gratitude from all of us to say, "Thank you" for the enormous work that they have carried out over the past 10 to 11 months during an unprecedented health crisis.

**Mr Murphy:** I am very sympathetic to that idea. It has been discussed at the Executive, and I know that the Health Minister is looking closely at a proposition. I think that he has the resources in his Department to do that. At the last Executive meeting, I spoke to him about the matter, because there is broad support across the Executive for it. I hope to see proposals coming forward in the not-too-distant future.

I apologise: I neglected to answer Mr Givan's last question about the Health Department. I cannot direct the Health Department on what to do. Others will have to raise issues with the Health Minister. It is part of the rules for our Departments that Ministers have autonomy, which is a good thing in many respects. It will be up to the Health Department to bring forward propositions. I made the point to Mr Frew that I have no doubt that there are capacity issues in the Health Department in dealing with more than one thing at once, which is a consequence of years of austerity policies.

**Mr Middleton:** The Minister is aware that many members of the public will be concerned about the sum of over £400 million that is unspent. Will the Minister address the situation in which, for example, approximately £90 million of the Economy Department's money was for the voucher scheme and there is a lack of flexibility to move ring-fenced funding into other areas in the Department? That would go some way to ensuring that the money can be spent.

**Mr Murphy:** We addressed some of the issues with the Department for the Economy about ring-fenced money and flexibility. We pressed the Department hard to try to at least do some portion of the voucher scheme in this financial year in order to spend some of the money, but it was not possible. If the Department had come forward with any ideas on how to spend out any

of that money, we would absolutely have supported it, and we gave them flexibility on other COVID money.

We will continue to press Treasury because, while we have money to spend this year that has come very late in the financial year, we have a real challenge next year as we have a poor Budget settlement. The more flexibility that we can get from Treasury to carry over into the new financial year, the more pressures that can ease in Departments next year.

**Ms Ennis:** The Minister's statement is very welcome. January monitoring is often a time when funding is allocated to repair roads. I notice that the Infrastructure Minister has not made any funding bids in that regard, which is disappointing because many roads in South Down could certainly benefit from funding of that nature. If the Minister were to receive a bid from the Minister for Infrastructure, would he be open to allocating funding for that purpose?

**Mr Murphy:** Yes, I certainly would. I live in south Armagh, where the roads are equally bad. I know that officials were in front of the Infrastructure Committee, and they seemed to indicate that there were capacity issues about getting money out on the ground and spent on road maintenance, resurfacing and all the other things that Roads Service traditionally does in the first couple of months of the new year, which is the end of the financial year. There was a discussion, and I think that the Minister indicated that she had received sufficient money over the year and did not require any further money for roads. That matter will have to be taken up with the Department for Infrastructure. However, if further bids were to come in, of course I would look favourably on them.

**Ms McLaughlin:** Thank you, Minister, for your statement. The Finance Minister in Wales, Rebecca Evans, last week announced a £40 million coronavirus student support scheme. She indicated that it was vital in order to support people in education and that it would tackle inequality by helping to support the most vulnerable students affected by the pandemic to complete their studies. Minister, why can you not do the same for our students in Northern Ireland, who have been so adversely affected by the pandemic, are paying for accommodation that they cannot even stay in, are unable to claim any benefits and cannot carry out any part-time work because hospitality and retail are closed? If it is within the remit of the Welsh Finance Minister to do that, why is it not within yours?

**Mr Murphy:** I am not surprised that the Welsh Finance Minister announced the allocation, but I am sure that she did not bid for it or devise the scheme. Although I do not know the Welsh system intimately, the Finance Minister does not deal with students. She will accept a bid and make an announcement on the funding that is allocated towards it.

As I said in answer to my colleague's question, it is a matter for the Minister for the Economy. I have urged her, in recognition of the particular problems that they face, to bring forward a bid for further support for students. I would look very favourably on such a bid and make a recommendation to the Executive, but I cannot go into the Department for the Economy and devise a programme for students; it would not be within my remit to do so. I am fairly sure that it is not within the remit of the Welsh Finance Minister to do so either. She may have announced the allocation of the money, but the bid will have come from the Department that has responsibility for students in Wales. Similarly, I am happy to look at bids from the Department for the Economy for students.

**Mr Dunne:** I thank the Minister for his statement. I welcome your commitment on rates for businesses, which will continue into the new financial year. Will you take some responsibility for the build-up of underspend? Several bids from the Department for the Economy were undercut and not fully funded. For example, we have been pushing for support for directors for some time. The bid was very much underfunded, and, as a result, £1,000 was offered for directors from March of last year. I understand that that sum has now been increased significantly. Would it be fair to say that you were too slow and too tight with the money?

**Mr Murphy:** As the Member knows, because he has been here a long time too, I only make recommendations to the Executive, and they approve the funding allocations. The Executive can amend and change any funding proposition that I bring to them. When it comes out the other end and I make a statement, as I am doing today, it is on the basis of Executive approval for the allocations. If a Department had not got sufficient money, that would not have slowed down the scheme, although it might have reduced the amount that it was paying out. The support has been added to since, and I encourage that money to be got out.

I am responsible for the schemes that my Department administered, and there were difficulties with them as well. I acknowledge that

all Departments had their budget to spend and, on top of that, had £3 billion additional to spend collectively. While that is a welcome challenge, it presents problems, particularly during a pandemic, when staff are working from home and there are communication issues. There have been challenges in all Departments in spending the money, but we have allocated according to what, the Executive agreed, were the priorities at any given time, and we now want to see Departments acting with urgency over the next number of weeks to get schemes out.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a ráitis anseo inniu. I thank the Minister for his statement. The move to online learning has highlighted the digital divide between students, with there being unequal access to suitable devices and Wi-Fi. Will the Minister join me in calling on the Education Minister to bid for money to purchase iPads and online teaching resources and to ensure that all students have access to Wi-Fi in their home?

**Mr Murphy:** I think that that is a good idea. There have been particular challenges. If you speak to anybody in the education field, they will tell you about students who do not have access to Wi-Fi — that affects a lot of rural areas, including the one that I represent, where there are communication issues and our communication infrastructure is not the same as it would be in urban areas. The poorer students in particular have difficulty in accessing the right type of equipment and, as a consequence of that, they suffer more from the closure of schools than those who do have access to such things. I understand from conversations with private interests that some support was offered to the Department of Education to help with communication and broadband improvement in homes where young people were having difficulty, but I am not certain if that offer has been taken up. I intend to raise that with the Minister of Education.

My own Department is starting to look at a scheme to provide IT support, not to the school population but to vulnerable people generally, and there is a significant uptake on that. It is worth doing because, as the Member says, the experience through this pandemic is one where communication has become a real challenge for many school-age people and also vulnerable people at home. Any bids for support for that would be looked at very favourably by the Executive.

**Mr Dickson:** Thank you, Minister, for your statement. I appreciate that you do not have

direct responsibility for running individual Departments other than your own. Nevertheless, do you not have concerns about those that underperform in delivering the funds that you have given to them? Particularly, I am thinking of every scheme that the Department for the Economy has come up with for those who find themselves under stress at this point in time due to the closure of their businesses. Every time a scheme is devised, there remain many who are excluded. There is a great deal of frustration, particularly around the reality that funds may be returned to the Treasury. What action will you be taking to encourage Ministers so that that will not be the situation?

**Mr Murphy:** I accept entirely that if we end up in a situation where we are not able to spend the funding available to us, those who have not received funding will be justifiably aggrieved with that situation. That is why I have asked Ministers to prioritise getting funding to those sectors which, for one reason or another, have missed out to date and to try to support other sectors that are very much in need. I have raised that at Executive meetings. I am writing to Ministers to reaffirm that and to encourage them to come forward with schemes. I am expecting to hear from Ministers over the course of the week so that we can take some decisions at Thursday's Executive meeting. I intend to keep the pressure on over the next couple of weeks to try to get that sorted.

**Mr Buckley:** I note that, this morning, the Minister for Infrastructure was talking about the new fund to clean up and restore alleyways. That funding has been released from the Department. Whilst I would welcome that in normal times, I note that there is nothing in this to help support uncompleted developments that have been going on for 10 years. I think, in particular, of Birchwood Manor in my own constituency, and I know of many others across the country. The Minister said in the Chamber that, if the funds were given, she would act on this. We have no completed road services, faulty sewerage systems, no lights and not enough money in bonds to complete developments. This is second-class development and it should not be tolerated. If the Minister for Infrastructure came forward with such a scheme, would the Minister be minded to support that?

**Mr Murphy:** In the Budget statement that I made last week, I announced that we had met a significant capital bid from the Department for Infrastructure. We supplemented that with a promised access to £70 million of RRI borrowing to support NI Water for sewerage

and waste water infrastructure. There have been no specific bids made for that. There are legal issues that complicate unfinished estates because of the fact that, if the bond is activated and the Department for Infrastructure does that, it effectively bankrupts the contractor who is involved, and that is a big decision to take. However, people cannot be left for years in substandard housing estates, and, over the course of time, having to wheel their wheelie bins from all the houses out to the front of the road. I know that there are similar estates in my constituency as well.

### 1.30 pm

The Department for Infrastructure had the largest capital budget that it had ever received in last year's allocation. No Department got all that it wanted this year because of the challenging situation, but we have added £70 million in RRI borrowing for Infrastructure. It will be up to the Minister for Infrastructure to allocate according to her priorities. It is up to Members — I am sure that that situation pertains in every constituency across the North — to raise the issue of unfinished housing estates so that it becomes a priority for the Minister for Infrastructure.

**Mr Durkan:** I thank the Minister for his statement. It will seem to the public somewhat perverse, at a time when we have never had so many in so much need, with businesses and individuals struggling to survive, that Departments are now in "Brewster's Millions" territory, scurrying to spend hundreds of millions of pounds against the clock. With specific regard to the Communities Department's reduced requirement of £2 million for the COVID-19 discretionary support grant, does the Minister see merit in the creation, even at this late stage, of an accessible and effective COVID-19 isolation support grant that workers can avail of, as exists in other regions?

**Mr Murphy:** There has been some discussion about that. When we made the last allocation in December, we allocated everything out to Departments, with the exception of the £150 million that we were carrying over for rates for the next financial year and £26 million of resource that we had left. As I said, we were concerned at that stage that we had not, perhaps, carried over enough into this part of the financial year.

We are now dealing with returns from the Departments that made bids for funding that they said they needed and wanted to spend but which, for a variety of reasons, they have not

been able to. It is a big challenge, and I know that there has been some discussion about a support grant. There is a concern that the lack of support means that people are less likely to isolate and take time off, thereby leading to a greater spread of the virus because, financially, they cannot do anything else but go to work. I am very sympathetic to such a scheme, and, of course, it will be for the Department for Communities to devise something. I am sure that the virus will be with us not just until the end of this financial year but into the new one as well, and such support is needed.

**Mr Allister:** So, for all the whining about Her Majesty's Treasury, it turns out that there is loads of money, with £400 million unspent. I have been in the House for a number of years, and this is the first time in a monitoring round that I have ever heard of all Departments having all their bids fully met. What a blessing to be in the United Kingdom. Where does the incompetence lie for the failure to get that money out? The Minister cannot blame London; London has given it to him. The failure is in Stormont. Where is the incompetence?

**Mr Murphy:** If the Member's argument for the Union is that our begging bowl is occasionally filled, I should tell him that there are a lot of people in this part of the world who have much higher ambitions than just the occasional filling of a begging bowl in London. We would be much better off in charge of our own affairs; then, we might have known, over the course of the year, how much COVID-19 money we intended to give out and could have allocated it accordingly.

We are dealing with returns from a range of Departments, and, while I know that he wants to poke the finger at somebody, allocate the blame and punish the guilty and all the things he normally does, I am much more concerned about getting the money spent and getting support to where it is needed.

**Mr Carroll:** The fact that so much money has been unspent and might be handed back while so many people have fallen through the cracks is a cruel joke. Has the Minister or his Department costed a zero-COVID-19 strategy for the North and what work, if any, has his Department done with its counterpart in the Irish Government to cost an all-Ireland zero-COVID-19 strategy to protect people from this deadly virus and its new variants?

**Mr Murphy:** COVID-19 strategies come from the Department of Health; they do not come from the Department of Finance. We allocate

funding according to the Executive's agreed priorities. I encourage a zero-COVID strategy and a North/South, all-island approach to all of this. There are many examples, from across the world, where all-island approaches have been very effective in reducing transmission and keeping people safe. It will be a matter for the Department of Health. It has collaboration and cooperation with the Department of Health in the South, but much more can and should be done.

**Mr Deputy Speaker (Mr Beggs):** That concludes questions to the Minister on his statement. I ask Members to take their ease for a few moments before the next item of business.

*(Mr Speaker in the Chair)*

## **Executive Committee Business**

### **Harbours (Grants and Loans Limit) Bill: Final Stage**

**Ms Mallon (The Minister for Infrastructure):** I beg to move

*That the Harbours (Grants and Loans Limit) Bill [NIA Bill 12/17-22] do now pass.*

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

**Ms Mallon:** I do not intend to address the content of the Bill to any great extent. This is a straightforward, three-clause Bill with the single purpose of raising the existing total loan and grant limit from £35 million to £90 million. This will enable the Department to continue to provide loans and grants to our ports. The existing limit has almost been reached, and major challenges are being faced by the ports at this time, particularly as a result of the COVID-19 crisis and the need to grow business post Brexit.

The Bill was introduced to the House on 23 November 2020, and accelerated passage and Second Stage debates took place on 1 December. I am grateful to the Members of the Assembly for their contributions to the debate. I want to place on record my thanks to the Chair and members of the Committee for Infrastructure and to my Assembly colleagues for their cooperation and agreement to the Bill proceeding by way of the accelerated passage process. Without that cooperation, it would not have been possible for the Bill to have reached all its Assembly stages within this mandate. That Members were content with the purpose of the Bill was further indicated by the fact that there were no amendments tabled at Consideration Stage, on 14 December, or at Further Consideration Stage, on 19 January. I am happy to respond to any comments that Members wish to make during the debate.

**Miss McIlveen (The Chairperson of the Committee for Infrastructure):** I welcome the opportunity to speak at the Final Stage of the Harbours Bill. As I said before, the Bill in itself is not contentious, however the procedure used to bring forward the Bill is something that the Committee found less than agreeable. Agreeing

to the accelerated passage of any Bill does not sit well with the Committee for Infrastructure. Our frustration was compounded by the fact that it was left to the last minute to amend legislation that could have been updated at any stage over the past 31 years, the last time that this was carried out. The Committee believes, as most Members of the Assembly do, that legislation should be afforded the full scrutiny of the Assembly processes, including Committee scrutiny. However, I have made the Committee's views on this clear at the previous stages of the Bill, and, as I know that the vast majority of the House is sympathetic with those concerns, I will not rehearse them again.

As previously noted, the Committee was notified about the proposal for the Harbours Bill at the start of September 2020 and the Minister briefed the Committee on the Bill on 23 September. During the briefing, the Minister and her officials explained to the Committee that Northern Ireland's ports are governed by the Harbours Act (Northern Ireland) 1970 and that that includes their funding. Under the 1970 Act, the ports are expected to fund their own capital investment, while the Department is able to make loans and grants to assist with major developments. As the Minister has indicated, that assistance from her Department is limited under the Act to a maximum of £35 million. The Minister outlined to the Committee the urgent need to raise the existing level of £35 million to a more substantial £90 million, as set out in the legislation before us.

The motivation for the increase was explained to the Committee when it met representatives of the sea ports, on 1 July last year, and they made the Committee aware of their need to grow and strengthen their businesses. However, the Committee also noted the financial impact that COVID-19 has had on the ports and the limitations that this has placed on them. The Committee is cognisant that it is vital that our ports are ready for the challenges and opportunities facing them.

The Committee understands the need of the Department to provide adequate support in order that, for the benefit of our economy, the ports can develop the infrastructure required. In its discussion with the Minister and her officials, the Committee sought assurance that the sole purpose of the Bill is to raise the loan and grant limit and that there will be no other consequences from it. The Minister gave that assurance, noting that this is a short and concise Bill. Given the context within which we are operating and the assurances given, I and the Committee for Infrastructure support the Bill.

**Mr Boylan:** Sorry, I am late, a Ceann Comhairle. I support the passing of the Final Stage of the Bill.

**Mr Speaker:** Well said.

**Mr Beggs:** I am quite pleased that we have got to this point in a relatively short period. I wish to indicate the continued support of the Ulster Unionist Party for the Minister and this particular Bill. As the Minister said, it is a very short and straightforward Bill, with three clauses. Primarily, it increases in line with inflation the maximum amount in grants and loans that can be passed to our harbours.

Our harbours and ports are essential for trade. Without trade, our economy crumbles, so it is important that there is the ability to provide support when necessary. Regrettably, over the past year, our harbours and ports have suffered as a result of COVID. There has been a downturn in certain trades, and manufacturing on occasions has not been in operation as it would normally be. People's purchasing habits will have changed as a result of that, particularly business to business, and trade has been down. That in turn has put stress on our harbours. In addition, the normal tourist traffic has not been around, and it is yet essential, particularly for Northern Ireland, that we have regular transits of our ferries to GB. With our agricultural goods having to reach market on a timely basis, it is important that we have reliable, regular ferries to Great Britain.

There is an additional burden that has now come to our harbours and ports.

As yet, we do not know the final outworking of the Northern Ireland protocol or how exactly it will impact on the future of our ports and their ability to provide regular ferry services. As part of that protocol, a huge burden of extra administrative requirements have been passed to the GB suppliers in particular that send goods to Northern Ireland. Burdens have been passed to hauliers through delays in picking up their goods and getting the necessary paperwork, and, again, there are delays at the ports. All that is resulting in less freight coming from Great Britain to Northern Ireland, and, again, there is a risk to our ports as a result.

#### 1.45 pm

It is important that flexibility is built in to our system so that, if there is a need to intervene, the Department and the Executive can do so. The Bill will simply increase that loan and grant capacity roughly in line with inflation over the

many years since it was last upgraded, and I welcome that. If there is a need to respond to the significant change in the trade that is happening — there has been a lack of response from the Westminster Government and Europe to enable that trade to happen — it is important to know that there may need to be further emergency intervention. The Bill will create that little bit of headroom, should it be needed.

In welcoming the Bill's Final Stage, I ask the Minister to reflect within her Department. There may be a need to upgrade the grant on a more regular basis rather than to wait for a pressure, point or emergency such as this to bring a Bill forward at relatively short notice. It would be much better if such changes happened on a more timely basis, and the ability to do that would always be there if it were needed. I continue to support the Bill.

**Mr Muir:** As the Alliance Party's infrastructure spokesperson and a member of the Infrastructure Committee, I support the Bill on behalf of my party.

At Second Stage, I spoke about the need for the ports to be able to access finance in order to tackle the challenges of decarbonisation, COVID-19 and Brexit. The intervening two months have brought home the scale of the challenges that our ports now face.

We support the overdue increase in the loans and grants limit. We regret that the Bill went through by accelerated passage, but we are satisfied with it. I look forward to further engagement with the port authorities via the Infrastructure Committee as we work together to navigate this challenging environment.

I thank the Minister and her officials for bringing forward the Bill. I will end by paying tribute to all those who work in our ports for the invaluable and often unrecognised service that they provide to Northern Ireland.

**Mr Speaker:** I call the Minister for Infrastructure, Nichola Mallon, to conclude the Final Stage.

**Ms Mallon:** I am grateful to the Members who contributed to the debate. I believe that the Bill will help to ensure that we can continue to provide financial assistance to the ports during these challenging times. At Second Stage, the Bill received cross-community support, and I, again, thank all Members for that support. I, again, thank the Chair and members of the Committee for Infrastructure and, indeed, all

Members for their cooperation and agreement to the Bill's proceeding by accelerated passage. A number of Members spoke about the use of accelerated passage. I reiterate that I did not take that decision lightly, but it was required in order to enable me to introduce the legislation and ensure that it could pass in this mandate, as all Members who spoke highlighted, in order to enable our ports to strengthen their resilience, expand their facilities and grow their businesses for the benefit of our economy.

I thank Mr Boylan and Mr Beggs and, indeed, all Members for their support and for speaking on the matter. I know that Mr Beggs raised the impact of Brexit on our ports. I am sure that he, like me, will continue to remind the British Government that they have committed to funding all Brexit-related works at our ports and that it is essential that they honour that commitment.

I end by echoing the words of Mr Muir. I put on record my appreciation for the efforts and tireless hard work of all the staff at our ports, who very quietly do tremendously important work without seeking any recognition. I commend the Harbours (Grants and Loans Limit) Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Harbours (Grants and Loans Limit) Bill [NIA Bill 12/17-22] do now pass.*

**Mr Speaker:** The next item of business in the Order Paper is Question Time. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm.

*The sitting was suspended at 1.50 pm.*

*On resuming —*

2.00 pm

## Oral Answers to Questions

### The Executive Office

#### Protocol on Ireland/Northern Ireland: Problems

1. **Mr Hilditch** asked the First Minister and deputy First Minister to outline their strategy to deal with the problems associated with the Protocol on Ireland/Northern Ireland. (AQO 1434/17-22)

**Mrs O'Neill (The deputy First Minister):** I thank the Member for his question. We have taken a multifaceted approach to dealing with matters associated with the protocol so that we can respond effectively to any issues as we become aware of them. We are closely engaging with the British Government at ministerial and official level to deal with the impacts that our businesses and citizens currently face. This engagement includes daily ministerial attendance, along with Scotland and Wales, at the XO (Exit Operations) Cabinet committee, where we have taken the opportunity to highlight the significant issues that we are dealing with and to press for rapid solutions. In parallel to that, we continue to engage closely with our business community to ensure that their issues are addressed and to work together to seek resolutions. We have also been engaging closely with the Irish Government, particularly on the delays that hauliers are experiencing on the Holyhead to Dublin route. We will continue to seek solutions to issues as they arise and to engage with the British Government to ensure timely planning for the end of the grace periods.

**Mr Hilditch:** I thank the Minister for her answer. Does the deputy First Minister agree or acknowledge that the rush to get rigorous implementation of the Northern Ireland protocol, and the amendments inserted into the Belfast Agreement by the Secretary of State, have breached the Belfast Agreement on cross-community consent and protections?

**Mrs O'Neill:** I do not agree; certainly not. The protocol gives us protections that we were not afforded throughout the whole of the Brexit debate. Our job as an Executive is to ensure the rigorous implementation of the protocol, and we will continue to work with the Irish and

British Governments and the EU side on any issues that we see as problematic. In my political opinion, nothing good will come of Brexit. The problems that were foreseen then are now coming to life. However, our job as an Executive is to make sure that we minimise any disruption, be it North/South or east-west. We are working to find solutions to a number of the issues that have been identified in these early days.

**Mr Allister:** Having demanded and voted for the rigorous implementation of the protocol and, indeed, told us today that the Executive want the rigorous implementation of the protocol, it is pretty clear to me that the deputy First Minister cares little for the resulting damage to our businesses and consumers. What does she say to people like Beth Lunney and Robin Mercer, who are trying to run garden centres and have been told by their GB suppliers that they cannot bring in roses or azaleas because there might be soil on or in the pots, because the protocol ludicrously imposes an EU ban on the importing of soil? Surely, if the —

**Mr Speaker:** The Member has already asked his question.

**Mr Allister:** — deputy First Minister cared anything for business, she would be concerned about that.

**Mr Speaker:** Will the Member resume his seat? Members should be mindful that questions should be asked without a long introduction and should finish when the first question ends.

**Mrs O'Neill:** Perhaps the Member should explain to his constituents that he himself endorsed, voted for and championed Brexit, and that these were always going to be the implications of it. Let me say to your constituents that we are aware of this issue of the movement of soil from Britain to here, and we are liaising with DAERA on it and hope to find a resolution.

**Mr O'Toole:** All the issues to do with east-west trade, along with the issues we face in North/South trade, are a product of Brexit. The protocol is a product of Brexit. Briefly, in relation to soil, the island of Ireland shares soil. The UK has chosen to leave the EU sanitary and phytosanitary (SPS) zone. It is a direct consequence of that decision that means there is no plausible way. It is not a nationalist or Remainer plot to have us in the same SPS zone as the Republic of Ireland.

**Mr Speaker:** Sorry, will the Member —?

**Mr O'Toole:** Sorry, Mr Speaker, but can I —?

**Mr Speaker:** Will the Member ask the question that he has tabled and been called to ask? You do not need to answer anybody else's question.

**Mr O'Toole:** OK. Mr Speaker, the question that I want to ask, very briefly, is this: has the Executive Office, understanding the limitations that Brexit places on our trade, commissioned Invest NI, InterTradeIreland and others to urgently develop a strategy for maximising the benefits of Northern Ireland's dual access to both the UK and EU markets? We should all be able to agree on that. What is the Executive Office doing to maximise the benefits to businesses here of investment from both the EU and GB in this market and this economy?

**Mrs O'Neill:** Thanks to the Member for his questions, and I concur with a lot of his commentary. It is very early days post-31 December, so, obviously, there are a lot of issues to be worked through. There are a number of issues, including soil, seed potatoes, fisheries, eels and steel. We need to find resolutions to a raft of issues, and we will work with the appropriate people to try to find, where we can, resolutions to them.

As for the future, we have to look at what the economy will look like in a post-Brexit era. The Executive and the Department for the Economy will have to come up with an economic strategy that looks at our target markets for the future and how we can build a strong economy.

**Ms Anderson:** I am sure that the joint First Minister will agree that the problems that we face have to do with Brexit, which the majority of people in the North did not vote for. Does she agree that the lateness of the advice that was given to British businesses, coupled with a lack of preparation by the British Government, has resulted in the problems that we and businesses face today?

**Mrs O'Neill:** There is no doubt that businesses here have been quite well prepared for the changes. It has been very clear from all the Executive Office's engagements, even those with the business community, that there is a lack of similar preparedness among businesses in England, and, indeed, in Scotland and Wales, in complying with the new processes for sending goods here. We have raised that issue directly with the British Government and have encouraged them to do more to make sure that there is better preparedness among their businesses.

The disruption at the short straits before Christmas, due to the requirements for hauliers to have a negative COVID-19 test before entering France, had a knock-on effect on the supply chain, and that also led to some delays. However, I am glad to say that stock levels have now stabilised, with only a few product brands not available to consumers here.

Fulfilment of food deliveries to the major retail stores has risen to 85%, compared with 65% at the beginning of the year. Groupage, or the transport of mixed loads on a single lorry, has proven to be a major issue for our hauliers, who operate to tight margins and to very tight turnaround times. It also affects smaller companies, which are not benefiting from the grace periods in the same way as supermarkets. That issue has been raised on a regular basis at ministerial and official level. I understand that DAERA, in liaison with DEFRA and the industry, is working to identify options to address those issues, and, hopefully, there will be a resolution shortly.

## COVID-19 Regulations: Compliance

2. **Ms P Bradley** asked the First Minister and deputy First Minister for their assessment of compliance with the current COVID-19 regulations. (AQO 1435/17-22)

4. **Mr T Buchanan** asked the First Minister and deputy First Minister for an update on the Executive's response to COVID-19. (AQO 1437/17-22)

8. **Mr O'Toole** asked the First Minister and deputy First Minister for an update on the development and implementation of the COVID-19 recovery plan. (AQO 1441/17-22)

**Mrs O'Neill:** A Cheann Comhairle, with your permission, I will answer questions 2, 4 and 8 together.

The Executive's response to the COVID-19 pandemic continues to be led by the latest medical and scientific advice. Our decisions have been informed by the health and well-being of our citizens, the economic impacts of any interventions and our societal and community well-being. Decisions on the Executive's next steps are informed by the impact that they may have on us all, as individuals, families and the wider community in which we all live.

The Executive have established a COVID-19 task force to lead and coordinate an integrated

programme of work of response to, and recovery from, the pandemic. The task force has initially structured its work under four work streams: protect; recovery; adherence; and strategic communications.

Since the current regulations were put in place on 26 December, we have been encouraged that the majority of people are adhering to them and that they are doing their utmost to help to limit the spread of COVID-19. That can be seen in the falling R number and the reduction in the number of positive cases. However, the pressure on our hospitals will remain for some time, and, as such, we cannot be complacent.

The Executive's task force is also looking at ways of further increasing adherence to the public health regulations and guidance, including providing input into the design of any restrictions proposed. Clearly, we would like everyone to continue to play their part in following the public health guidance. However, where there are blatant breaches of the regulations, the PSNI and local government will ensure that enforcement activity is rigorous.

Recovery from the pandemic is another key area of focus for the Executive's task force, and it will be focused on progressing an economic, health and societal recovery that has the citizen at its centre. Any recovery work will complement the longer-term Programme for Government, which is being developed.

Central to our recovery from COVID-19 is the vaccination programme. While we have seen significant progress over recent weeks, it will take some months for the programme to be fully rolled out. We recognise the dedication and commitment of the teams implementing the programme and thank them for it. We recognise that huge sacrifices are being made by many to protect lives and our health service, and we are thankful to you all. We must continue to protect each other by following three simple rules to stop the spread of the virus: wash your hands, wear your face coverings and keep your distance.

**Ms P Bradley:** I thank the deputy First Minister for her answer. We know from the figures that, when there are stricter regulations in place, compliance is generally much better. However, looking forward, we will have to reopen the economy at some stage, as she said. How do we continue with the messaging to ensure that people do not fall back into the old habits that we saw in the months leading up to Christmas, which led to this situation?

**Mrs O'Neill:** You are right. We will be back in the position that we were in during the summer months, when we tried to transition to allowing some things to open up. Clearly, that is not the space that we are in today. As of today, we are still in a very difficult position. We saw what happened in our hospitals over the weekend, and, clearly, there are increased numbers again today. Our challenge, as an Executive, will be how we continue with the public health message and get as many people vaccinated as possible but, then, provide a pathway to recovery.

The Member might remember that, last year, we published a document that set out staging posts of when we thought we could reverse out of some of the restrictions. We hope to get to that point again in the coming weeks to allow us to communicate to the public, "This is what recovery could look like". However, in tandem, we still need to have the restrictions in place. Last week, the Executive discussed the current restrictions and deemed them to be necessary for a further period. The Health Minister also pointed out that they may be necessary beyond the period that we outlined, perhaps even as far as Easter. We say that to forewarn people, however we will not keep restrictions in place for longer than is necessary. As of today, we are still in a desperate situation. As of today, we need the public to work with us. We hope that, over a number of weeks, we will be able to publish a pathway to recovery.

**Mr T Buchanan:** I thank the Minister for her response. I am sure that she, like the rest of us, will have heard the disgraceful comments of Micheál Martin over the weekend. He made reference to COVID testing in Northern Ireland not covering the new strains of the virus, which we know is totally untrue. In the light of that, what discussions have taken place with the Southern Government about their continual, disgraceful refusal to share with the Health Minister and his Department data on those travelling into Northern Ireland through the South, which must be of huge concern to the Executive, given that the Southern Government are struggling so much with their vaccination and testing programmes?

**Mrs O'Neill:** I will say a number of things on that. The approach to travel here could be much better. That is my personal view on the issue of travel. You referred to travel locator forms. I spoke with the Taoiseach just an hour ago, and we discussed his commentary at the weekend. I am hopeful that there will be a resolution to the issue of the travel locator forms and that that data will be shared. I also see that there is a conversation under way in

the South and in Britain around the mandatory quarantining of people arriving. That absolutely needs to be looked at.

I look forward to the conversation at the Executive tomorrow, when we can, I hope, discuss the issue of travel again. It is very clear that we need to have an all-island approach to travel. I have actually called for a two-island approach; that is what we should be doing here. Any issue in the North on which the two Governments diverge becomes an orange and green issue. Travel is not an issue of that nature. It is an issue of dealing with a public health pandemic, which we need to respond to collectively across these islands.

**Mr O'Toole:** In an earlier answer, the Minister mentioned that the Executive would look at a plan to ease restrictions or how to get to easing restrictions. Should that not also be a broader COVID recovery strategy that matches the economic recovery? Frankly, we have not had that for six months, and there have been failures by the Department for the Economy and, I am afraid, the Department of Finance, given the hundreds of millions of pounds of underspends that we expect. Will TEO drive forward the production of a full COVID recovery plan that joins together the economy with the public health response?

**2.15 pm**

**Mrs O'Neill:** First, I remind the Member that his party has a Minister in the Executive and that it is a collective Executive effort. The Executive, as a whole, have discussed the issue of recovery and how we will move forward. We now have a task force that will focus on the four different elements, whether it is strategic communications or recovery as a whole. That will need all our efforts and not just the efforts of one or, indeed, two Departments.

I assure you that the Finance Minister has written to all Ministers, including your Minister, to ask them to bid for some of the money that is left and that should hopefully be spent before the end of the year. It is certainly our collective will that all the money will be spent to invest in people in what are the most challenging of times.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a freagraí inniu. I thank the Minister for her answers today. Will she outline for the Assembly the work that has been undertaken to date by the Executive's COVID task force?

**Mrs O'Neill:** I thank the Member for his question. I touched on it briefly. Given the extent and surge of the current phase, we recognised the need for a broader plan. The task force has been established, and it is a necessary step change in the Executive's response to the evolving nature of the pandemic. It will lead and coordinate the integrated programme of work and the response to and recovery from the pandemic. It is led by the interim head of the Civil Service (HOCS), who has convened a strategic oversight board that meets regularly. As I said, there are four work streams: protect, recovery, adherence and strategic communications. Work on each of those areas is being led by the permanent secretaries of the Health, Economy, Communities and Justice Departments and the head of the Executive Information Service (EIS), each of whom sits on the strategic oversight board.

Over the next four to eight weeks, the task force's priorities will include the ongoing focus on the vaccination programme and developing the pathway to recovery that I spoke about, which will provide a road out of the current restrictions. It is about looking at ways of increasing adherence to the public health guidance and regulations and enhancing the Executive's strategic communications capacity. It is vital that we reach people to advise them of what happens next.

**Miss Woods:** The deputy First Minister mentioned the plan for recovering from COVID and the document that was published last year. Are we still operating on that? It clearly did not work when it was implemented last summer?

**Mrs O'Neill:** My point was that it was a useful tool to allow people to chart the progress that would take us out of the current restrictions. We will need to ease our way out. It is clear that there will be no big bang and we will not wake up one day and decide that the Executive can relax all the restrictions.

The reference to last year's document was merely to say, "Here is what it will look like". That will also be a communication tool for the public, because they need to be able to understand exactly what that will look like. It will be difficult. As we know from previous waves, reversing restrictions is always more difficult than bringing them in. Each sector will fight its case, and that is natural. We absolutely understand that, and our communication with the sectors will be really important. The Executive and I think that that is the way to go to try to communicate a bit better with the public.

## COVID-19: Financial Pressures

3. **Ms Bunting** asked the First Minister and deputy First Minister whether they envisage the implementation of any of their departmental strategies being delayed as a result of the financial pressures arising from COVID-19. (AQO 1436/17-22)

**Mrs O'Neill:** A Cheann Comhairle, with your permission, I will ask junior Minister Kearney to respond to the question.

**Mr Kearney (Junior Minister, The Executive Office):** While the restrictions associated with COVID-19 have impacted on the scale and method of delivery of our programmes, we do not envisage any of our departmental strategies being delayed as a result of the financial pressures arising from COVID-19. Due to a combination of funding from the Department of Finance and budgetary easements in the Executive Office, there have not been any unmet financial pressures arising from COVID-19 in the current financial year. The final budget for 2021-22 has not been determined, and our Department continues to engage with the Department of Finance in order to ensure that all budgetary requirements for COVID-19 and non-COVID-19 matters are understood and addressed at the earliest opportunity.

**Ms Bunting:** There are only 14 months left of the mandate, and there are many priorities in 'New Decade, New Approach' (NDNA). How will the Executive Office ensure that prioritisation is given to commitments that affect everybody rather than to items that could be viewed by some as niche?

**Mr Kearney:** I thank the Member for her supplementary. You are right to highlight the fact that we have only 14 months left and that it is essential that we attempt, as an Executive and as a power-sharing Government, to address as many of the priorities as possible that affect us, particularly the challenges set out in NDNA. The commitments in NDNA are, as you will appreciate, extremely challenging. We are mindful of affordability within our constrained budget position, as are the Executive, and that is an important consideration in how we take forward the Programme for Government. Work is taking place to ensure that, by April, we have a high-level strategic Programme for Government in place.

The NDNA financial package that was announced set out funding for specific purposes, including support for language,

culture and identity; funds to support expression of identities and progress of cultural development; and funds to tackle social deprivation and paramilitarism. It is intended that the NDNA joint board will identify the specific purposes for which the funding for those unique challenges will be used.

The Member will also be aware that the Executive Office is responsible for a broad cross section of programmes — good relations, Communities in Transition (CIT), Urban Villages and programmes on ethnic relations and international relations — as well as for addressing the extremely important issues of historical institutional abuse and those who are victims of our conflict. That work continues apace, and, to date, in this financial year, all the requirements arising from those programmes of work have been met. I am hopeful and confident that that will continue in the new financial year beginning April 2021.

**Mr O'Dowd:** The Minister touched on some of the points that I wanted to raise with him. Can he go into greater detail on the areas of work that the Executive Office is carrying out?

**Mr Kearney:** Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Chomhalta as ucht an cheist sin a chur. There is no doubt that, in some areas, we would have wanted to make much more progress, and some of our work has been fettered and delayed as a direct result of the pressures that have been brought about by the pandemic. That is not specific to TEO, but it has adversely impacted on the efficiency and the targets of all Departments. The Executive's priority and focus, as the Member will appreciate, has been on steering our health service and society through all these challenging times and supporting all our people. In the coming period, that work will develop into COVID recovery, which will present new challenges.

Despite that, we have delivered on a number of important commitments. For example, the health workers' pay dispute was immediately settled when we restored our power-sharing institutions one year ago. We are on track to deliver the graduate-entry medical school at Magee, with the first cohort of 70 students due to commence in September '21. A mental health action plan has been published. A feasibility study is being taken forward for a potential high-speed rail connection between Belfast, Dublin and Cork. Work has been done to publish the new ministerial and special adviser codes. Legislation has been introduced to reclassify housing associations to protect social and affordable housing supply and the

delivery of homes to those who need them most. As I mentioned, the Historical Institutional Abuse Redress Board has been established, with payments being made to victims and survivors.

**Mr McGrath:** Child poverty is at its highest level in years, with one in four children living in poverty here. There was a commitment in NDNA to deliver an anti-poverty strategy. Will the Minister detail when that will be published and what plans are in place to implement that critical strategy to address poverty?

**Mr Kearney:** Gabhaim buíochas leis an Chomhalta as ucht an cheist sin a chur.

The Member is right to underline the critical importance of that strategy being brought forward. It is a commitment under NDNA, and it reflects the challenges in society. As a society, in this region, we still exhibit very high levels of social disadvantage and deprivation. The working wage and the incomes on which families can rely are less in this region than across these islands.

Work is being taken forward at pace to address that priority. I am confident that, in the very near term, we will bring forward the strategy. I hope that it then provides the toolkit for us all to work together as Members in the House and in the Executive to ensure that that priority is absolutely and categorically addressed.

**Mr Beattie:** I guess that we have all witnessed the unedifying disagreement between the NIO and TEO on the Troubles permanent disablement payment scheme — that rolls off the tongue, does it not? Are we in solution mode with that, and has TEO looked at asking the Secretary of State whether the £150 million that has been set aside for the Stormont House Agreement legacy mechanisms, regardless of the arguments about whether you want it or not — forget that — could be used so that the Justice Department has the money to make sure that it gets up and running on time?

**Mr Kearney:** I thank the Member for his question. To answer the preamble, I absolutely assure him that the Executive are very much in solution mode to address the issue. It is certainly a key priority in TEO. It was addressed at our most recent Executive meeting. The two First Ministers are in direct contact with our Finance Minister, who, in turn, has been attempting to ensure that the financial deficit is addressed.

I think that the Member will sympathise with and understand the fact that, potentially, we may not have within our budget limits the capacity or resource to address the issue, which is why discussions with the NIO remain extant. It has become an extremely frustrating process. I think that I reflect a general view held in TEO and probably in the broader Executive. We are not satisfied with the degree of engagement from the British Secretary of State or the NIO in assisting us to identify where we can obtain the financial resource required to ensure that we deliver on the commitment for victims' payments.

**Mr Speaker:** I call Dolores Kelly. You may not get a supplementary.

### **Commissioner for Victims and Survivors: Update**

5. **Mrs D Kelly** asked the First Minister and deputy First Minister for an update on the appointment of a Commissioner for Victims and Survivors. (AQO 1438/17-22)

**Mrs O'Neill:** The First Minister and I have asked for a review of the Commission for Victims and Survivors to be undertaken and are considering its terms of reference. The review will consider areas such as how the commission's services should be delivered and what structure is best suited to delivering responsive, focused, efficient and quality services. In tandem, our officials are preparing the comprehensive documentation required to begin the recruitment process for a new Commissioner for Victims and Survivors. That will be submitted to us for consideration by the end of January to allow us to progress to the next stage of the recruitment exercise.

In the meantime, we recognise that continuity is important for victims and survivors, so we have ensured that interim arrangements are in place in the commission to allow the provision of continued support for victims and survivors. The Victims and Survivors Service will continue to deliver its services to victims and survivors, which are tailored to individual needs.

### **2.30 pm**

**Mr Speaker:** That ends the time for listed questions, unfortunately. We now move on to 15 minutes of topical questions.

## Students: Financial Impact of COVID-19

T1. **Mr Durkan** asked the First Minister and deputy First Minister for an update on the discussions that have taken place and the decisions, if any, that have been made since he, almost three weeks ago at the Ad Hoc Committee, raised the plight of our students with them, with both Ministers assuring the Assembly that they would work with the Economy Minister and their Executive colleagues to ensure that our students are supported. (AQT 891/17-22)

**Mrs O'Neill:** I thank the Member for his question. He will remember from that Ad Hoc Committee meeting that I responded to him and said that I fully supported the need for us to support our students, who find themselves in a very difficult situation this year, not least because they paid tuition fees and are not there in person. They have committed themselves to rent agreements but are not able to be in their accommodation either.

I have listened very carefully to students and engage with them on an ongoing basis. One of the things that the Executive have discussed is what else we can do to support students, particularly before the end of the financial year when we have some extra resource. We look forward to that conversation continuing, but I do not think that anybody is dismissing the fact that we need to support our students right now.

**Mr Durkan:** I thank the Minister for her answer. I welcome her support, but our students really would love to be in a position to welcome action from the Executive at this stage.

The deputy First Minister in particular will know of the vital role that our student nurses and midwives are playing in supporting our struggling health service in the battle against COVID, yet they are not getting paid for it. The Health Minister previously justified that to me as being a UK-wide position, but the Nursing and Midwifery Council has reintroduced paid clinical placements for student nurses in England. Will the Executive look at that again and pay our student nurses for their invaluable, priceless work?

**Mrs O'Neill:** The Member might be aware that I am on the public record as saying that the Health Department should pay student nurses. I also believe that there are opportunities to pay nurses in their final year of clinical placement. I therefore very much urge the Health Minister to take that on board. There are again huge

financial conversations for the Executive to have over the next number of days, particularly as we come towards the end of the financial year, but I am certainly on record as having said that student nurses should be paid. I hope that there is a good, positive outcome for those student nurses who have been on the front line during the pandemic and have been supporting the health service at a very trying time.

## Protocol on Ireland/Northern Ireland: Supermarkets

T2. **Mr Harvey** asked the First Minister and deputy First Minister whether the deputy First Minister supports the call from the supermarkets for a less full and less rigorous implementation of the protocol to ensure that food shelves remain full after 1 April. (AQT 892/17-22)

**Mrs O'Neill:** I support the protocol in its entirety being implemented, and that is also the role and responsibility of the Executive. The withdrawal agreement is an international agreement, and the protocol provides protections for us. There were some teething issues with food in the early weeks of January, but, in the main, that situation has been resolved, and I very much welcome that. We are also very clear that the reason for that was that the businesses at the British end were not ready to trade because of the lateness of the deal, which meant, unfortunately, that they were not in the place that they should have been. I am glad to say that there has been a lot of resolution of the food supply issue.

**Mr Harvey:** Does the deputy First Minister call on the European Commission to respond swiftly and substantially to the national Government's efforts to agree new systems and not just grace periods?

**Mrs O'Neill:** Unfortunately, the outworkings of Brexit are being laid bare for all to see. As part of my answer to a previous question, I said that there are a number of issues that need to be resolved at both EU and British Government level. We will certainly play our part in raising the issues that need to need to be ironed out. I am glad to see that there have been solutions to some of them. Other issues are still outstanding, but hopefully we will see a resolution of those also.

## Noah Donohoe

T3. **Mr McCrossan** asked the First Minister and deputy First Minister, albeit he appreciates that

there will be an inquiry into the events that led to the death of Noah Donohoe on 21 June 2020, to give a commitment that they will do all that is possible to ensure that the Donohoe family finally get truth and the answers that they deserve. (AQT 893/17-22)

**Mrs O'Neill:** I have met the Donohoe family and continue to engage with them. They have my full support in getting truth and justice around what happened to Noah. Any mummy in the position that Fiona is in today, not having answers about what happened to her wee boy, could not fail to be heartbroken. We will all do everything that we can, as we should, to ensure that every piece of information is uncovered and that Fiona gets the answers that she needs.

**Mr McCrossan:** I thank the deputy First Minister for her answer and her commitment. The story of Noah Donohoe has touched the hearts of the entire community. There has been massive public support for the Donohoe family right across the North. I, too, fully support them in their search for answers about what happened to Noah. Last year, we held a minute's silence in Strabane. Just a few weeks ago, a large cavalcade arrived at the gates of this institution to call for action. Does the deputy First Minister agree that Noah's case is of such public interest among constituents right across the North that it is important that we must show support and intervene where possible to ensure that his grieving family finally get the truth that they have campaigned for? Will the deputy First Minister join me in calling for anyone who has information to come forward and help to ease that family's pain at the present time?

**Mrs O'Neill:** Again, because of the sensitivity of the issue, I want to say that all our hearts break for Fiona Donohoe on the loss of her wee baby boy. His loss has certainly touched everybody. We all need to work together. I absolutely encourage anybody who has information to please bring it forward to help the PSNI in its inquiry. Not that Fiona will ever find peace with the loss of her baby, but she certainly needs to have all the answers, and we certainly need to do whatever we can to support both the family and the PSNI in its investigation to ensure that everything is uncovered. I hope that we get to a point in the near future where Fiona gets the answers that she rightly seeks.

## **Genomics: Irish Republic**

T4. **Mr Frew** asked the First Minister and deputy First Minister, having noted the desperation of Micheál Martin in his

commentary over the weekend, and given that the United Kingdom is a world leader in virus genomics, with Northern Ireland's per capita levels of SARS/COVID genomics amongst the highest in the world, whether we should offer our expertise to the authorities in the Irish Republic where there are much lower genomic rates. (AQT 894/17-22)

**Mrs O'Neill:** First, let me say that, yes, it is recognised that genome testing in Britain is somewhat advanced compared with what happens in other parts of the world. That is a good thing. However, it is also clear that we have more to do here with regard to our own testing. Clearly, some of the commentary that we have seen this morning from the various experts who are involved in testing here has identified the need to expand that testing.

You were not in the Chamber earlier when I mentioned that I had spoken to the Taoiseach before we came here for Question Time today. He made it very clear that his comments were not about taking a swipe at anybody but were in recognition of the fact that there is an anomaly, which is that the new variant has been identified as spreading far more rapidly in the Twenty-six Counties — the South of Ireland — and it does not seem to be the case here. That anomaly needs to be resolved. We live on an island. The virus has spread with the same pattern the whole way through the pandemic. I cannot see how the new variant is behaving any differently.

Needless to say, what we need is proper identification of the variant. We need to know where it is and how to deal with it. We need to know that it will respond to the vaccine. I hope that tomorrow, at the Executive meeting, the Health Minister will be able to bring us up to date with where we are on this, because it is really important, again, that we communicate that to the public and that people understand the current situation and exactly what Health is doing to respond to it.

**Mr Frew:** Given what the deputy First Minister has just outlined and the tremendous roll-out of vaccines in Northern Ireland compared with that of the Republic of Ireland, with its torturous delays in vaccinations for its citizens, does she agree that the Irish authorities should look towards the UK for support in that regard rather than to the EU, which has let them down quite badly?

**Mrs O'Neill:** Again, it is my personal view, but I think that we would be in a far better situation today if there had been more cooperation across these two islands from the very onset of

the pandemic. It would have served all the people much better. We have called continually for more cooperation across this island and across the two islands. In fact, TEO has called for a meeting of the British-Irish Council. That will be important. Now is the time to have that conversation. It is time to act collectively if we are to get the R rate down again. I would much prefer that we did that across the two islands, particularly when it comes to the issue of travel.

**Mr Speaker:** Trevor Lunn is not in his place.

### **Passenger Locator Forms: Irish Republic**

T6. **Miss McIlveen** asked the First Minister and deputy First Minister, whether, following her comments about cooperation, the deputy First Minister can outline how long for and in what ways the Northern Ireland Executive have been engaging with the Irish Government to access passenger locator forms for people who are entering the Irish Republic. (AQT 896/17-22)

**Mrs O'Neill:** I do not know the exact length of time, but it has been some time. It is really important that we share that information. I made that point again to the Taoiseach. I have made it at every engagement that we have had at Taoiseach to joint First Minister level and at the meetings between the Health Ministers. I am glad to say that we will have a meeting — I believe that it is a rescheduled meeting from last week that will happen this week — involving the Health Ministers across this island, the First Ministers, Minister Simon Coveney and Brandon Lewis. The issue of travel will be discussed. The Taoiseach indicated today that he believes that there will be a resolution to the issue. I hope that that is the case.

**Miss McIlveen:** Does the deputy First Minister share my concern that the reluctance of the Irish Government to share the information is perhaps an indication that the system that is being used is maybe not being managed properly by the Irish authorities, and that could have serious consequences for people in Northern Ireland?

**Mrs O'Neill:** The best approach would be on a North/South and east-west basis. Travel into here from Britain is an issue that the Executive have grappled with on many occasions. That is not to be political about the issue. I think that the best way for us all to deal with it is to work together across the two islands, and I made that clear to the Taoiseach today. It needs to be a political solution at a Taoiseach to Prime

Minister level, and if we can get a political solution, we can all walk through that space.

### **Health Service: British Military Support**

T7. **Mr Newton** asked the First Minister and deputy First Minister whether the deputy First Minister shares the outrage of UNISON members and the general public at the politicisation of the arrival of the British military to support our doctors and nurses during this critical time. (AQT 897/17-22)

**Mrs O'Neill:** All trade unions have a legitimate right to ask questions on behalf of their members; they would not be doing their job if they did not. Their job is to question the working conditions and practices of their members in any scenario. As has been well rehearsed, the Health Minister made a request for staffing support from the British Ministry of Defence, and our priority the whole way through this has been to keep people safe, save lives and to protect the health service, so no measure was ruled out. The health service made the request, and it has now been met. That is a matter of fact.

**Mr Newton:** I thank the deputy First Minister for that answer. Does the deputy First Minister regard the military who have arrived here in support of our doctors and nurses as either unprofessional or inadequately trained?

**Mrs O'Neill:** My only priority throughout the pandemic has been to save lives, keep people safe and protect the health service. We are in a hugely difficult position right now. Therefore it is important that we support the healthcare staff who are there, day and daily, stretched to the limit and doing a great job on behalf of all of us who may at some stage need the health service. Therefore, I commend all the health service staff for the work that they are doing.

### **Healthcare Staff: Thank You Payment**

T8. **Mr G Kelly** asked the First Minister and deputy First Minister whether the deputy First Minister will join him in thanking our healthcare staff for the enormous contribution that they have made in protecting us during the pandemic and to state whether she agrees that the Executive should consider using some of the available COVID funding, as outlined by the Finance Minister, to provide a thank you payment to health workers as a gesture of our

gratitude to them for their work throughout this unprecedented health crisis. (AQT 898/17-22)

**Mrs O'Neill:** Yes. I agree with the comments about how amazing healthcare staff have been throughout. In general, they are always amazing, but what they have done throughout the pandemic has been immense. The pressure that they are under must be immense. None of us can imagine being in that situation, day and daily, in the circumstances in which they are having to work. If the Executive could make a one-off thank you payment, that is absolutely what we should do. I am glad to say that that is something that the Executive will discuss. The Finance Minister is urging the Department of Health to come forward to bid for that, and I hope that we can get a positive resolution to it.

**Mr Speaker:** Unfortunately for the Member, our time is up. I ask Members to take their ease for a moment or two as we change personnel at the Table.

2.45 pm

## Economy

### Students: Accommodation Costs

1. **Mrs Barton** asked the Minister for the Economy whether she will consider introducing a refund for students paying rent for university-owned accommodation, but continuing their studies remotely and not using the accommodation. (AQO 1446/17-22)

10. **Mr Durkan** asked the Minister for the Economy whether she will meet the accommodation costs of university and college students who are renting property that they are unable to use because their courses have moved online. (AQO 1455/17-22)

**Mrs Dodds (The Minister for the Economy):** Mr Speaker, with your permission, I will group questions 1 and 10 and avail myself of an additional minute to answer them. I thank the Members for their questions on this very important issue.

While my Department is responsible for higher education policy in relation to teaching and research in Northern Ireland, student accommodation, whether in university halls of residence or private rental housing, is a matter between the individual student and their landlord. Whilst my Department has no remit or legal basis for determining whether students should receive a refund or reduction of their

accommodation fees as a result of the disruption caused by the COVID pandemic, I recognise the very difficult position that many students find themselves in as a result of the COVID restrictions. I have therefore been examining ways to provide additional levels of support. For example, I have spoken to the Student Loans Company to investigate whether it can deliver payments to all Northern Ireland students. I have also written to local universities to encourage them to widen the criteria for assessing hardship, and I have spoken to the vice chancellors of Queen's University and the University of Ulster to reiterate my commitment to making more funds available for student hardship support. I am pleased to see our universities taking some steps to support students who have experienced difficulties with their accommodation contracts.

My Department, through the universities, continues to provide support to any students who face genuine financial hardship for whatever reason, including difficulties with their accommodation contracts. In recognition of those difficulties and the ongoing impact of the COVID-19 pandemic, I have indicated to the Finance Minister that I will be seeking additional funding to increase the total amount that is available for student hardship in the current financial year. I have also instructed the universities to publicise and promote the availability of those additional funds to ensure that they reach eligible students as quickly as possible and to consider whether any requirements set by them for students to access funds can be relaxed or removed.

**Mrs Barton:** Minister, thank you for your answer. You talked about seeking additional funding for student hardship. That is all well and fine, but many students have had difficulty in meeting the criteria for the student hardship fund. In particular, they have had trouble with the providers of student private accommodation when they have signed contracts that they cannot get out of. Minister, what conversations have you had with the providers of student private accommodation about those who cannot get out of these contracts?

**Mrs Dodds:** I thank the Member for her question. The Member will recognise that the contract between the student and a private landlord is a matter for them and is legally binding between them. However, this morning, I spoke again to the vice chancellors of Queen's University and Ulster University. I indicated to them that there is additional hardship funding available but that funding needs to be available for those students who are having increasing difficulties with their rental contracts because

they have, for example, been unable to seek additional part-time employment that students would normally have during this time. I hope that, in the reasonably near future, we will be able to bring forward a fuller paper on this issue, and I will revert to the Member in due course.

**Mr Durkan:** I thank the Minister for her answers thus far. Listening to the many students who have been in contact with the SDLP, I say that the student hardship fund does not seem to be fit for purpose. The eligibility criteria is restrictive, the process is arduous and the waiting time is very lengthy. Does the Minister agree that we need a dedicated COVID-19 student support fund that gets money out fast and directly into the pockets of those who need it? It is our view that we needed this eight months ago and students desperately need it now.

**Mrs Dodds:** I thank the Member for his question. The one thing that I have learnt in all of the wide-ranging funds that we have administered in the Department is that we do not need to replicate what is already there but rather to use it more effectively. With that in mind, as I said, this morning, I spoke to the vice chancellors of Queen's University and Ulster University, urging them to bring forward proposals as to how they might look at the eligibility for the existing hardship fund and how that might be improved to ensure that students have greater knowledge of it and greater access to it and that we will be making further funding available to them on this issue.

Last week, I wrote to the vice chancellors of Queen's University and Ulster University. I reminded them of their duty to ensure that students have access to the funds that have been made available in Northern Ireland. I also reminded them that they should review their compliance with consumer protection law in the way that courses are being offered and the levels of fees that are being charged. This morning, they assured me that they will follow up on my letter to them. However, I want to make it clear to universities that they need to be clear and up front with their students as to the type of teaching that each student will have as they go through university in what has been a really difficult year for many students.

**Ms McLaughlin:** Minister, over the weekend, our party put out a survey for students to see how they felt that they were impacted by the pandemic. In the replies, 75% said that their finances have been badly affected, and 50% said that they are paying for accommodation

that they are not living in. Harrowingly, 94% said that it is affecting their mental well-being. We all have to sit up straight and take that on board.

On top of the student hardship fund, your colleague in the Welsh Government put together a £40 million support package for students. An additional £10 million was put into the student hardship fund. We need something of that magnitude, because just feeding the student hardship fund as it stands is not good enough. There has to be an all-student support fund that helps all our young people.

**Mrs Dodds:** The Member raises a really important question, which has been communicated to me as a constituency MLA and as Minister. I spoke to the vice chancellors specifically about that this morning, and they reported increased demand for mental health services for young people who feel under significant levels of stress either through financial hardship or because of the remoteness of the way that their courses are being taught etc.

I have asked the universities to look again at their provision for mental health on campus and to bring me proposals that would add to that provision for those young people while they are students at university here in Northern Ireland. We will do our best to make sure that we meet those needs as identified by the universities. I hope to have a conversation later on in the week with student representatives as well. This is an extremely important issue, which has been exacerbated by the COVID restrictions.

I will list the interventions that we have already made in additional help for higher education, including an uplift in the number of students — that was before we had the uplift for the additional requirements after A levels — additional support for The Open University; providing a safer environment, taking COVID restrictions into account; additional money for research and development; additional funding of over £2 million for the postgraduate awards scheme; additional money for the COVID rapid response research and innovation funding; and student support loans. Those interventions and more will be required, and, as I said, I am committed to bringing forward that paper to the Executive.

**Mr O'Dowd:** I thank the Minister for her answers thus far. Minister, you will be aware that, over the last number of months, I have been raising this issue with you on behalf of Sinn Féin. The student hardship fund is not fit for the purpose of compensating our students

over the COVID pandemic. I note your comment that you do not want to replicate the system but that you want to get the money out the door. If the student hardship fund is going to be used, you will have to ensure that it will compensate our students for rent for accommodation that they are not using.

I welcome that you are engaging with the Student Loans Company and that students will now, hopefully, be compensated for their fees. However, a substantial amount of money will have to be bid for, because students and their hard-pressed families cannot afford another false dawn. Minister, will you commit to ensuring that the package that you bring forward is fit for purpose and compensates our students? We also have to remember our further education colleges.

**Mrs Dodds:** I will start with the last point first. We are always accused of focusing on universities, but a significant number of young people and students of all ages do the foundation courses for their degrees through our further education colleges. Of course, anything that we do will be replicated there as well, and it is very important to say that.

I reiterate that I have been speaking with the two vice chancellors. I have asked them to work with my officials to look at how we can get more funding out through the student hardship fund and make it available to students in Northern Ireland.

I have had a conversation with the Student Loans Company. It was not the most fruitful of conversations, but we will continue to pursue the issue to see whether there is a mechanism to help students in this most difficult of years. I reminded the universities of their requirements under consumer protection law and told them to work with students, provide clear information on how their courses are delivered and ensure that they are providing value for money to each young student in Northern Ireland.

**3.00 pm**

**Miss Woods:** In any review of support for students, does the Minister intend to negotiate with the universities to allow tenancies in university accommodation to be terminated without notice or penalty?

**Mrs Dodds:** That formed part of our conversation this morning. I understand that for those young people who have asked, Queen's have offered them a holiday from their accommodation fees. Originally, this was up to

the end of January, but the vice chancellor assures me that it will be until the restrictions end. I have asked Queen's to look at that again. Ulster University has taken a slightly different approach of looking at the issue on a case-by-case basis. I have asked Ulster University to review that as well and to come forward with proposals.

## **North/South Interconnector: Energy Supply**

2. **Mr Frew** asked the Minister for the Economy to outline the impact of the North/South interconnector on the security of Northern Ireland's energy supply. (AQO 1447/17-22)

**Mrs Dodds:** The North/South interconnector will increase the capacity to transfer electricity into Northern Ireland and reduce the risk to Northern Ireland electricity consumers of insufficient generation supply to meet demand. Pressure on maintaining the security of supply can be affected by a range of factors, including low wind resulting in reduced renewable generation, thermal plant generator outages due to maintenance or repair and traded export of electricity to Great Britain through the Moyle interconnector.

Northern Ireland has a relatively small electricity network with a limited number of thermal power stations. There is a greater risk of loss of supply than with a large and highly interconnected system where a large number of power stations can depend on each other for support in the event of unforeseen disturbances. The electricity transmission network operates on an all-island basis. However, there is only one high-capacity interconnector linking both jurisdictions. That restricts the amount of electricity that can flow from North to South to support security of supply. North/South interconnection is, therefore, critical to ensuring electricity security of supply for Northern Ireland electricity consumers in the long term.

**Mr Frew:** I thank the Minister for her answer. While I agree that interconnection, in general, is very good because it adds flexibility, it can also cause issues, especially in our environment, where EirGrid owns the System Operator for Northern Ireland (SONI) and is quite aggressive on governance issues. In 2013, the no load loss sharing (NLLS) policy was changed without any consultation with or explicit approval by the Utility Regulator or the Department. It was reduced to only 100 megawatts, which means that, in stress or alert positions of low capacity, where both jurisdictions will struggle, the Republic of Ireland will struggle more because

of data centres, but they can then suck power from Northern Ireland, leaving us very vulnerable. Will the Minister undertake to investigate that matter?

**Mrs Dodds:** I take all those issues very seriously and recognise the danger to supply in Northern Ireland. In recent weeks, as the Member is aware, there have been a number of amber alerts in Northern Ireland, driven by high demand, low levels of wind and correspondingly tight conditions in Great Britain. Had the second North/South interconnector been present, security of supply in Northern Ireland would have been substantially stronger, with power from excess capacity across the single electricity market (SEM) being transported to Northern Ireland.

The second North/South line, along with the introduction of the Greenlink interconnector and the Celtic interconnector, is expected to improve strongly security of supply in both jurisdictions as those assets come online in the next few years. My officials are working to ensure that the benefits of those connections are available to consumers here through lower prices and security of supply. The calculation of adequacy for the purposes of forecasting by the System Operator for Northern Ireland deploys a 4-9-hour loss-of-load expectation standard in Northern Ireland and an eight-hour loss-of-load expectation standard in the Republic. An eight-hour loss-of-load expectation is used for the SEM capacity options, which also seek to procure local capacity when and where it is necessary in the absence of sufficient interconnection.

**Dr Aiken:** I thank the Minister for her answers so far and my honourable friend for North Antrim for his questions. There is indeed a question of base load capacity in Northern Ireland that needs to be identified, but, under the Northern Ireland protocol, there are significant issues with the integrated single electricity market (I-SEM) and the use of electricity trading, particularly across the east-west links. Can the Minister explain to us what discussions she has had, particularly with Michael Gove, about there being an equitable use of the east-west interconnection process to make sure that we are not over-reliant on just a North/South connection or very limited base load capacity in Northern Ireland?

**Mrs Dodds:** The Member brings up an interesting and important question on the impact of the Northern Ireland protocol on the SEM and, indeed, on capacity. I will answer in general at first. The Northern Ireland protocol,

in this instance, has provided the level playing field necessary for the continuation of the single electricity market. One inevitable consequence of EU exit is the loss to European platforms of cross-border trading in electricity. As a result, trading between the SEM and GB has moved to baseline arrangements, which are less efficient and more difficult. The market operator reports that the changeover to the new arrangements has gone smoothly and that all systems are working well. The full impact of the change in the GB SEM trading arrangements is still being assessed, but it is clear that, as expected, the loss of efficiency is placing an upward pressure on prices.

**Mr Boylan:** In the context of an economic recovery strategy, decarbonisation needs to be a priority, so, in the development of the new energy strategy, will the Minister ensure that community-owned energy projects are supported and facilitated to provide opportunities for local groups? Moreover, will she develop proposals and projects to support the local community through renewable energy?

**Mrs Dodds:** We are well on our way to producing the consultation paper on our new energy strategy for Northern Ireland, and I hope that that will come in late spring of this year. I hope that it will be a catalyst not just for energy efficiency but for the green growth recovery that Northern Ireland requires and that many of its citizens expect. I want to see a wide-ranging consultation, including with local communities, looking at their contribution to the decarbonisation of energy in Northern Ireland. I therefore hope that the Member will take the consultation to his local community so that we can talk to people about how, together, we can decarbonise energy for the future and, in doing so, create not just a more sustainable environment and climate for Northern Ireland but jobs and prosperity.

## **Protocol on Ireland/Northern Ireland: Challenges**

3. **Miss McIlveen** asked the Minister for the Economy for an update on the challenges of the protocol on Ireland/Northern Ireland. (AQO 1448/17-22)

4. **Mr Beggs** asked the Minister for the Economy how the new customs processes and the resulting increasing costs are restricting trade from Great Britain. (AQO 1449/17-22)

12. **Mr Catney** asked the Minister for the Economy, in light of the problems obtaining produce and goods from Britain as a result of Brexit, whether she will support Northern Ireland businesses in developing their supply chains within the island of Ireland. (AQO 1457/17-22)

**Mrs Dodds:** Mr Speaker, with your permission I will group questions 3, 4 and 12. Again, with your permission, I will avail myself of an extra minute to answer.

I have always been clear that, despite extensive business preparedness activity in Northern Ireland, a lack of detail on the trading arrangements for after the end of the transition period would impact on our economy. Late clarity on the operation of the protocol and the UK-EU trade and cooperation agreement has left businesses in a difficult position, and this has been exacerbated by COVID restrictions. I remain concerned about the lack of preparedness by GB suppliers around the customs requirements for goods destined for Northern Ireland, leading to disruption for the haulage and logistics sector and difficulties with supply chains. Late guidance on parcel deliveries has led to firms suspending deliveries to Northern Ireland, although many have since resumed. Over the last number of days, I have been working with my Westminster colleagues and industry representatives. I am glad to report that we have found a resolution to the issue of steel. If tariffs of 25% had been implemented, our local manufacturing economy would have been decimated.

I continue to work with the Government to secure wider clarity and guidance on the complex situation with at-risk goods, rules of origin, tariffs and, importantly — if little talked about by our Government — the reimbursement scheme that has been promised. I will continue to engage with our Government on all these issues. I welcome the reintroduction of the VAT margin scheme for second-hand cars. However, I am mindful that many of the mitigations that have been found are short-term and require longer-term solutions. Every option should be explored, including article 16 of the protocol. My Department continues to provide guidance and support to businesses navigating the new trading environment and continues to offer support through Invest NI and InterTradeIreland.

Despite these challenges, I remain ambitious for our economy. I want to ensure that we can resolve issues, seize opportunities for growth within our own UK internal market, secure

foreign direct investment and increase exports to the rest of the world.

**Miss McIlveen:** I thank the Minister for her answer. I welcome the resolution of the steel issue, which is critical for manufacturing in Northern Ireland. Last Wednesday, the Infrastructure Committee heard from a delegation of haulage sector representatives about the challenges that they are facing as a consequence of the implementation of the protocol. They were united in their call for the simplification of the systems now being imposed. Can the Minister give an assurance that she will use her influence to articulate these views with the relevant Her Majesty's Government Departments and those in a position to bring forward easements to allow trade to return to the levels that Northern Ireland requires?

**Mrs Dodds:** Again, I thank the Member for her question. I have been meeting members of the haulage industry in Northern Ireland, and they report significant and ongoing problems. As I said in my first answer, some of these problems are related to the lack of preparedness by GB businesses that are simply unprepared for the level of paperwork now required for access between parts of the United Kingdom's internal market. They report that, while trade is flowing reasonably well between Northern Ireland and GB, because of the lack of preparedness, they are at times bringing back empty lorries, at a significant cost to the consumer.

One of the things that I warned against when speaking about the protocol on many occasions in the House and other places is that the protocol will bring more cost, less choice and more difficulties for the interaction of the UK's internal market in Northern Ireland. Indeed, last week, I spoke to my colleagues from Scotland and Wales and the new business Minister, Paul Scully.

We will have a dedicated conversation about the issue. We need to resolve it, particularly since, as I said in my previous answer, many of the mitigations are short-term; they will visit us over and over again unless we find long-term solutions. Our hauliers and logistics industry must be part of that solution.

**3.15 pm**

**Mr Speaker:** I call Roy Beggs.

**Mr Beggs:** Question number 4.

**Mr Speaker:** It is a supplementary: your question was grouped.

**Mr Beggs:** Apologies. The Northern Ireland protocol has resulted in significant additional costs. Some suppliers are choosing not to supply Northern Ireland; others cannot supply Northern Ireland. I think of seed, plant and animal product suppliers. There is concern that, in future, vets and animal health inspectors will not be able to sign off goods and food items, in particular, in a timely manner. Are you, Minister, and the Executive as a whole leaving past battles behind and trying to find collective solutions by engaging with Her Majesty's Government, the EU and the Joint Committee working group to get practical working outcomes and simplification so that trade can continue and costs be kept to a minimum?

**Mrs Dodds:** The Member makes a pertinent point. I repeat for the parties in the House that call for the full implementation of the protocol that we are now seeing what that full or, should I say, rigorous implementation looks like: greater cost, less choice and more bureaucracy for our firms as they do business with our biggest market. I have said over and over again in my Department and on behalf of my party that my greatest challenge is to ensure that we can trade in the United Kingdom's internal market, which is our greatest market and the one in which we do more trade than we do with the Republic of Ireland, the rest of Europe and the rest of the world added together. That is crucial for Northern Ireland's prosperity and for all sectors of our economy. As the Member knows, I have also been working on issues with second-hand cars, steel and a wide variety of issues to bring practical solutions to this most difficult of problems.

**Mr Speaker:** Time is up for listed questions. We now move to topical questions.

## **Business Support Schemes: Payment Delays**

T1. **Mr McNulty** asked the Minister for the Economy, in light of the delays in paying out the support schemes, which have been hugely frustrating for businesses and families, and given that, despite the welcome furlough scheme, there remain costs for businesses to retain staff and serious cash-flow issues, whether she agrees that if she does not get the financial support out the door urgently, businesses will be at risk of going to the wall and will be forced to make redundancies and let workers go. (AQT 901/17-22)

**Mrs Dodds:** I thank the Member for his question. I remind the House that, during the pandemic, my Department has made available almost £400 million in support to tens of thousands of businesses in Northern Ireland. We are working on a range of schemes for businesses, including the COVID-19 restrictions support scheme, the tourism schemes and a range of others. I understand that businesses need to have their finance in a timely fashion and will continue to push Invest Northern Ireland to make sure that that happens. I also remind the Member that there are many other schemes across government for financial support for businesses not administered by my Department.

**Mr McNulty:** I thank the Minister for her answer. While I welcome the financial payments to numerous businesses, judging by the volume of issues raised daily with me by businesses that are on their hands and knees seeking payments, what she said does not ring true. Does the Minister intend to produce a comprehensive COVID-19 recovery plan? Will she outline how she intends to rebuild and reboot our economy and get people back to work?

**Mrs Dodds:** We are working on a recovery plan in conjunction with Executive colleagues. The Member will be aware that the latest figures show that around 68,000 people in Northern Ireland remain on furlough. Therefore I suggest that the Executive write to our national Government, as I have done and the Executive may feel it should do, to ensure that national support schemes such as the job retention scheme continue, particularly for the aerospace and hospitality sectors, for instance, where, I believe, the tail of recovery will be longer.

I am also working on a specific and tailored plan for the Northern Ireland economy. In that, I want us to look not just at the here and now but at our economy of the next 10 years: where we see opportunities and how we see the economy developing. Crucial to all of that and something for which I will bid for funding will be a dedicated skills fund for Northern Ireland. Northern Ireland is the only part of the United Kingdom that spends less on skills now than it did in 2012. We need to rebalance that equation and understand that, for us to have economic recovery, we need the skills to match such a recovery, and we need to be flexible and urgent in bringing forward those skills and the relevant schemes. I look forward to the Member's support when I ask for funding for a dedicated skills fund for Northern Ireland.

## Students: Additional Support

T2. **Ms P Bradley** asked the Minister for the Economy to outline the discussions that she has had with local universities about additional support for students, given that she will know about the issues, including with housing, that are facing students. (AQT 902/17-22)

**Mrs Dodds:** I thank the Member for her question. As I have said previously, I have been speaking with the vice chancellors of Queen's and Ulster University. I want to ensure that what we do for universities is appropriate for students and meets their needs. Therefore, we need to look at the hardship fund, how it is administered and whether there are relaxations that we can bring to bear on it. This morning, I also spoke with the universities on issues relating to mental health and how we can continue to support students who, sadly, report increased need in that area. Something that has not received a lot of conversation in Question Time is the provision of data for students who have to conduct much of their course online. We are looking at all of those issues and will bring forward a package in due course.

**Ms P Bradley:** I thank the Minister for her answer. The Minister raises some valid points, especially around mental health. Members hear through their constituency offices how this is affecting our students. The Minister also mentioned the hardship fund. We know that there are criteria for all of the funds, and they are quite limited. Will the Minister assure us that she will speak to universities to see about broadening the criteria to encompass more people so that they can receive the hardship fund?

**Mrs Dodds:** Yes, we need to look at how more people can access the hardship fund and at how more students can get to know about it and about how to apply. I will work with the universities over the next short period on those issues and with student representatives to hear their views.

## Apprenticeships

T3. **Mrs D Kelly** asked the Minister for the Economy whether she is aware of where the problems lie with apprenticeships and how she intends to fix them to ensure that hard-pressed young people and businesses get the support that they so desperately need, given that late last year, approximately four months ago, although she made an announcement about help for apprentices, as yet very little, if any,

money has been paid out: nothing from the challenge fund and although 197 applications have been made to the new apprentice recruitment incentive scheme, only 32 payments have been made. (AQT 903/17-22)

**Mrs Dodds:** I thank the Member for asking the question because it is hugely important for young people and for the future of the Northern Ireland economy. I would like to see us place value in our apprenticeship system and to see increases in, for example, all-age apprenticeships. Over the next year, I will bring forward measures to set the pathway for all those things. Apprenticeships offer real opportunities for young people.

Our apprenticeship fund was designed to do three things. One was to retain the apprentices who were in the system on furlough but in danger of not returning to work. The extension of the furlough scheme has somewhat clouded the ambition on that issue, because many of those young apprentices remain on furlough. As I said earlier, around 68,000 people in Northern Ireland remain in the job retention scheme run by our national Government.

The challenge fund is currently working its way through those proposals and will have an outcome reasonably soon. We hope to continue to work with employers, in a most difficult environment, on how we can create new opportunities for apprentices, because they are hugely important.

Many of those young apprentices will take vocational exams and are worried about them. I took the step, last week, of making sure that vocational exams were cancelled. I have asked our own exam regulator to bring forward proposals for the Northern Ireland-based exams by the end of February —

**Mr Speaker:** Time is up.

**Mrs Dodds:** — and the start of March for the national ones.

**Mrs D Kelly:** Minister, we are agreed on the importance of valuing apprenticeships and vocational training. Whilst I accept that some young people and businesses may well be using the furlough scheme, nonetheless, only 32 from over 197 applicants have received any help. What is your Department doing to fix that? They would not apply to the scheme if they were on furlough, so, obviously, there is something wrong in the Department.

**Mrs Dodds:** I will come back to the Member with the precise details on that issue and will write to her about them. In general, this is a priority for me in my Department, and we intend to work through it.

### **Students: Support Fund**

T4. **Ms Hunter** asked the Minister for the Economy, given that a one-off payment of £500 for every Northern Ireland student would cost approximately £32 million, which is just a fraction of the £105 million to be handed back by her Department, whether she will commit to introducing a support fund for students, particularly because, having surveyed hundreds of students about their experience throughout the pandemic, the SDLP has uncovered harrowing results, with 79% of students saying that they have been excluded from financial support. (AQT 904/17-22)

**Mrs Dodds:** As I have reiterated on a number of occasions today in answer to questions, I have been in touch with the Student Loans Company to see whether it can facilitate any of these issues. I must say that I was disappointed in its response, but I will continue to pursue that conversation with the company. In the meantime, I have spoken to the vice chancellors of Queen's University and Ulster University to see what more universities can do to help students at a difficult and harrowing time in their education.

**Ms Hunter:** Thank you, Minister. With respect, when we talk about students, we talk about real people, real problems, real worries, real bills and real stress. Some 94% of the students surveyed said that the pandemic had negatively impacted on their well-being. I respect the fact that you have had lengthy discussions with student loan companies and vice chancellors, but talking is not enough. As a former student and an MLA, I ask the Minister whether she intends to abdicate responsibility and blame everyone else or to commit today to helping our students financially?

**3.30 pm**

**Mrs Dodds:** I fear that the Member has not quite been listening to the whole conversation in the Chamber today, given that I said that I have already committed to bringing forward a package to address the issue.

### **Businesses: Improved Communication**

T5. **Mr Butler** asked the Minister for the Economy, given that she will be aware of the significant delays facing businesses that are in desperate need of the second payment of the COVID restrictions business support scheme (CRBSS) grant, which are being compounded by a void in communication, to outline her plans to improve communication with businesses. (AQT 905/17-22)

**Mrs Dodds:** Invest Northern Ireland has a dedicated helpline, and I know that it is working with businesses that have applied for that grant. I hope that those payments will go out very soon. In the meantime, I remind the House that that grant, which is not as large as the local restrictions grant that is run by the Finance Department, has already paid out £17.5 million to individual businesses in Northern Ireland to help them through the pandemic. Just this morning, I signed off on a bid for further funding for that so that we can continue to make the payments right up to the end of 5 March.

**Mr Speaker:** Time is up. I ask Members to take their ease for a moment or two, please.

## **Assembly Business**

### **Standing Order 10(3A): Suspension**

*Resolved:*

*That, in accordance with Standing Order 10(3A), the sitting on Monday 25 January 2021 be extended to no later than 8.00 pm. — [Mr O'Dowd.]*

## Question for Urgent Oral Answer

### Health

#### Private Healthcare

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

**Mr Sheehan** asked the Minister of Health, given the increase in activity in private healthcare providers reported recently, what efforts he is making, or has made, to utilise the resources and capacity of private healthcare providers for the provision of public health services during the pandemic.

**Mr Swann (The Minister of Health):** The spread of coronavirus continues to cause serious disruption to our Health and Social Care (HSC) system. Unfortunately, elective care activity has had to be reduced in an attempt to free up capacity, including staff, beds and critical care services. The first and second waves of the pandemic placed unprecedented demands on acute services, with elective work reduced or postponed. The position has further deteriorated during the third surge.

Given the impact of COVID-19 on health service operating capacity, I made it clear that all possible sources of additional capacity should be utilised. That has included securing theatre capacity from local independent sector health providers. As has already been made clear, that has allowed many hundreds of the most urgent and time-critical patients to be treated. From April to December 2020, approximately 3,900 patients have been treated by local HSC consultants in the three local independent sector providers. Provision for continued access to the three independent hospitals had been made until 31 March 2021. However, given the impact of the third surge, I can confirm that we recently secured a further 112 theatre sessions for Health and Social Care cancer and time-critical patients.

In addition to that, some capacity has been secured from Republic of Ireland private clinics. Discussions are ongoing with NHS England for in-house and independent sector capacity for Northern Ireland patients. I recently approved

the establishment of a new regional approach to ensure that any available theatre capacity across Northern Ireland is allocated to those patients most in need of surgery, both during the surge and as we come out of it. That will include seeking to continue to maximise fully all available in-house HSC and independent sector capacity both within and outside Northern Ireland.

**Mr Sheehan:** Gabhaim buíochas leis an Aire. I thank the Minister. It must be absolutely devastating for anyone to get a cancer diagnosis. To then be told that your treatment is going to be cancelled must be more even devastating. We had three health trust chief executives in Committee last week. We were told that, in some cases, the cancer will have spread before those people receive treatment. Will the Minister tell us why he did not scope out capacity in the private sector before the health trusts made an announcement about the cancellation of treatment, because that has made the situation all the worse for patients who have a cancer diagnosis?

While I am here, Joe Biden brought forward a 200-page strategy for combating the virus within two days of coming into office. When will the Health Minister bring forward a strategy to deal with this problem?

**Mr Swann:** I thank the Member. He has raised this strategy time and time again. What I have said to the Member time and time again is that it is an Executive strategy. The First Minister and deputy First Minister announced a COVID Executive task force so that we could bring all the parts together. The Member can shake his head all that he wants, but he has to realise that every Minister has a responsibility. I know that, at times, Members on the other side of the House want to put the full responsibility on me and my Department. I will bring forward the Health response; I always have and I always will. However, I bring forward recommendations to the Executive, which bring forward an Executive strategy as a whole, as they did back in May.

As regards the utilisation and uptake of the independent sector, I already said in my answer that, in the surges between April and December last year, we supported 3,900 patients. During the third surge, we have gained a further 112 additional theatre sessions from those independent providers. We have already engaged and continue to engage to see what additional capacity they can supply.

**Mr Buckley:** The Minister knows full well and acutely the catastrophic news for cancer patients during COVID-19, particularly with the cancellation of services. Some individuals and others waiting on planned elective surgery have been able to commission their own surgery through private and independent providers. Is this not a worrying sign for the Department of Health, especially on a day when we heard that the Department has had to give back £90 million of unspent money?

What actions will the Department of Health take to utilise all available capacity at its own facilities and in the private sector in Northern Ireland and further afield, including paying for private treatment, as many cancer patients, through no fault of their own, have had to borrow money to get the urgent treatment that they require at this time?

**Mr Swann:** I thank the Member for his point. One thing that has to be made clear is that, during this surge, unlike during the first and second surges, those independent providers continue to support their own patients as well. What we are seeing during this surge, which we had not seen previously, is that the demand from private patients has not dropped off but increased. Although we were able to get that additional capacity in surges one and two, we are not able to get it now, because there is a large uptake in demand in the private sector during this surge. We welcome any additional support that we are getting from the private sector, however.

The Member mentioned finances for utilising private-sector capacity. The private sector is one of our critical tools for reducing waiting lists in general, not just because of COVID. One of the biggest challenges, however, that we face as a Department in utilising the independent sector is non-recurrent funding, because we can go to the private sector with only a one-year allocation and a one-year pot, and what it needs to increase its capacity to help reduce our waiting lists is that surety of funding for three to five years so that it can increase its facilities and staffing numbers to start to eat into our waiting lists. That approach was committed to in New Decade, New Approach. While we continue to work on one-year financial cycles, however, that makes it hard to engage in the long term with those independent providers.

**Ms Hunter:** I thank the Minister for coming before the House today. Although I appreciate the immense pressures that the health service is under, COVID has been truly revealing of the decades of underinvestment in our healthcare

system in Northern Ireland. Does the Minister foresee that, in addition to red-flag surgeries, that could lead to more routine surgeries taking place in private medical facilities?

**Mr Swann:** Unfortunately, we are now paying the price for that underinvestment in our health service, not just in staff but in facilities. When we look at our waiting lists for elective, inpatient, day-case procedures, we see that the only way in which we would be able to make a serious attack on the ever-increasing numbers is by utilising the independent sector as much as possible. As I said in response to Mr Buckley, however, until we get that long-term surety of recurrent funding to address and eat into the waiting lists, it makes that a difficult relationship. When I met the providers just over a week ago, they reminded me that they were already part way through a financial year in which we were using the independent sector but that the Minister who was in place at the time cut all funding for the utilisation of the private sector, and that is when our waiting lists started to escalate again.

**Mr Chambers:** Last Thursday, I was present when the Member who tabled this question for urgent oral answer made derogatory remarks questioning the professionalism of 110 medics from the British military who will offer support to the hard-pressed staff in our NHS. How will the Minister respond to those remarks, given the call from the Member on the other side of the Chamber now to seek additional help from the private sector?

**Mr Swann:** I thank the Member for raising that point. As I said in an earlier answer, and I have said it since taking up this post, I will take help whenever we need it, wherever our staff need it and wherever our health service needs it.

A lot of detailed planning has taken place to make sure that the military technicians who are being supplied have all the support that they need to hit the ground running. That will include welcome and induction to our hospital systems, including the testing requirements and vaccination, clinical and local induction, including infection prevention and control, donning and doffing, and testing everything that is needed. They will be a welcome addition to our workforce at a time when it needs critical support as we work through this third surge, with over 800 inpatients and over 70 people currently in ICU. All help is therefore welcome.

**3.45 pm**

**Ms Bradshaw:** As the chair of the all-party group on cancer, I appreciate other Members raising the issue of cancelled and postponed surgeries. You have addressed that issue, so I will move on. Private healthcare providers include allied health professionals such as physiotherapists etc. In what way are you engaging with them to take forward support services for long COVID?

**Mr Swann:** I thank the Member. She has championed long COVID and our supports for it extensively, even since we entered our first wave. She will be aware that I have asked the Health and Social Care Board to bring forward a response on what that provision will look like. I am quite open in saying that, if we have to look to private suppliers and private providers for that additional support for long COVID patients so that we can start to work on our extended and increasing waiting lists, we will do that.

**Mr Carroll:** I thank Mr Sheehan for asking the question. The point is that it is not just about going to the private sector. It is about bringing those beds, that capacity and those staff members under the control and direction of the NHS. Given that we are almost one year into the pandemic and that we are and have been plagued by shortages, will the Minister inform us as to whether that issue has been raised at the Executive? If so, what is the political rationale for opposing the moves that are proposed in the question?

**Mr Swann:** I am not sure that there are any political objections anywhere across any of the five parties in the Executive about the utilisation of the private sector to support our health service and work to reduce the current waiting lists. I am not sure of the premise of the Member's question or what he is inferring. I have the support of all the parties in the Executive for the utilisation of the private sector to help to reduce waiting lists. There are also commitments in next year's Budget and in New Decade, New Approach to use all available avenues to reduce our waiting lists.

**Mr Easton:** I welcome the Minister's answer there. Minister, I welcome the use of the 110 army medics that Mr Sheehan seems to have an issue with. What is even more astounding is that Mr Sheehan is pretending to be more caring about how we deal with COVID and the staff when he has already broken the COVID rules and regulations.

We are using the independent or private sector, but, at the beginning of the COVID pandemic,

we also called on retired doctors and nurses to come out of retirement and help. That support does not seem to have been utilised fully. Where are we with trying to get more of those people to come out of retirement to help?

**Mr Swann:** I thank the Member. One of the things that we did, especially when we entered this wave, was to re-establish and reopen our workforce appeal. As of 13 January, a total of 1,049 part-time or recurrent workforce appeal positions have been filled. That covers 646 appointments in the health and social care sector and 403 clerical and admin appointments. We have utilised that workforce appeal during the third wave. They were brought in during different waves to fill certain slots at certain times. Many of those people were not seeking full-time positions in the first wave, but we are utilising that tool again.

**Mr McNulty:** Minister, I agree with your stance: all hands on deck for the health service. If a loved one is in critical care and needs medical personnel, they will not care where they come from as long as they get the care that they need. Will the Minister advise us as to what areas of the independent sector are being asked to consider helping out in the NHS? Is it in cancer care or orthopaedics? What particular areas might help out?

**Mr Swann:** When we looked at the three service providers that we have in Northern Ireland, one of the things that we saw was that they bring different skill sets. The one in the north-west deals mainly with orthopaedics, so we are utilising its facilities and staff to get the best fit with what it can supply. It is mostly about the provision of theatre staff, theatres and intensive care units so that we can move forward on cancer and time-critical patients. That has been brought forward, and those patients will be dealt with using that regional approach so that those who are in most need of accessing that capacity can do so.

**Mr Middleton:** I welcome the steps that the Minister has taken to address the pressures. We heard from the Finance Minister earlier about the £90 million underspend from the Department of Health. Minister, can you give some detail as to the reason for that? I appreciate that much of that finance will be ring-fenced, but some members of the public will find it difficult to understand how, given the pressures, there could be an underspend. I would welcome some clarity on how that has come about.

**Mr Swann:** I thank the Member for his question. One of the challenges that we faced was that we did not receive such significant allocations during this financial year. However, now that we have received them at the tail end of the year, they have to be spent by 31 March. That is where the challenges come. If I had year-end flexibility and could roll money into next year or further years or if I had a multi-year budget, I could utilise that money five times over, but the difficulties in our accounting system, and the fact that we are in a one-year Budget that is non-recurrent, creates an additional challenge in being able to spend. The Minister of Finance highlighted that.

We have been looking at different avenues — creative avenues — of retaining and spending money, and we looked at utilising the independent sector. However, one of the challenges, from an accounting point of view — this has often beat us in many of these steps — is the fact that the money had to be spent in year, so it is not as if we could carry any of that £90 million into next year to further utilise independent-sector provision, which is something that I would like to do. The Finance Minister said in his statement earlier that he is approaching Treasury so that he can roll that money into next year. I wish him every success, because I can assure the Member that, if the Finance Minister receives that sort of flexibility, my Department will be able to utilise the money and will bid for it.

**Mr Givan:** I am struggling to understand the argument that the NHS does not have capacity when I know that consultants who work for the NHS are carrying out the same surgeries that they had planned to do in the private independent sector. Can the Minister explain what the problem is with that lack of capacity in the NHS? It does not seem to exist in the independent sector.

I know some citizens who have commissioned their own surgery. They cannot afford it and are borrowing money to do it, but they have been able to do it, yet the NHS, with its huge resources, has not been able to use up all the capacity in the private independent sector to supplement the reduction in what the NHS is providing.

**Mr Swann:** I thank the Member for his point; it is something that we have often said in here. While consultants may have capacity, the challenge lies with our ICU staff, the anaesthetists and the rest of the theatre staff who need to support not just the surgeon but the patient during their operation and during their aftercare. That is where those years of

underfunding have left us, and the independent sector can pick it up because it has the workforce in place.

In regard to picking up that spare capacity, as I said in previous answers, during the first wave, a lot of patients who were utilising the private sector started to cancel operations whereas, this time, they have not, so there is a larger increase of the private sector still utilising private capacity for what is a fee-paying business. They have, through working with us, increased their theatre capacity. As I said, there are an extra 112 theatre allocations between now and the end of March, which allows us to put more patients through.

We need to be clear that, between 12 January and 18 January, 4,262 elective procedures were carried out by the NHS, so it is not as if we have come to a complete standstill in regard to inpatients and day-case admissions. That work goes on. I sincerely apologise for the number of cancellations, but I can assure anybody who was to have an operation and had their procedure cancelled that we are doing our utmost to get them back in and get them seen.

**Mr Butler:** I thank the Minister for his words today. The Minister was absolutely resolute and honest in his admission many months ago that he would take help from wherever it needed to come and would seek help from wherever he could get it. Many people are struggling at the moment, Minister, whether through COVID-19 or through these red flags. However, the Executive have a role to play in protecting people. It is not just about intervention; it is also about prevention. This is now our second wave, and it is very serious. What advice, Minister, would you give to your Executive colleagues? Do you agree that the Executive need to be, in their COVID-response strategy, speaking with a single voice when it comes to adhering to restrictions and setting an example of the same to prevent a third incident like this?

**Mr Swann:** The Member makes a valid point. I have always said that the Executive and Assembly work strongest when they stand together with a single voice supporting the health service, because that is what our health service workers need to hear. They need that reassurance that this place has their back at all times and that, when it comes to regulations and their enforcement and compliance, not only do the Executive step up and set an example but every Member of the House steps up and sets an example. I believe that that is what the people of Northern Ireland expect from us. I also believe that that is what our health service workers actually deserve from us.

**Mr Speaker:** Members, that concludes this item of business. I would ask people to take their ease for a moment or two. Thank you.

*The House took its ease from 3.56 pm to 4.01 pm.*

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

## Executive Committee Business

### The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 19) Regulations (Northern Ireland) 2020

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

Agus anois iarraim ar an Aire Ó Cearnaigh an rún a mholadh. I call Minister Kearney to move the motion.

**Mr Kearney (Junior Minister, The Executive Office):** Éirím leis an rún a mholadh. I beg to move

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 19) Regulations (Northern Ireland) 2020 be approved.*

*The following motions stood in the Order Paper:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 20) Regulations (Northern Ireland) 2020 be approved.*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 21)*

*Regulations (Northern Ireland) 2020 be approved.*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 22) Regulations (Northern Ireland) 2020 be approved.*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 23) Regulations (Northern Ireland) 2020 be approved.*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 24) Regulations (Northern Ireland) 2020 be approved.*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 25) Regulations (Northern Ireland) 2020 be approved.*

**Mr Deputy Speaker (Mr McGlone):** The Business Committee has agreed that there should be no time limit on the debate. I call on the Minister to open the debate on the motions, please. A Aire, le do thoil.

**Mr Kearney:** Go raibh maith agat, a LeasCheann Comhairle. As you are aware, the most recent amendments to the regulations were announced in the Chamber on 6 January. Members heard directly from the Executive on these amendments, including statements from the First Minister and deputy First Minister and the Health, Education and Justice Ministers, and it allowed Members an element of scrutiny before they were made.

Today, Junior Minister Lyons and I are moving amendments Nos 19, 20, 21, 22, 23, 24 and 25 to the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations 2020. Members will be aware that these amendments enacted measures that span the period up to and during the Christmas holidays and the subsequent weeks. With your permission, Mr Deputy Speaker, and given the number of amendments that we are dealing with today, I will briefly set out the context of where we were when the first of the seven sets of amendment regulations were made.

Déanfaidh mé cur i láthair ar na leasuithe seo atá i gcróí dhíospóireacht an lae inniu. I mí Dheireadh Fómhair, ghlac an Feidhmeannas cinneadh sraith srianta úra a chur chun feidhme. I will then focus my remarks on the amendments at the centre of today's debate.

In mid-October, the Executive agreed to a period of tighter restrictions. Following a week in November, where certain relaxations to the restrictions were permitted, a further two weeks of enhanced restrictions were put in place from 27 November until 11 December. Those restrictions were reflected in a series of amendments to the regulations up to and including the No 18 amendment.

At their meeting on 3 December, the Executive then agreed to allow a degree of reopening on 11 December. In some areas, they regulated for measures that were tighter than those that existed before mid-October. Those decisions were informed by medical and scientific advice, the assessment of coronavirus impacts on health at that time and the most up-to-date modelling. That formed the basis of the amendment No. 19 of the regulations.

I will now summarise briefly all seven statutory rules. I will begin with amendment No. 19, which, as I mentioned, came into effect on 11 December. It introduced a number of significant changes, including the reopening of the hospitality sector with additional requirements for unlicensed premises to bring them into line with licensed premises on seating and gathering customer information; an upper limit of 500 persons for outdoor gatherings, sports events or gatherings; requirements on a responsible person and risk assessments to be carried out; the right of appeal to a court against a premises improvement notice or prohibition notice; reopening of close-contact services, with additional requirements to see clients by an appointment-only system and to gather customer information; removal of restrictions on the opening of non-essential retail businesses; amendments to the operating hours of hospitality services, including takeaway services and the sale of alcohol; and the regulations reverted to the mid October restrictions relating to places of worship, marriages and civil partnerships, funerals and committals.

Amendment No. 20, which came into effect on 16 December, amended the requirement for review of those regulations to allow extra time for data to become available after the Christmas holidays. It also amended from 14 days down to 10 days the period that a person must wait before forming a new linked household in order to reflect the decrease in the self-isolation period, and it permitted a supermarket to use any till or checkout aisle for intoxicating liquor off-sales. That allowed customers to use all aisles in order to reduce congestion and overcrowding and to ensure that social distancing could be maintained.

Some minor corrections and technical amendments to the regulations to permit the continued operation of business financial support schemes were also made under amendment No. 20.

Amendment No. 21 came into operation on 17 December and clarified some issues on entertainment and gatherings, including what constituted a single gathering if entertainment is provided in a venue, the definition of "entertainment" for the purposes of the regulations, that, in an outdoor venue, each group at a table is considered to be a separate gathering if no entertainment is provided, and that all the persons in a room are considered to be a single gathering if entertainment is provided.

Amendment No. 22 came into operation on 18 December. It provided for extended linked households at Christmas in order to reflect the guidance on households meeting over Christmas and forming Christmas bubbles; allowed the use of conference facilities by courts and tribunals; and covered some technical corrections in the regulations.

Amendment No. 23 came into operation on 23 December. It limited a Christmas bubble to one day and prohibited overnight stays connected to a Christmas bubble.

Moving to the final two amendments, which reintroduced restrictions immediately after Christmas in response to an escalating disease situation and significant hospital pressures, amendment No. 24 came into operation at midnight on 25 December, and it remains in place today. The amendment introduced the following measures: closure of non-essential retail businesses, including click-and-collect services; closure of close-contact services, including driving instruction, with some exemptions; and closure of indoor and outdoor visitor attractions and sports and leisure facilities. It limited indoor and outdoor gatherings to members of one household and their linked household to a maximum of 10 people, including children aged 12 years and under, for the two linked households to gather indoors or outdoors at a private dwelling at any one time.

Indoor and outdoor gatherings, excluding private dwellings, are permitted only up to a maximum of 15 people, including children aged 12 or under, with exemptions in place for work, blood donations, vaccinations and education. Indoor sport is permitted only for elite athletes or for PE in or for schools. Outdoor gatherings for the purposes of exercise or sport are

permitted only for elite athletics and physical education in or for schools, if participants are members of the same household, a linked household or if exercise is taken by an individual and their carer or carers. Spectators are not permitted for sporting events. There is the closure of all hospitality, with some exceptions, including takeaway and delivery services, which are permitted from 5.00 am to 11.00 pm. Additional restrictions were in place between 8.00 pm and 6.00 am from 26 December to 2 January. Those stricter measures were: no household mixing in private gardens or indoors in any private dwelling, except for emergencies or the provision of health or care services. Those restrictions also applied to gatherings with a linked bubbled household. Indoor and outdoor gatherings with members of more than one household were not allowed. Indoor and outdoor sporting events were not allowed, except for training by elite athletes and exercise taken with members of your household or a linked household, or exercise by an individual and their carer or carers. Essential retail could not operate except for grocery deliveries or grocery click and collect on an appointment-only basis. Hospitality could not operate between those times, including for deliveries.

The final amendment — amendment No. 25 — came into operation on 29 December, and it made the following changes: permitting taxi or vehicle hire businesses to operate during the period of tighter restrictions between 8.00 pm and 6.00 am from 26 December until 2 January. What is more clearly defined are the operating hours of businesses that are selling food and drink to prevent businesses from flouting the regulations by taking orders prior to 11.00 pm but continuing to operate via delivery into the early hours of the morning, providing that the power to require people to return home would operate only to 2 January 2021.

A Leas-Cheann Comhairle, tá súil agam go léiríonn an méid atá ráite agam an comhthéacs inar ceapadh na rialacháin seo agus na cuspóirí a bhaineann leo. Mr Deputy Speaker, I hope that that provides you and Members with a summary of the context in which these regulations were made and provides an outline of their content. Molaim an rún agus na rialacháin don Tionól. I commend the regulations to the Assembly.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** The statutory responsibility for scrutinising these regulations lies with the Health Committee, and I look forward to hearing from those Committee members later in the debate. As I have stated in

previous speeches on this matter, the Committee for the Executive Office has been consistent in its message throughout the pandemic: everyone needs to comply with the restrictions that are in place to protect themselves, their families and others in the community. The Committee remains committed to the need for strong public messaging, a united front in tackling the pandemic and for us all to do what we must do to keep people safe. The extension of the restrictions last month and last week is indicative of the serious situation that we are all facing. Consequently, the Committee welcomes legislation that is intended to protect the community.

I will make a number of points in my capacity as an SDLP MLA. I welcome the opportunity to take part in the debate.

As has been noted, the health protection amendment regulations that we are debating and being asked to ratify today are the amendment (No. 19) regulations through to the amendment (No. 25) regulations. I have said many times in the Chamber that the way in which we ratify the restrictions seems more convoluted than it needs to be, and today's debate could not be more illustrative of that.

#### 4.15 pm

We are debating the amendment (No. 19) regulations, which concerned the easing of restrictions and came into effect on 11 December; the amendment (No. 20) regulations, which amended Christmas bubbling and the length of time that people had to stay in self-isolation and came into effect on 16 December; the amendment (No. 21) regulations, which concerned entertainment venues and came into effect on 17 December; the amendment (No. 22) regulations, which, again, concerned Christmas bubbling and came into effect on 18 December; the amendment (No. 23) regulations, which made Christmas celebrations a one-day event and came into effect on 23 December; the amendment (No. 24) regulations, which concerned the reintroduction of restrictions and came into effect on 24 December; and, finally, the amendment (No. 25) regulations, which concerned taxis and the limiting of operating hours and came into effect on 29 December. That is quite the timeline, but what is it a timeline of? Is it a reflection on our healthcare system or staff? Is it a timeline of the public adherence to the regulations? Perhaps it is a timeline of how businesses have responded to the virus. No, the timeline that I have detailed is a reflection on the joint heads of Government,

who allowed petty politicking to get in the way of public health, public messaging and local businesses.

However they try to spin it, the long and the short of it is that their dysfunctional relationship has resulted in where we have ended up today. Instead of any sort of forward planning, they have reacted to every iteration of the virus and how it has impacted on our daily lives. We are almost a year into the pandemic. At this stage, inability or unwillingness is no excuse. Frankly, they never were, but you would like to think that by this stage the two parties would have learnt something.

I am sure that my MLA colleagues in Sinn Féin and the DUP will sit there, shake their heads, denounce my words because it is a five-party Executive and say, "Why is someone from the SDLP standing up and saying this?". Although I am certainly not privy to the workings of the Executive and their meetings, I do hear about those meetings from local broadcast reporters on Twitter, and they give the impression that the papers on the restrictions that we debate are not being distributed in good time. Meanwhile, the cross-community vote has been employed in the past, and we all know where that has left us. All the while, our public are contracting the virus and dying from it, businesses are falling apart, our high street is disappearing and our healthcare staff continue to cry out that they are at their breaking point.

In the run-up to Christmas, we were able to offer our public a bit of hope for their Christmas and new year as the vaccine became more readily available, but then the timeline that I detailed rolled out. The response from our Government unravelled, and we witnessed those awful and horrifying spiking numbers. Some may be asking what my final analysis of that will be. Back in March, I said in this very Chamber when we discussed the then Coronavirus Bill:

*"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" — [Official Report (Hansard), 24 March 2020, p10, col 1].*

and washed clean old grievances like this one. While our public have had to socially distance and separate themselves from loved ones, they have been brought closer together, but they have not reneged on what they have had to do. When businesses were faced with a terrifying virus, they put in the manpower and responded in such a way as to support the public, and they have not reneged on that. When our healthcare

system faced a pandemic that no one had seen the likes of before, the staff stepped up to the mark, went over and above the call of duty and issued a fearless response with the courage and relentless energy that a gladiator would be envious of. Not once have they backed down from that challenge.

What did we see from our joint heads of government? We saw petty politicking, pride and reaction. At this stage, I think that the public have frankly had enough of that. Get your heads in the game, get over yourselves and show leadership. We have had enough of reactions, enough of bickering and enough of division. It is time to start forward planning and looking for an exit strategy from the virus.

**Mr Deputy Speaker (Mr McGlone):** I call Paula Bradshaw, Deputy Chair of the Health Committee.

**Ms Bradshaw:** Thank you, Mr Deputy Speaker. I stand in today for the Chair and Deputy Chair. I rise initially to respond on behalf of the Committee and will then make some remarks in a personal capacity.

The suite of rules before us today gave effect to quite different approaches to restrictions within a few short weeks. The Committee's briefing on the regulations spanned its meetings of 14 and 21 January, the former of which I chaired. Members acknowledged the grave circumstances in which we found ourselves and the need to do all that we could to reduce the strain on the health service and its staff, who face into the eleventh month of relentless pressure on our behalf.

Having discussed on many occasions the urgency with which the regulations were being made and the resulting lack of prior engagement and impact assessment, the Committee enquired about efforts to analyse the impact retrospectively to ensure that future regulations were informed by such learning. The director of population health advised the Committee that significant progress had been made in consulting the sectors affected by the regulations and that the number of amendments reflected the learning and responsiveness. She further alluded to an ongoing review of the impact of the regulations. When asked by the Committee to share the outcomes of the review, however, the official indicated that she would have to take the request away for consideration since it was more of a continuous process. The Committee would appreciate early sight of any analysis produced by the review.

When asked about the learning in relation to the arrangements put in place over Christmas, the director acknowledged that what we were seeing now was clearly the impact of the relaxations that we are talking about today but pointed out that amendment No. 25, reversing some relaxations, reflected a response to the emerging data. She further advised that the modelling group was engaged in a constant process of review overseen by the Chief Scientific Adviser and was provided with updated information on a weekly basis. The director acknowledged that compliance, as raised by members, remained an area of ongoing concern and advised that there was active discussion on the subject across various groups, levels and sectors. She explained that the approach remained one of education first in an effort not to be heavy-handed and that the interplay between rules and public attitudes and behaviours was not always predictable.

In reflection on the extension of the requirements to gather customer information, the official was asked whether any consideration had been given to including postal addresses in order to discourage any breach of the two-household rule in hospitality settings. The Committee was advised that names and phone numbers were collected primarily to enable customers to be contacted if necessary, but the official undertook to consider the potential compliance benefits of requesting postal addresses. I would be grateful if the junior Minister who will respond could give any available update on that matter.

Effective scrutiny and accessible information remain significant issues for the Committee. Members have not always found the online information entirely clear, up to date and accessible. We are now at amendment No. 25 to the No. 2 regulations, and the Committee has previously asked to be provided with what would effectively be a tracked change version showing the net effect of the amendments at any given point. That has not been forthcoming, and again the official simply directed the Committee to look at the nidirect website. As a Committee member who has long sought improved communication, I have to say that this is not good enough, and I suspect that Members all agree with me on that point. I do not see why the Committee cannot be added to the list of recipients of accessible versions of the regulations to facilitate it when it undertakes its scrutiny.

On a more positive point, we were advised that the most recent version of online information had been translated into a number of languages. That is very welcome and is

something that the Committee has long been calling for.

Economic questions have been raised by the Committee, given the wide-ranging impact of the health protection regulations. Officials were asked for their response to frustrations expressed by local retailers who see multinationals continuing to sell items that they, as smaller operators, cannot. The issue of closing times for takeaway services was also raised, and the Committee was advised that those issues would be considered further.

As previously discussed, Members have concerns about the limitations of post hoc scrutiny and the continuing approach of legislating without formal consultation and impact assessment. It is acknowledged, however, that this opportunity for debate allows Members to place on record their views, and we trust that it will inform subsequent regulations.

I now wish to make some remarks in a personal capacity. The regulations are already passed, but what can we learn from them? Members will recall that amendment No 19 followed a series of attempts by one party in the Executive to reopen higher-risk services, contrary to the scientific advice, in November. The Health Minister has, implicitly at least, already noted that even that date was clearly too soon.

We could already see at the time, not least in the size of the queue outside Primark in the Abbey Centre immediately at midnight and the inability in practice of many venues to keep up with the new requirements imposed by the regulations, not least on maintaining contact details and ensuring spacing, while remaining profitable, that such a reopening with fully two weeks to go until Christmas would create a problem down the line. Members all need to be clear that the health emergency is the economic emergency.

One problem was that the scale of the risk was poorly understood. For all the emphasis on distancing, it has been clear since September or earlier that indoor venues are high-risk because of the transmission of the virus through aerosols. Even at more than two metres, the risk is high, particularly when an individual stays in a venue for a period of time and even more so if face coverings are not used, as they cannot be worn while eating and drinking. That raises questions about the risks in workplaces or places such as motorway service stations, where people can still be seen eating and drinking and therefore not wearing face coverings indoors.

Let us look at the case numbers, which, we know, follow actual infections by some days, as they typically follow symptoms, test arrangements and result reporting. On 16 December, there were 510 confirmed cases; on 23 December, there were 787; and on 30 December there were 2,143. A peak in hospitalisations followed a fortnight later. Let us hope that the peak in the number of deaths has now passed, but the numbers are still horrendous. We need to be aware that there is a penalty that we have to pay for pushing to open indoor venues before time. That is clear in the emerging research and is utterly obvious in the daily hospitalisation numbers. Let there be no more denial about what that impact is.

As noted, amendment Nos. 20 and 21 are tidying-up amendments.

Amendment No. 22 implemented the Christmas bubble, which amendment No. 23 reduced to a single day. The Health Minister has been more overt that things went wrong in that regard. It was a mess across the UK. There are legitimate questions to be raised about how enforceable Christmas restrictions would have been anyway, particularly with regard to private homes. The Office for National Statistics has suggested from the trends of infection that there is evidence UK-wide that people were beginning to gather in homes for Christmas even before 23 December, the date from which, in law, they were allowed to, in most areas, although it depends a little on how much difference the new variant made to transmission. The evidence from Great Britain, in fact, shows that, during the Christmas bubble period, people largely avoided risky contacts, even though they were permitted, perhaps taking the opportunity to meet others but intentionally staying away from older people and those with underlying conditions. Therefore, there is, as yet, limited evidence that the spike in cases and hospitalisations arose from permitting meet-ups in private homes for one day over the immediate Christmas period. The evidence for increased contact and thus increased transmission points more to the period before it. It would be useful to have more direct research for Northern Ireland to confirm that the trends were similar to those in Great Britain.

It is worth noting, as we have seen from the dramatic rise in infections in the new year in the Republic of Ireland, that a travel ban cannot stop a dramatic rise in case rates if an upward trend in contacts and thus infections is already ongoing.

We see that the virus — both old and new variants — were already circulating far too rapidly before Christmas. The fact that infections were evidently on an upward trend from the 11 December was the reason for amendment No. 24, closing so-called non-essential shops and hospitality immediately on Christmas Eve to avoid the Boxing Day sales rush. All the evidence suggests that that was wise, as I have just outlined. Amendment No. 25 provided clarification around taxi services.

#### 4.30 pm

We have gone some way this year towards reducing the infection rate but still not far enough. Infections are still too high, pressure on hospitals is too big and the impact on our population's well-being is too vast. However, there is evidence that, from the immediate Christmas period, when people are given clear guidance, they will behave responsibly. We need to redouble our efforts around the messaging and, most notably, in avoiding the three Cs — crowds contact and close spaces. If we give the public the right tools, I have faith that we will get through the next few months until the impact of the vaccination programme is fully felt. There is a clear light at the end of the tunnel, but we must maintain our courage and discipline until then.

**Mr Buckley:** I rise to speak on the restrictions before us today. Before I do so, I want to recognise where we are with the latest COVID statistics. As of today, our seven-day rate of positive cases was 261.5 per 100,000, with 422 new cases and, sadly, 17 deaths. While the rate is still alarmingly high, we hope that we will continue to see a downward trajectory.

As always in these debates, I want to pay tribute to the staff, particularly our healthcare staff in the respiratory teams across Northern Ireland, who have been under significant pressure over this period, due to winter pressures bringing already large numbers into our hospitals as well as the influx of COVID patients. They are deserving of plaudits from us all for their hard work. I was particularly struck when I saw, at the weekend, a post from a local priest in the Craigavon area. He talked about receiving that call to go to the hospital to tend to one of his parishioners as they came to the end of their life, COVID-positive. He talked about entering the hospital, seeing four or five people around the bed in full PPE — gowns, visors, masks and everything — and hearing the tears. One was holding the hand of his parishioner and another was, aloud but softly, praying for the gentleman that he was caring for. Initially,

thinking that this must be family, he was even more touched when he realised that it was not family at all, but nurses and doctors, tending to the patient. How common that must be in these difficult days.

There is no doubt that we have seen quick developments throughout the past couple of months. I welcome the call for aid for those medical professionals and, indeed, the deployment of military medical personnel, but I regret that we have reached the situation that it is necessary. I also regret the tone in which some Members in the House and individuals outside took to those professionals coming in to help support our front-line services. They have the logistical and medical expertise and professionalism to play their part in repelling the COVID-19 virus as it stands.

The restrictions before the House today, as mentioned, are quite wide-ranging. Some, around the Christmas period, are no longer relevant, but others are very wide-ranging and will have wide-ranging consequences. It is only right that the House considers that. It is not only the restrictions, in particular amendments Nos. 24 and 25, that we must consider, we must take into account the knock-on effect.

I want to talk about the impact of the restrictions before us today, as well as the wider lockdown, in managing COVID-19. Inevitably, restrictions are put in place to help — as they have done — reduce positive cases and reduce pressure on hospitals, particularly when we have an influx of COVID patients and already existing winter pressures. By means of restrictions, we are trying to manage the situation until a sustainable solution and way forward is found. I understand and appreciate that our primary aim has to be to protect the health service. Equally, it is important to note that restrictions and lockdown measures are not a cure to COVID-19. As has been seen around the world and, indeed, in Northern Ireland, once restrictions are lifted, cases go up and we face a repeat cycle. I think that Members can agree that, as a society, we need to learn to move beyond the blunt instrument of restrictions and lockdown. I am sure that we can all agree with that, because we have agreed on that point before, albeit that the pressures that come with COVID-19 have been relentless.

We need to examine some of the lockdown restrictions before us today and how they can have a long, shadowy impact on many sections of our society. How do the restrictive measures before us today, and lockdowns in general, impact on society? Let us look, for example, at the working poor and the impacts on job losses,

bills, financial pressures and family life. While it may be OK for people who have the luxury of green, open spaces in their gardens or, indeed, who have a wide family bubble to support them, for many of the working poor throughout Northern Ireland and, indeed, the world, the COVID restrictions and measures that are in place to bring the virus under control have had a devastating, long-lasting impact. We have to recognise that because it is true. I am not here to lay the blame at anybody's door either; I am simply outlining the effects of COVID restrictions. Indeed, that includes the ones that we have before us today.

The impact on another section of our society, our children and young people, has been well-documented. There is the closure of schools, the lack of face-to-face teaching and the impact on progression of basic skills. It was noted in a recent Stranmillis University College report that motivation has been one of the key elements noticed by those who conducted the study of our young people. It was reported that they no longer have the motivation to learn the essential life skills that they would do in a classroom. We only have to engage with the many parents who are struggling with home education — homeschooling — to realise the devastating impact that lockdown will have on our children. I understand that, in the House, quite rightly, there is divided opinion on how safe the school environment can be, but it is upon us to ensure that, as quickly as possible, we provide the space in which our children can return to education and provide them with those basic needs.

I ask parents what the major defects and defaults from lockdown and, indeed, the restrictions have been. They talk about our young people being failed academically, emotionally, physically and, indeed, socially. We have to realise that the restrictions that we put in place, albeit to stem the COVID influx, have long-lasting impacts. I think that that is a point that is lost on a lot of Members because, while restrictions have been seen to become the norm for dealing with COVID-19, it is what the long-term outcome of those restrictions causes for other sections of our society that we need to take into account. Earlier, John O'Dowd mentioned the lack of opportunities and the difficulties for university students, and that is another one. It is not just something that is facing our young primary-school children, but, right through, that experience has been lost, and we have to take cognisance of that fact.

I want to talk about our vulnerable people: cancer patients and those suffering from poor mental health. The restrictions, particularly the

ones that we are studying today, coincide with some devastating news: the cancellation of cancer services across Northern Ireland. Some will ask what they have to do with the current restrictions that are before us today.

There is no doubt that the restrictions that are before us today to try to drive down infection rates coincide with the closure of cancer services. The cancellation of cancer services is the greatest COVID sin of all. It should never rest easy with any Member that we have been forced down a path where those who require urgent and immediate surgery have a fear of presenting at A&E. They are not seeing their GP because of a lack of face-to-face consultations. There is real, palpable anger. You have only to listen to radio programmes and to watch TV shows across the country to realise that those with cancer are suffering. I imagine that there is not a family represented in the House that has not been impacted by cancer, and it is all the more alarming to deal with it in the middle of a COVID-19 pandemic.

At last week's Health Committee, I raised the plight of two individuals who had had to ring their GP because there were no face-to-face consultations. They were, I think, prescribed painkillers for their symptoms, and that happened two or three times. When the pain continued, they presented at A&E, an advanced stage of cancer was diagnosed and they were dead within four days. That is a tragic story. I asked the health trust personnel at the Committee about it: they talked about late diagnosis.

The evidence on cancer from the health trusts was damning. It showed that the number of cancers detected is down; the number of red-flag cases coming forward is down; late presentations at A&E are up; and there is a pause in paediatric services. Those are the results of the restrictions. It is easy for any Member to say, "We should place society under restrictive measures to deal with COVID", but we also must reflect that they have impacts on other services.

**Mr Sheehan:** I thank the Member for giving way.

I was at the Health Committee last week when the chief executives of three trusts attended. Will the Member agree that, depending on whether we listen to statistics from the Department or NISRA, either slightly fewer or slightly more than 2,000 people have died as a direct result of COVID-19 but that many more people have lost their life during the emergency as a result of cancer? The two cases that the

Member mentioned in the Committee last week are very poignant, but there are multiple cases like that. Some day, we have to get the true number of people who have died in the emergency.

**Mr Buckley:** I thank the Member for his point. That is what the restrictive measures can do. It is important that we note that and do not just nod through restrictions without considering their real impact on normal people. Mr Sheehan's point is correct. I fully understand that we have been dealing with the COVID pandemic. I see the pain that families suffer as a result of deaths from COVID-19. I see the pressure on health professionals. I see the pressure on our Departments. I see it all, but, equally, it would be remiss of me, as an elected Member, if I did not comment on the wishful thinking of some that we will pass regulations and not look at their wider implications. It is incumbent on Members to do that.

The statistics that are before us and that Mr Sheehan mentioned should send shivers up every one of our spines. It scares me and, I say without doubt, many Members. It is deeply worrying that, despite the current restrictions, which are starting to bring limited rewards, sufficient capacity has still not been achieved to allow the cancelled surgeries to resume at even close to normal levels. The number of non-COVID patients in the ICU and general beds has also continued on a disconcerting downward trend. We have heard the harrowing reports about cancer diagnosis coming late because of presenting too late at A&E or fear of coming forward.

For that to be compounded by the cancellation of scheduled surgery is a bitter blow that, sadly, will inevitably lead to lives being lost that would otherwise have been saved.

There is a fear that surgeons who have been out of the theatre for so long — this was mentioned in Committee — will have missed out on training and development, which could jeopardise the full resumption of services once the pandemic has ended.

I was shocked to learn at the Health Committee last week that there is evidence that paediatric surgery has been subject to suspension. There are serious concerns about how that will affect children and young people's health and well-being now and in the future.

**4.45 pm**

The restrictions that are in place can, as I outlined, have a devastating impact on other services, but I do not want to talk only about problems. I am not here to attack; I am here to speak on behalf of those who have been impacted by COVID restrictions in many ways. I want to look at possible solutions. There is a worry that, due to COVID-19 and the restrictions in place, potentially curable cancers have been detected only at an advanced stage. There are many sad cases of advanced throat cancer that could have been detected earlier. Other cancers such as bowel cancer, diagnosis of which is based on symptoms of a change of bowel habit, would ordinarily be referred by a GP to a red-flag clinic. I do not see why that cannot continue. Those symptoms can be picked up in the history, but, sadly, because of the COVID-19 restrictions, they are not. Patients are presenting late and are automatically placed on end-of-life treatment. Perhaps people are not aware that GP doors are still open. Perhaps there are flaws in the system. For example, who is triaging calls? Is it receptionists, or is it qualified professionals? After all, this is new to everyone. I implore the junior Ministers to take that point up with the Health Minister. It has been lost as we have been debating regulations.

We need to realise that COVID is here and does not seem to be going anywhere quickly. Do we, therefore, need to think about opening satellite centres for cancer patients to be seen by the professionals whom they need, be that a surgeon, an oncologist or a palliative care specialist? Could we make better use of peripheral facilities? We all know of buildings in our trusts that have not been used because staff are working from home. Maybe there is space to allow some sort of cancer centres to open. Could we introduce a system in which a patient has a COVID test done 48 hours before an appointment?

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

**Mr Buckley:** I will on that point.

**Mr Clarke:** I appreciate the Member's enthusiasm for the subject. While Her Majesty's Government were extremely generous to this place to the tune of £3 billion, maybe he could encourage the Finance Minister to get the £300 million to some of the company directors who were offered only £1,000.

**Mr Deputy Speaker (Mr McGlone):** I respect the Member's genuine points and have given him a fair amount of latitude because this is crucially important and serious for many people

in the community, but could we move back to the regulations, please?

**Mr Buckley:** Deputy Speaker, I thank you for your indulgence on that point.

As I said, the restrictions and the amendments are so wide-ranging that it is only right that we, as elected Members, consider their full impact on society. As I said, cancer affects everyone. It affects every family; there is not a family that has not been touched by it. When I hear the stories through email and phone calls and on the radio, I have to speak out. I understand the need for restrictions. I am not a COVID denier: all that I say is that we need to think about the long-term impacts that the restrictions could have on society.

In this place, we have spoken regularly about the impact that the pandemic has had on mental health. The Belfast Trust experienced a 30% increase in inpatient mental health admissions at the height of the previous lockdown. It is clear that the extension of the regulations, including the continual closure of schools, requires us to look more at how we can target the early prevention of mental health issues, particularly in children.

I will now speak to the amendment (No. 24) regulations, particularly the issues surrounding small businesses — another sector that has been profoundly impacted on by restrictions — and the closure of non-essential retail businesses and click-and-collect services. Small independent retailers are the backbone of the Northern Ireland economy. They have looked at the restrictions that have been put in place with disdain. They understand the need for restrictions to be put in place to prevent community transmission. Many of them have put their lifetime's work into establishing their businesses. They have been on the high street through thick and thin. They have sustained the Northern Ireland high street through wars and the Troubles, but they now face their biggest threat yet. They have been closed, but multinational retailers in the very same towns, sometimes on the edges of our town centres, continue, unhindered, to sell the very same product that the independent retailer has been prevented from selling. That is ludicrous in the extreme. We need to look at how we can deal with that issue, because the independent retailer runs the risk of never returning to the high street. I understand and accept fully that the Executive Office, maybe through the junior Ministers, who will give us an update, has been engaging with the sector. I would like to think that they have heard loud and clear the frustrations of independent retailers across the

country and how we should right the wrongs contained in the regulations.

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

**Mr Buckley:** I will on that point.

**Mr Allister:** The Member makes a valid point, but is it not a point that has been made for months in the House, from the first manifestations of the regulations? Again and again, in successive lockdowns, however, we have the same flagrant flaw, whereby supermarkets can do what they like and independent retailers are driven off the streets. Why have the Executive not closed those loopholes? That is the question that needs to be answered in the House.

**Mr Buckley:** I thank the Member for his intervention. I am sure that it is something that the junior Ministers will take up in their final contributions.

Independent retailers are not being unfair in what they are asking for. Their plea is that either you level up with click and collect or you level down and put everybody on the same footing. That is all that they ask for. It is only right that we in the House fight for that level playing field.

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

**Mr Buckley:** In a moment.

I thank the independent retailers for their endurance throughout this time. They realise that their sacrifice regarding their businesses, jobs and perhaps even their livelihoods is for a greater cause — to suppress virus transmission in the community — albeit that, as I mentioned, I have been sceptical, to say the least, about the evidence of community transmission in close-contact services. It has been mentioned many times in the House that illegal gatherings — house parties or whatever — are a far greater threat than independent businesses, which have probably put in place more stringent measures than the multinationals that are open freely.

We in this House have a duty to repay their faith in the Executive's response by ensuring that we chart a course outside this pandemic. Those businesses devastated by the current rules should have access to the vital financial and practical support to get back on their feet. There is a particular responsibility on Ministers to meet the needs of our independent retailers, who are rightly seeing these large supermarket

retailers acting outside the spirit of the regulations in non-essential sales.

There are some areas where there should be scope to give more flexibility within the structure of the current regulations. That was mentioned at the Committee. For instance, in respect of amendment No. 24, some takeaway food businesses have highlighted the fact that the 11.00 pm cut-off point for delivery disadvantages shift workers in hospitals, many of whom work on the front line. We should be open to listening to those concerns substantively in the coming days.

As I have outlined throughout my contribution, we must collectively focus our energies on the clear path that gives us the most hope of righting the horrible wrongs of COVID-19, and that is vaccination. It has been noted on numerous occasions that a lot of the sectors that I have mentioned have been affected by the COVID pandemic. We now need to look at ways and means by which we can protect those sections of society and get them back operating again. I look to our teachers; I am sure that many Members have this thought as well. We have seen the negative impact that COVID regulations have had on our young people, and it is now incumbent on us to make representations to the Joint Committee on Vaccination and Immunisation (JCVI) to see whether we can vaccinate our teaching population, to ensure that we can get our young people back to education as quickly and safely as possible. Those teaching special educational needs children have not for one moment stepped back in this pandemic; they have stepped forward, into the breach. We now need to support them with a vaccination programme that is fit for purpose.

On that point, I commend the current vaccination programme and those administering it, because it is a leader in the United Kingdom. In fact, it is compared globally with some vaccination programmes. That is a real tribute to those administering the vaccination scheme. I take that point on board, but I would like to see flexibility within the scheme to allow for a process by which we can start to normalise society. The restrictions alone can never hope to see us through the pandemic, nor can they deflect attention from the need to ramp up that vaccination programme on a massive scale. I mentioned in Committee that we should have vaccination 24/7, if we can. I look across the trusts. This morning, we heard how trusts have got through vaccinating their staff, and now we are starting to see the slowing down of vaccination centres because there is not the same footfall coming

through them. Maybe I am missing something, but this should be the very time that we should be ramping it up. At the end of the day, if there are spare vaccinations, let us see a process by which we can vaccinate teachers or those who are vulnerable. We all know them. We need to get society moving again, and moving quickly.

We now look to commence vaccination of the over-75s group, and that is a testimony to the dedicated teams of vaccinators. With over 1,000 volunteers to take up this role, the Health Minister needs to look at expanding the skill set further. As our society eventually reopens, we have to be mindful that pressures on our public servants, including teachers and police officers, will only increase. We believe that there is merit in providing those who work at high risk with a vaccination programme.

Mr Deputy Speaker, I thank you for your indulgence on those points. I believe them to be pivotal in this debate. The road ahead will be long. There will be many twists and turns in relation to COVID and the regulations. I do not want to fall out with any Member of the House for being passionate about something that I feel is having an adverse impact on people who do not deserve it. I hope that, in the spirit of such debate, we can continue to confront those issues, deal with the pandemic and, sadly, deal with the long-term consequences thereof.

### 5.00 pm

**Ms Anderson:** I wish to speak to amendment Nos. 19 to 25. I remind the House that, on 5 October, Derry and Strabane were placed under restrictions, and then, in the middle of October, the entire North was placed under the same restrictions. We realised, as time moved on, that things were going in the wrong direction. We knew that new variants were appearing and that the rate of transmission meant that we needed to delay the relaxation measures, but it took longer for the amendments before us today to come into effect because, unfortunately, the DUP used a veto to block a two-week extension of the restrictions, and that was shameful.

We know that there has been talk — in fact, we have just heard some commentary in which a focus was put on this — about the implications of the restrictions on people's lives, resulting in people falling into poverty. I take it that, when we move on and things, hopefully, return to some kind of new normal, we will build back better, and that, throughout this journey, if there is an anti-poverty strategy on the Executive's table, we will have full ministerial support for its

implementation and for its being allocated based on objective need.

As a member of the Executive Office Committee, I want to say that the public are fed up. The public are fed up with the SDLP playing hokey-cokey during this pandemic: being in the Executive and out of the Executive. The public are really fed up with that.

Amendment No. 19 deals with the reopening of close-contact services. There has been a lot of confusion about what a close-contact service is. I would like the Ministers to take this into account. I have been dealing with photographers — I am sure that I am not the only one — whose business evaporated, as their operation was severely limited because their customers were required to wear a mask. When hairdressers, nail bars and other close-contact services reopened, people were rightly required to wear a mask. I ask the Ministers to think about that and to pass it on to their ministerial colleagues. Photographers do not meet — I have been told this by officials — the legislative definition of a close contact, as defined in the health protection regulations, and are designated as a retail service. Those in retail are only eligible for phase 3 of the COVID-19 support payment.

People were told to wear a mask in retail stores, and that made it impossible for photographers to carry out their service. You will not get your photo taken if have to wear a mask. In the regulations, photographers are not exempt from wearing a mask because their business is classed as retail, and you have to wear a mask going into retail premises. Photographers want the Assembly to realise that their businesses have been severely limited as a consequence of the restrictions. I therefore ask the Ministers to feed that back when discussing amendment No. 19.

Amendment No. 20 deals with some minor corrections and technical amendments to the regulations to permit the continued operation of the local restrictions support scheme for businesses. Those schemes have been a lifesaver for many businesses.

I acknowledge the work of the Executive and the Finance Minister, Conor Murphy. In England, the most that businesses receive is under £800. Here, the Executive and the Finance Minister secured agreement that the least that a business would receive from the local assistance support scheme would be £800. If we can do that without the economic levers of power, just think what we would do if we had them. However, I know, a LeasCheann

Comhairle, that the last thing that you want me to do is enter into a debate about the benefits of Irish unity, so I will leave it at that.

The amendment (No. 20) regulations address the decreased period of self-isolation. I, along with other Members across the Chamber, have spoken about those on low wages finding it difficult to self-isolate and, at the same time, put food on the table. The discretionary support payment is welcome. However, we all know that households without an income of below £21,000 are not eligible in those circumstances. I and other Members have heard the issue of carers not receiving statutory sick pay. The Health Minister has informed us, in response to questions for written answer and in answers on the Floor, that he has put financial support in place for the independent care sector, for carers who need to self-isolate. Employers have told me that some of them are not entitled to receive a payment. Employers say that those carers do not have day-one rights, that they must work six months, 26 weeks, before they can receive financial support for self-isolating. Some of these workers are looking at a Health and Social Care service under pressure and, even as we speak, countenancing returning to work to help out to alleviate the pressure. Yet, employers are telling me that they are not entitled to day-one rights; they are not entitled to financial support. The lack of such financial support for those who have to self-isolate needs to be looked at. If we do not do that, we run the risk of further transmission of the disease because some people who are contacted and told that they should self-isolate may be choosing to continue to work because they cannot afford not to do so.

Some families had hoped that the amendment (No. 21) and (No. 22) regulations would result in their loved ones getting the vaccine so that they could become part of their Christmas bubble. I ask the Minister to take account of hospitals, such as Waterside Hospital in Derry, that have units with dementia patients. We hear about the vaccine being rolled out to care homes, but the Waterside Hospital has wards with dementia patients and patients who have mobility issues, and they are not being vaccinated. I was given information by the trust to inform a family that their loved one would be vaccinated. The family wanted them home to form part of their Christmas bubble. The family wanted them home to take care of them, and the hospital needed the space. I told the family that their loved one would be getting vaccinated, only for the trust to tell them, two weeks later, "No, he is still not vaccinated because we do not have authorisation from the Health Minister". I ask that that issue is taken

account of and that the Minister, please, feeds it back.

The amendment (No. 25) regulations permitted taxi hire to operate during the tighter restrictions. Taxi drivers who temporarily suspended their insurance but who were able to operate at that time because they renewed it are being penalised and will not receive the full grant. They will receive a reduced COVID grant. Either they were shielding or the stay-at-home message impacted on their customer base, and they simply had no money. It is wrong that the second grant that is going out under the taxi support scheme will penalise taxi drivers who temporarily suspended their insurance because they had no money to pay for it. I ask that that stops and that they get the full grant like everyone else because they had to pay the full cost of the PPE once they renewed their insurance.

Every one of us in the Chamber knows that the last 12 months has been horrendous. Unfortunately, like many in the Chamber, I stand here heartbroken, having known many of those who have lost their life, particularly during this wave of COVID. I have been told that, during the first wave, not one death occurred in Altnagelvin Area Hospital of someone from Derry and Strabane council area, yet we are now looking at over 110 deaths — and I see my constituency colleague Gary over there. I send my heartfelt sympathy to the loved ones of all those who have lost their life due to COVID. I especially send my deepest sympathy to Majella McCourt, who lost her soulmate and husband, and to her children, who lost their father, at the weekend. Derry lost a solid republican who will be sadly missed by all. Ar dheis Dé go raibh a anam. Go raibh míle maith agaibh.

**Mr Middleton:** Like others, I recognise the extreme hurt and pain that many of our constituents are suffering; whether that is COVID-related or non-COVID-related, it is equally important. It is also important that, as we look at the restrictions and regulations that have been put in place, we are mindful that their impacts go well beyond COVID. They affect every area of our lives, and we are seeing that on a daily basis, so we just need to be mindful of that.

Amendment No. 19 specifically deals with restrictions around places of worship. At a time, there was a relaxation, but I welcome the fact that many of our churches have shown great leadership in coming to a voluntary arrangement to provide safety for their congregations and parishioners but also being

mindful that they have a leadership role, and I thank and congratulate them for that.

The restrictions on funerals are very relevant today, given the day that is in it. Funerals are limited to 25 people. Everyone has the right to remember their dead. We have to be mindful of that fact. When someone loses a loved one, it is a difficult time, and we have to be honest about that. The difficulty that I have is that, once again, today, in my constituency of Foyle, a funeral took place in the Creggan area, and that funeral, once again, broke the restrictions by many, many numbers. That, once again, is not only a slap in the face to our constituents but a kick in the teeth to our health workers, who, no doubt, will have to deal with the consequences of what happened today. I urge all Members in the Chamber to please speak out; absolutely be respectful of a family who has lost a loved one, regardless of their background, but be honest with the public.

As we are putting these restrictions through today and we look at further restrictions in the future, we need to show leadership. It cannot be a situation where it is, "Do as I say, not as I do". I will give way to Mr Allister.

**Mr Allister:** I endorse what the Member said. Does the Member think that it would have helped to underscore the public message that he has just been articulating if the previous Member to speak, Ms Anderson, who referred to the same death, had gone on to condemn the breaching of the regulation at the funeral of the individual? Would that not be of more assistance than simply lauding the individual who had a past that involved him in terrorism?

**Mr Middleton:** I completely agree with Mr Allister's point. That is very relevant, because we cannot stand with straight faces and tell members of the public to follow guidelines if we, in this Chamber, are not willing to follow those same guidelines.

I will speak for the next number of minutes and will leave the Floor open if anyone, particularly those from the Sinn Féin Benches, wants to intervene and give clarity about how they are giving guidance to their communities. It is unacceptable and needs to be addressed. To be honest, it causes so much upset to my community and to all our communities when they see such shameful disregard for the rule of law. I urge Members to reflect on that.

**5.15 pm**

I will move on, because I am keeping to the amendments to the regulations. Amendment No. 20 deals with linked households and the length of time that a person has to leave before they can move from one household to another. That is fairly self-explanatory. Amendment No. 21 deals with entertainment venues.

Amendment Nos. 22 and 23 deal with the household restrictions at Christmastime. When we speak to our constituents and ask them about Christmas, the common word that we hear is "quiet". That can be good in some ways, but, in others, it has been detrimental. Whilst amendment No. 23 deals with the Christmas bubbles, which were limited to one day, many elderly and particularly vulnerable people were isolated and were not part of bubbles. We have to be mindful that we will be dealing with the impact of those restrictions on those people for some time. There was a recognition that something had to be done at that time to ensure that the virus did not get completely out of control, but, as I said, it was one of the more difficult decisions that had to be taken by the Executive. It was a decision that nobody would have wanted to take, but it had to be taken at that time.

Amendment No. 24 is one of the bigger amendments, and it deals with tightening the restrictions. My colleague touched on the impact on our businesses and economy and that so many of our businesses continue to struggle. It has always been vital and essential that we get the appropriate financial schemes on the ground as quickly as possible in order to ensure that they get to those who need them most.

A number of local businesses raised delivery and takeaway services with me. They feel that those need to be looked at as they have an impact on shift and key workers who may want to order from those facilities. I ask the junior Ministers to take that away to see whether something could be done, even to maybe just listen to those concerns. If there are genuine health reasons why takeaways cannot operate after 11.00 pm for deliveries, it would be useful to address those and bring some clarity to the situation.

I support other Members' concerns about click-and-collect services, and I raised points about those before in the Chamber. The restrictions to those services in that amendment could be looked at.

**Mr Buckley:** I thank the Member for giving way. I know that he has been on record with this point at the Committee, but would he agree

that, if it appears to be transparent that click-and-collect services cannot be provided for reasons that are presented by medical officials or whatnot, we should look towards a form of click-and-collect services that could apply stricter enforcement rules and guidance? That would enable small independent retailers to use up some vital stock that will, essentially, be useless by the time that their business can operate again.

**Mr Middleton:** I thank the Member for that. I completely agree. One example that was given to me was a garden centre that stocked flowers. It had to order the stock a year in advance and is now sitting with £25,000 worth of flowers that cannot go anywhere. Valentine's Day is coming up, for example. The First Minister reminded me that there are ways and means, but I assure you that there is great disappointment in flower shops. We could look at how we could address click-and-collect services for perishable items.

We, on these Benches, take the COVID virus completely seriously, but we also have to look at the practicalities and at how we can be innovative and allow businesses to operate as safely as possible whilst trying to keep a lid on the levels of the virus.

**Mr Lyons (Junior Minister, The Executive Office):** I appreciate the Member giving way. I am intervening at this stage because Mr Buckley and Mr Middleton raised the issue of click and collect, and I believe that other Members will want to raise it, too. Perhaps I can provide some reassurance to the House that, at the Executive meeting on 21 January, we agreed that the Department of Health and the Department for the Economy would look at ways in which click and collect could be done in a safe manner. I understand the arguments that are being made, but we have to understand the health implications as well. That issue is being looked at, and, between those two Departments, I hope that we will find a resolution and that it will bring some comfort to Members today.

**Mr Middleton:** I thank the junior Minister for that. It does bring some comfort. Obviously, I would like to see that come to fruition, and I know that many businesses would welcome some sort of movement on the issue.

The amendment No. 24 regulations have the widest impact on the majority of our society in terms of the economy. There are welcome signs that the restrictions are working to a certain degree. The rate of infection is coming down, and hospital admissions are gradually —

hopefully — going in the right direction, but there is still significant pressure. I take my colleague Mr Buckley's point that restrictions alone will not solve this crisis. We have to ramp up the vaccination process and look at how we do that. It could maybe be done through 24/7 mass vaccination, but we need the capacity there. To that end, as I said to the Health Minister earlier, I welcome any steps that can be taken to address capacity issues and to provide support. This is not about politics. As we have said for quite some time, leave the politics out of health and let the health people get on with it. Where support is required, we should absolutely bring it in.

We should not underestimate the significant sacrifice that the public are making at this time. They have, in the main, abided by the restrictions by which they have been asked to abide. A lot of it has been tough, including things that we never thought that we would see in our lifetime, such as curfews and the closure of businesses and schools. It is also having a severe impact on mental health. On Friday, I heard from the Western Trust that it has seen a 12% increase in inpatients in its mental health facility. These are devastating impacts that will have long-lasting consequences.

I want to move on. Again, it is about those pressures. All this stuff is about personal stories and the difficulties that people are facing. I mentioned at the start that these amendments, restrictions and regulations go beyond COVID. I do not need to tell anybody in the Chamber that that is the case, but I want to address one point that was raised with me by a constituent. I believe that he sent this to all MLAs, albeit he is from my constituency. I know the gentleman very well. This came last week. It said:

*"Good morning and I hope you are all well. I do not know anyone who has died with COVID in the past 10 months, but I do know two friends who have passed away because of cancer in the past three months."*

Both their cases were identical. Each of them had significant pain, they called their GP, and the GP prescribed them painkillers. As the months went on, they contacted their GP several times and had telephone diagnoses and conversations, but they never had a face-to-face appointment for examination. Eventually, after nine months, the pain got so bad that the two individuals to whom my constituent referred went to A&E. They were both admitted, and the next day they had a scan, and the cancer was found. Just four days later, those people died. Unfortunately, that story is familiar to many people across our society. Of the two who died

in those three months, one had her funeral today. She was 56. That is the reality that we are dealing with when we are putting through amendments and restrictions like this, so I appeal to those who deny that COVID exists — I do not see how they can but such people exist — to think about the impact that it is having on the likes of that constituent and on the families of those who, sadly, are bereaved. Think of those people when you feel that you do not want to abide by the restrictions.

When you see incidents and just blatant breaches of the rules, as we have seen today, it is a real kick in the teeth for all of us who are doing our best to get the spread of the virus down.

The amendment (No. 25) regulations very much speak for themselves as they relate to the taxi industry.

We need to look to the future. We need to ensure that we can ramp up our vaccination process. That is the hope to which everybody is clinging. There is an important conversation to be had, and the Education Minister has lobbied for this, about special schools and their staff and about teachers, classroom assistants and others who work in schools. We need to recognise that the education situation is just heartbreaking. I am a father of a child who is not in school yet but will be in September. Imagine it were your child, and I know that there are Members in here who do have children, who was in the education sector and not in school but at home with varying amounts of work. I am not critical of teachers, but, a bit like with the health service, where there is no substitute for face-to-face consultation, there is no substitute for face-to-face education.

I urge everyone please to follow the regulations. We are not out of this yet. I thank the junior Ministers for being here.

**Mr Chambers:** I support the regulations but with the realisation that, in normal times, we would all reject them without any level of debate.

Mr McGrath called for an exit strategy. I wish that I had his optimistic foresight. He forecast that Members from the other four parties on the Executive would remind him that all decisions are made by a five-party Executive that include his party, the SDLP. I am not going to disappoint him: no amount of passion in making those remarks will cloud or change the reality that it is a five-party Executive that make all the decisions around this pandemic.

As regards an exit strategy, the Member must realise that every time that we get a little bit of hope, we get a setback, such as the discovery of a variant of the virus. How and when could anyone plan an exit strategy when the virus and its variants continue to call the tune? There will be a time when we will have to formulate an exit strategy. I just do not think that we are there just yet.

For those outside this House calling for an end to restrictions, I ask this: what is the alternative? They are not in place to punish us. Rather, they are there to help protect us. The problem is that too many people are deliberately ignoring the regulations. Ninety-five per cent of people, perhaps even more, are making huge sacrifices to comply with the regulations, but those 5% are diluting their effectiveness. I will use a phrase that has been used in the Chamber before: they really do need to wise up.

Members who spell out the negative impact of the restrictions, and the toll that they are taking, are correct. They are taking a huge toll on everyone, but what is the toll on those families receiving a phone call from a hospital informing them that their loved one has died alone as a result of the virus? They then have to bury their loved one under what amounts to almost a cloak of secrecy. How long will those families take to recover from that? That is an even sadder reality.

We talked about delay in cancer operations. That is another reality. It is another dreadful impact of this virus, and one that no one can fully appreciate unless it happens to you or a loved one.

### 5.30 pm

The Minister has identified a regional approach to urgent life-saving operations, not just confined to cancers. He has also told us that he has secured 112 theatre spaces in the private sector over coming weeks. Robin Swann is not a callous individual taking pleasure from the suffering of others. He must have —.

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

**Mr Chambers:** Yes.

**Mr Sheehan:** I agree entirely that Robin is not a callous individual; he is a very decent man. I asked him a question earlier and he did not answer it. Perhaps you can answer it, Alan. I asked why, instead of the trusts announcing that cancer surgery was going to be cancelled, he did not first scope out what capacity there

was in the private sector and ensure that those who have a cancer diagnosis were not kicked in the teeth again. The Minister did not answer that.

**Mr Chambers:** I have every confidence that he did scope out those figures that you talk about.

Robin Swann must have many sleepless nights wrestling with this situation. Our National Health Service was in a bad place before Robin Swann took up the Health portfolio. Our waiting lists, including for cancer operations, were the longest in the United Kingdom. Perhaps, if those of us who sat in the House in previous mandates had properly funded the NHS, we would be in a better place today to cope with this pandemic.

My colleague Jonathan Buckley — I recognise and admire the passion that he brought to the debate today — highlighted the flaws in the crafting of restrictions. There are obvious flaws and contradictions, and they are hard to defend at times when people challenge you about them, but I hope also that Jonathan recognises that his party has four voices in the Executive. That is the place to highlight the flaws and to correct and change them.

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

**Mr Chambers:** I am just finishing, Jonathan.

In relation to vaccines, there is a lot of talk about ramping it up to 24/7 and getting more vaccinators. However, we are getting told by the professionals — I do not understand this; are people not listening? — that the vaccination programme is dictated by the availability of the vaccine and that we are not at that place yet where we can offer a 24/7 service. That is another reality that we all need to recognise.

**Mr Sheehan:** The true cost of this pandemic has been well laid out today, and not just for those who have died. There are also many who have been left with long-term illness — long COVID — and that will test our health service very much in the time ahead. We have also heard in particular about those who have received cancer diagnoses and have been told that their emergency surgery is going to be cancelled. It was very worrying last week to hear one of the trust chief executives tell us at the Health Committee that in some cases, in some patients, the cancer will already have spread by the time that they get the treatment they need. Imagine the devastation of, in the first place, getting a cancer diagnosis, and then it being followed up with that news. I know that

patients are being offered chemotherapy as a sort of suboptimal treatment while they wait for the potential or the possibility of surgery.

Then on top of that we have the issue of mental ill health and the people who are struggling badly with their mental health as a result of this pandemic and the lockdowns and so on and so forth. I want to give a special mention to front-line care workers because, yesterday, I spoke to an ICU nurse who told me that, of a group of 15 nurses, eight have to take sleeping tablets because the images in their minds will not allow them to sleep at night. Imagine the impact that that will have on the resilience of the health service in the time ahead. Many more problems and issues could be discussed in the debate, but that one about those nurses is, perhaps, the most worrying. Nurses on the very front line are struggling to deal with the patients on ventilators in ICU.

We have been here many times to discuss the regulations. Their aim is to reduce the rate of community transmission of the virus, or perhaps at certain times, when the transmission rate is low, to ease some of the restrictions that have been introduced. My difficulty is that that is not a strategy; the regulations are not a strategy.

Last week, in the Committee, the Health Minister said that his objective is to keep the R rate below 1. That is not a very ambitious objective. However, even by his own standards, if that is his objective, the Minister has failed, and failed miserably. That is why we are in the situation that we are in today. That is why there are more patients than ever in hospital and higher transmission rates than at any time since the pandemic started. A clear objective is needed. When you have a clear objective, you build a strategy to reach it, and you use whatever measures or tools you have at your disposal to bring you, through that strategy and strategic targets, to your overall objective.

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

**Mr Sheehan:** Sure, yes.

**Mr Chambers:** Does the Member agree that that would include the use of medics from the British Army?

**Mr Sheehan:** The Member will recall that, last week, in the Health Committee, I said that I welcome help from wherever it comes. People wanted to focus on other elements of what I said. I thought that it would have been a significant story that a former member of the IRA, ex-political prisoner and hunger striker

said that he had no issue with British soldiers coming to work in our hospitals. I thought that it would have been newsworthy, but maybe not.

In any event, we were talking about strategies, and the Health Minister said earlier that it was not his responsibility to bring forward a strategy; it was that of the Executive. Let me read from the first-day brief to the Health Committee. Under section 3.8, on emergency planning, it states:

*"Under the NI civil contingencies framework 2011, the Department has been identified as the lead Government Department for responding to the health and social care consequences of emergencies arising from chemical, biological, radiological and nuclear incidents; disruptions to the medical supply chain; human infectious diseases, e.g. pandemic influenza; and mass casualties.*

*3.9 This requires the Department to not only develop and maintain appropriate emergency plans and response arrangements to manage its own response to an emergency, and that of its associated agencies and NDPBs, but also to coordinate the interagency aspects of civil protection for those emergencies for which it has been designated lead. In such circumstances, the Minister would be required to lead, direct and coordinate the response for NI, reporting as necessary to the Executive under the Northern Ireland central crisis management arrangements".*

That tells me that the responsibility for development plans and developing a strategy to combat this virus rests with the Department of Health, particularly with the Minister of Health. It is also the responsibility of the Department of Health to provide advice. I still cannot get my head around the advice that was given to the Executive, just before Christmas, with regard to travel from London. Matt Hancock had told us that the virus was out of control in the south of England, and that the new variant had become dominant. In fact, we were being told that, probably, one person in 40 in London was infected with this virus, and in some parts of London, the infection rates were as high as one person in 30. However, it was OK to jump on a plane at Heathrow, hop off at Belfast City Airport and go about your business by getting into a taxi, train or bus to go into the city centre to do your shopping or whatever. A plane holds 160 passengers, so if one person in 40 in the south-east of England was infected with the virus, then it does not take you to be Einstein to work out the maths and the probability that

there were four infected people coming in on every flight from the south of England.

**Mr Buckley:** I thank the Member for giving way. He articulates his point quite well, and I know that this is something that he has long debated. However, in following that same logic, when we look to the Republic of Ireland and see what was described as "some of the highest rates in Europe", does the Member equally call for an equitable approach between the South and North with regard to COVID-19's spread?

**Mr Sheehan:** I will come to that point in a minute, if you will let me finish the point that I was going to make.

So, what is the point of us trying to reduce community transmission? Bear in mind that I see this as a contract with the citizens. We introduce these regulations and restrictions, which are often quite draconian, on the basis that, if they do what we ask them to do, we will do our best to protect them, to save lives, to ensure that our health service is not overwhelmed and so forth. However, what is the point of us trying to reduce community transmission here if we are going to open the door and welcome the virus in on planeloads of people who are coming into Belfast City Airport, Aldergrove, Derry or wherever? What is the point? The advice that was given to the Executive by the Minister, the Chief Scientific Adviser and the Chief Medical Officer was that that did not pose a significant risk. That is arrant nonsense. I do not care who the scientist is; let them get up and explain how it is not a significant risk, because it is.

On the issue of the South, first of all, there is one advantage that many countries have. It is just by accident — a geographical accident — that some countries are islands, and many of those islands are the ones that have performed best in the whole pandemic. That is because they can control entry into their country. They are places like New Zealand, Australia — albeit it is a continental island — Taiwan, Iceland and so on. They have all done better because they have a small number of points of entry, which is where the virus can be controlled. Here you can come from London, jump off the plane and go about your business without any checks or restrictions: nothing. That is a problem. It does not matter how low we get community transmission, if we are still importing the virus, we are still going to have problems. I do not care whether it is London, Paris or Timbuktu; if we are going to import the virus, we will continually be in this situation where we impose lockdowns, get the transmission rates down,

open up and see the thing go through the roof again, just as it has done this time.

### 5.45 pm

There has been talk about zero COVID, and people say, "But, ah, you can't get to zero". People also say, "You cannot eradicate the virus", and that is absolutely true. We cannot eradicate this virus; it would be impossible. The virus will be with us for many years to come. The Chief Scientific Adviser said that, rather than being a pandemic, it will become endemic; it will always be there like the flu virus. We have to deal with that, and there are ways in which we can deal with it, and vaccination is, of course, one of the tools at our disposal.

Once the vaccinations arrived, people were thinking, "We're going to be out of the woods by Easter or maybe late spring or early summer". I doubt that anybody sitting in this Chamber now expects that. There will be problems with vaccinations, and we have seen new variants arising. Funny enough, going back to what I was saying earlier, I saw today that the Kent variant — the UK variant — accounts for 68% of all cases in the North. I wonder whether that has anything to do with people jumping on and off planes and coming in here.

It is certainly concerning that other variants are arising, and, if you listen to any of the scientists or public health people who have expertise in this field — the virologists, the epidemiologists and so on — you hear them say that the greater the community transmission rates, the greater the chance of mutation. The great fear in all this is that we will get a mutation that becomes resistant to the vaccine. Of course, many of the vaccine manufacturers say, "We can deal with that and tweak the vaccine", but that will take time. They will not only have to tweak the vaccine; they will have to reboot their whole manufacturing process and so on and so forth. So, anybody who thinks that this is going to be resolved in a few weeks or a few months is living in cloud cuckoo land.

What do we need? We need a coherent, coordinated and integrated strategy to deal with the virus. We need to find the virus. We need to have proper contact tracing. We had an opportunity during the summer after the first lockdown, when numbers were very, very low, to build a proper contact-tracing operation. That opportunity was wasted. The Chief Medical Officer told the Committee that there were between 400 and 600 offers from people to train to do contact tracing. He said that there were people being trained in enhanced contact tracing. That is going back to 23 April or 24

April — I am not sure which. The chief executive of the Public Health Agency told us, in the middle of April, that her organisation was "training" 500 people to carry out contact tracing. She came back three weeks later, and, when her words in the Hansard report were read back to her, she admitted that she had spoken out of turn. Those are the opportunities that were wasted. Nobody was being trained, and there was no beefing up of the contact-tracing operation.

The chief executive of the PHA came back in October and told us that it had 151 contact tracers, and when asked what that amounted to in full-time equivalents, she could not give us an answer. We later found out that it was actually 88. When we asked her why the numbers were so low in comparison with what she had been talking about in the spring, she said that the experts who did the modelling on the number of positive cases that we should expect got the modelling wrong. The experts told the PHA to expect a maximum of 300 cases a day, so it did not beef up its contact tracing as a result of the modelling that was given to it. Who was the modelling done by? According to the chief executive of the PHA, it was done by Professor Ian Young, the Chief Scientific Adviser.

When the Chief Scientific Adviser was at the Committee a couple of weeks ago I asked him about that. How come they made such a mess of the modelling, and how did they get it so wrong? He said, "We did not get it wrong. We told the PHA to expect up to 1,300 cases a day". I do not know who is right and who is wrong. Whoever is sitting here can make up their own mind on that. It tells me that, in dealing with the pandemic, this whole operation has been absolutely shambolic. There is no other word to describe it.

We need a clear objective and a coordinated, integrated strategy, and somebody has to take responsibility. At the minute, the Health Minister is abdicating his responsibility. If the Chief Medical Officer and the Chief Scientific Officer are going to give advice, let it be based on science.

**Ms Hunter:** I will begin by taking the opportunity to thank the public for all that they have done and the sacrifices that they have made over the past 10 months as we continue to do all that we can to beat the virus.

As we discuss amendment Nos. 19 to 25, I am sure that the recent news that the lockdown will be extended until early March was met with many sighs and heavy hearts. Whilst all of us across the Chamber recognise the need for

continued restrictions and support the Executive in this difficult decision, we are very mindful of the impact that the pandemic has had and will continue to have for the foreseeable months on our constituents, not least the emotional impact of being socially isolated.

Sadly, the sacrifices that have been made for the greater good have come at a very personal cost. For many of the most vulnerable people, during the pandemic, their life has existed only between four walls. Many experienced a very lonely Christmas, making sacrifices this year so that the next will be very different.

As I and many other passionate Members have said before, the after-effects on mental health and well-being will be felt long after the pandemic has passed. Mr Middleton, although he is not here at the minute, mentioned a call that we had with the Western Trust when we heard the worrying statistic that 12% more people are presenting at mental health services. That is deeply concerning and worrying. I believe, as do other Members, that it is on us, as MLAs and the Executive, to commit to ensuring that the support is, and will continue to be, there for those who are in need of help and support, particularly after this traumatic time. The last 10 months have been very difficult for all aspects of society.

One thing that Mr Middleton touched on was that in previous health amendments we discussed funerals. It is a very difficult time to have a funeral. In the North, having wakes allows us to engage with our community in grief, and that support system is not there. To speak directly to the public, I urge those who are suffering from a bereavement to seek crucial support and counselling.

I must also pay tribute to the NHS staff who, as we speak, are facing some of the most difficult times that they ever have faced or will face in their work. We are greatly indebted to them and hope that, with further restrictions in place, we will start to see a fall in infection rates and people needing hospital care, and, in turn, less pressure on front-line staff and the health system.

Similarly, I pay tribute to all those who are involved in the vaccination programme. Its success is remarkable, and it is heartening to see the figures every day for those getting the vaccine. Currently, 10.5% of the adult population has been given the first dose of the vaccine, and that is most welcome.

As we look towards more weeks of businesses having to stay closed, I call on the Executive to act quickly to extend current schemes and to help those business owners who rely on that money to keep their businesses afloat.

From my constituents, I hear a lot about the closure of entertainment venues and the need for more support for entertainers, singers and musicians. Having no social events such as weddings has caused great difficulty, and the pandemic has meant that the entertainment industry has had a very hard time. In the coming days and weeks, I look forward to learning what further consideration is being given to provide support for that sector.

While I appreciate that swift action needs to be taken by the Executive when it comes to decisions around regulations and lockdowns, I believe that the Assembly should have more time to discuss those decisions. Today's regulations were all made between 10 December and 29 December, which is over one month ago. I also note that it seems that, too often, we are learning about Executive decisions through the media as opposed to being properly informed and briefed on any policy changes or extensions to restrictions.

I will conclude my remarks by once again thanking front-line staff for all that they are doing in this fight. We are all very grateful. I urge the public to continue to adhere to the current guidelines and regulations, as difficult as that may be. The vaccine roll-out is giving us all hope that the end is a little bit closer, but it is important, now more than ever, not to give up and undo all the sacrifices that have been made over the last year.

A lot of political angles have been discussed today, and I could indulge in that. However, I want to shift to an important topic. Mr Buckley mentioned, very passionately, his deep concern about cancer surgeries being cancelled. I absolutely agree that that is very concerning. Cancer is a deeply emotional and raw topic, and I share my deep concern. Two years ago, my father had a robotic radical prostatectomy, and the cancer care that he received from the Western Trust was absolutely fantastic. However, we often wonder whether, if he were having his diagnosis in 2021 and needed that crucial surgery, we would be having a very different conversation. I share that deep concern, and the Health Committee should discuss the issue further.

I thank the public for their continued efforts and the health staff for their hard work.

**Mr Deputy Speaker (Mr McGlone):** I call Cathal Boylan.

**Mr Boylan:** No, I am not down to speak. I am sorry.

**Mr Deputy Speaker (Mr McGlone):** I call Kellie Armstrong.

**Ms Armstrong:** Thank you, Mr Deputy Speaker. Do you know what? If the public are listening to this debate, they would be more depressed than ever. It has been hard to listen to some of you tonight. I do not know how you can make a pandemic a green and orange issue, but can we please just knock it on the head?

A lot of the regulations that we are talking about here, as many Members said, take us up to the end of December. I thank the junior Ministers, the Health Minister and the whole Executive for bringing them forward because I had been giving out about the extraordinary length of time that it was taking for the regulations to get to the House. That is not bad going; we are only back after the Christmas recess, even though we were here quite a lot during recess, and we are up to amendment No. 25. I know that we are already into the 2021 regulations, but we are not too far behind, so I thank the junior Ministers for bringing them forward.

I know that it is hard for Members to sit and listen to quite a lot of stuff. I know that I am a member of a party that is part of the five-party Executive. I think that it was Mr Buckley who talked about being motivated. I do not know how the Executive are staying motivated because this has been the toughest time in politics. We need to take a wee moment to catch ourselves on here. We have an Executive who are exhausted. I do not know about the rest of you, but I am exhausted. My family is exhausted. The public are exhausted. We need to bring people with us; they do not need to hear negativity coming out of this Chamber.

I am massively concerned about mental health. Amendment No. 25, the last one on the list today, is to do with the closure of close-contact services. Do you know what? I need my hair cut, and Mr Middleton needs his 12 red roses for Valentine's Day. We talked about a lot of points of contact that we are missing.

Mental health is really struggling.

**6.00 pm**

Others have talked about schools. I have teenagers who are now saying to me that they want to repeat a school year. Have you ever heard of young people saying that they want to do another year at school? That is how bad it is. We need to give them something to look forward to. Over Christmas, we know that it really got to isolated older people. As others have said, it was a very quiet Christmas. Their mental health is a problem. For maternity services, we are creating a wee bomb ready to go off in about six months or a year for all those women going through birth without their birthing partner being there, and for those who, unfortunately, like me, have been through miscarriage or stillbirth. We cannot do this any more. A lot of people are at breaking point with their mental health.

A lot of Members today have talked about front-line carers, and I thank them for that. I thank each and every carer who has been out there knocking their pan in and helping people, to the detriment of their own mental health. I want to make a point today. When we talk about front-line carers, there is one group of carers completely left out. They are not mentioned in the regulations and never considered when it comes to giving out money. They are the home carers: the people looking after the elderly and disabled at home and who have not had a break in a year. Those people are not getting any money thrown at them, they did not have a carer's allowance increase and they have not had the £500 that has been thrown at people in Scotland. Those people are at breaking point and have no respite.

They need clarification on the vaccine. The Joint Committee on Vaccination and Immunisation (JCVI) has said that they are in group 6 of the people who will get a vaccine, but our GP surgeries do not know that. When carers phone up to make sure that they are registered on their medical records as being a carer, some GPs are saying that carers are not getting the vaccine then. That is not true. The JCVI has already confirmed it. In fact, I am delighted to say that, today, the update is that over 182,000 people have had their first vaccine. That is fantastic. When it comes to mental health, I ask the junior Ministers to take back to the Executive that we have teenagers, isolated older people, pregnant women and their partners, and carers who are at breaking point, and the key thread running through this is their mental health.

When I say that we need a clear COVID recovery strategy — we need to see that being built through the regulations — I do not mean that we go back to what was before but go

forward to help people come out of this. Money is still not getting through to businesses. A lot of Members talk about the independent retailers, but large retailers have closed, costing us 700 jobs. When Debenhams went, it was not just a few people: a lot of people lost jobs. As Ms Hunter mentioned, events companies, the arts and sports all need help. The regulations have impacted on them all. We need to start to think our way out of this. It will not be today, tomorrow, Easter or the summer. I do not know when it will be, and I do not think that anybody out there in the community would thank us for putting a date on it that is then broken, but we do need to start planning ahead.

Unlike Mr Chambers, I believe that preparation is key. We can help bring people with us if we give them a plan and show them that there is something for the future. The vaccine does that but only in part, because it is about mental health. What are we going to say to those mothers who have not had any support? For instance, do Members know that Cruse Bereavement Care does not receive funding for the mental health of mothers? The other day, the Minister of Health mentioned that there will be perinatal mental health money available, but it is not there now. It is being thought about for the future. We need to think about this. Key to this is our children. They are starting to struggle. They have lost their motivation, as others have said. We need to give them something positive to look forward to. Telling them that they do not have exams coming up is not something positive. They miss all of that, so we need to give them something a bit clearer. A clear COVID recovery strategy would help.

I ask the junior Ministers please to take this back, because I am fed up asking the Executive for it. Can we get a point of contact for the Departments so that we can get through to them? I am sick to the back teeth of writing to a Minister asking for a point of contact, only to be given the same point of contact as everybody else, and the phones are never answered. We need to be able to speak on behalf of businesses, people with mental health problems and people trying to find out about vaccines. I know that they are not to phone their GP, and I would never ask anyone to do that, but we need those contact details, and perhaps the public need clear information as well.

The silent majority out there are complying with the regulations and have complied with amendment Nos. 19, 20, 21, 22, 23, 24 and 25. They have complied with them the whole way through, and they will continue to comply. Perhaps it is time that, in those regulations, we start to think about introducing regulations that

say to those who do not comply that the fines will get worse.

On the fake news providers, I do not know about the rest of you in this House, but, as an MLA, I am sick to the back teeth of getting emails from people saying, "You must read this book about COVID that says that it is a load of rubbish", and, "COVID is not the cause of everything. COVID is just made up by government to control us all". I even had a church pastor write to me saying that I was a disgrace because people were not going to that person's church. Most churches have kept within the regulations.

All I ask is: can we please have a little bit more clarification in future regulations? Please go back and talk to the Executive and say to them that, while we have almost caught up with the regulations that have been issued to date, we need to stop the tit for tat, and we need to give people hope. We need to start to bring people with us, and we need a COVID recovery strategy — not, as Mr Chambers said, that we need it to be back to what we were used to a year ago. Who would have thought that a year ago we would not have known what the R number meant? It is for a new future and for what that new dawn will be like when people can finally go out of their houses again. Some of those isolated older people — the people who were closed down over Christmas because of those regulations — are very scared about going outside, and we need to help them to access services, especially when it comes to improving their mental health.

**Mr McNulty:** I thank the junior Minister for bringing these regulations to the Floor of the House. As I sit and listen to the valuable contributions of all Members this evening, the words of a friend of mine are resonating in my ears. Last March, when we were all getting to grips with the arrival of this new virus and pandemic, I reached out to a trusted friend, Dr Gerry McEntee, a back-to-back winner of all-Ireland championships in the 1980s with me and also a renowned surgeon in the Mater Hospital in Dublin for over 30 years. I wanted a medical steer on what he thought about this pandemic. Gerry said to me:

*"Justin, when this is all over and done with, people you know and people I know will be dead."*

Sadly, I have seen how right Gerry was, even though it was hard to comprehend it at that time. We all know people who have passed on, and it is very sad. Coincidentally, Seán Boylan, Gerry's great manager, contracted COVID, and,

thankfully, he has fought through. I acknowledge the stark necessity for these regulations. At the time of their introduction, they were necessary both to protect public health and to protect our health services. We all have to acknowledge that these restrictions are not what we want. They place extraordinary curtailments on our economy, our way of life and our basic liberties.

Before I go any further, I want to again put on record my sincere thanks and appreciation of the front-line workers across our society, especially those working in health and social care and education front-line services and in essential retail. Sadly, until this virus hit our world, much of the work that these people did was taken for granted. May that never be the case again. We should not just thank these people but revere them.

Like many in this House, in recent weeks and months I have sat in on many meetings with health officials. I have heard from them and, indeed, from the healthcare workers on the front line about the very real pressures on them as they battle to save every life. I spoke with the chief executive of the Southern Trust, Shane Devlin, last week: a week when 40% of all people who were in hospital with COVID in the North were in a Southern Trust hospital. The director of acute services told me that the staff have been fabulous, resilient and gracious. They are feeling the pressure and are completely shattered, but they are facing the challenge head-on. They are extraordinary people. I have spoken to heartbroken families that are distraught; others have lost loved ones or have loved ones in the hospital that they cannot visit. I have spoken to families who have lost loved ones to this horrible disease, and they are beside themselves with pain and grief because they have not been able to say their goodbyes and share their grief in our special Irish way. I know too many families who have lost both parents to this horrible virus.

*(Mr Speaker in the Chair)*

The restrictions are not normal, but neither is the virus. While many of the restrictions are seen as reasonable and justified, there are others that people question. They are questioning the restrictions; they are not challenging the advice. However, they seek clarity and need to know why certain restrictions are in place. For example, why is outdoor sport for young people not permitted? Children have been taken out of school, and if we are to protect their physical and emotional well-being, surely organised and managed outdoor sports should be considered. I have had parents plead

for their children to be permitted to participate in sport. Yes, the restrictions and regulations must be adhered to. However, allowing some limited sport and recreation will protect the mental health and well-being of young people now and into the future.

Why are car washes closed? Surely keeping cars and headlights clean is a good thing. We have kept garages and MOT centres open and operating. Yet, some cannot get their car washed. So-called non-essential retail is closed, yet essential retailers can sell items that are deemed non-essential, such as hot tubs and some electrical goods. Surely that is not fair. It favours the retail giants but does nothing for the small independent retailers in our town centres who were fighting for their very survival before the pandemic.

We have seen the impact of COVID-19 on our communities, not just by the outcome of these restrictions but the death toll and the number of people affected by it, the impact of schooling from home, and by large parts of our economy being put into cold storage. We need a plan for recovery and a plan for the reopening of our education and health services.

I have said many times that those working in education need to be prioritised for vaccination, especially those in special education settings. We need a plan to ensure that children who are falling behind can catch up, a plan that ramps up healthcare capacity to tackle the ever-growing waiting lists and the hidden health consequences of the pandemic and the various lockdowns. We need a plan for mental, physical and emotional health recovery and renewal. We need to see a plan for economic recovery and renewal. We need a plan to reboot our tourism and hospitality sectors. We need a plan to get sport back on the pitch. We need a plan for emotional health and well-being renewal.

Like many in the House and in our communities, I want to see the restrictions eased and life return to as normal as possible — whatever normal might look like after this pandemic. We do need to adhere to the public guidance and expert advice. Someone once said:

*"If you're going through hell, keep going".*

Let us all keep going.

**Miss Woods:** I thank the junior Ministers for outlining the regulations. I welcome the opportunity to speak in the debate and, like others, pay tribute to our front-line and healthcare staff who work extremely hard under

immense pressure and stress. Like Kellie Armstrong, I want to mention those family and home carers who are often hidden. I extend my thoughts to families and friends who are suffering because of the passing of their loved ones and those who are unwell.

### 6.15 pm

These regulations were to be expected. We were warned that infection rates would rise and that our health service would become dangerously overwhelmed. Around the middle of December, there were, on average, around 500 positive tests per day, according to Department of Health figures. By 27 December, that had doubled to just over 1,000 per day, and, on 29 December, there were 2,300 positive COVID test results. In the week commencing 28 December, over 12,000 people tested positive for COVID-19. The previous week, there were just 5,000. How did that happen, and what were the Executive doing about it? At the beginning of December, the Executive agreed what they called the Christmas household bubbling arrangements from 23 to 27 December. They also announced that non-essential shops and services would reopen from 11 December. The First Minister said:

*"Through our collective efforts over recent weeks we gained enough space in the transmission of the virus to relax a significant number of restrictions, including the opening-up of non-essential retail, close contact services, sport and leisure activities and our places of worship ...*

*These decisions will give families, businesses and employees some much-needed certainty and comfort in the run-up to Christmas and beyond."*

There was little comfort in those words for those working in our health service. As scientists and medical professionals pointed out at the time, transmission of the virus remained steady and the lifting of restrictions could have only one effect on spread; it would allow the virus to circulate even more widely. Professor Gabriel Scally said back then:

*"I think with Christmas coming up, people will see this as permission to do lots of things they haven't been able to do and a lot of those situations, whether it be restaurants, or whether it be a lot of crowds shopping — all of that will just feed the virus and the numbers will go up."*

Similar concerns were raised by others, such as Dr Tom Black of the BMA. Time and again, we were told that the Executive's decision to reopen non-essential services before Christmas and their easing of restrictions to allow for social mixing over five days during the festive period set us on the course for the crisis point that we are experiencing at present. The result was entirely predictable, yet we ploughed on.

Less than a week after relaxing restrictions, there came a completely different message; on 17 December, the Executive agreed a full lockdown to come into effect from Boxing Day. The deputy First Minister said:

*"The health service would be completely crushed in January if we didn't intervene now, so while this is draconian, it's about saving lives. We've never been in such a bad position as we are now, and will be in January if this didn't happen".*

Let us think about that for a moment. On 4 December, the First Minister said that we had:

*"gained enough space in the transmission of the virus to relax a ... number of restrictions",*

and that it would provide "much-needed certainty and comfort", but, less than a fortnight later, the deputy First Minister said:

*"We've never been in such a bad position".*

When the new variant began to cause widespread panic on 19 December, Ministers suggested that people should consider mixing on only one day over Christmas. That is outlined in the amendment (No. 22) regulations onwards, which we are dealing with today, but it was not formally agreed by the Executive until 21 December and was communicated via a press release that was published just after 1.30 am. They advised against non-essential travel, but, like many decisions and messaging in that regard, it was too little, too late. It sent many people into a panic. Some had arrived home to Northern Ireland but were due to go back to university or to where they live. Others made the horrible-but-necessary decision to cancel their visit to their family at Christmas. We were all contacted throughout the holidays by many people who were panicking because their children, for example, could not get home or would be turned away from the boat.

Examine the regulations and the amendments before us today. What do they show? The amendment (No. 19) regulations to the

amendment (No. 25) regulations tell a story; they illustrate precisely the problems that the Executive have had in dealing with the pandemic and their inability to get on top of the crisis. We are debating amendments to regulations that were brought in to ease restrictions and also some that constitute the shutting down of society and the economy.

As Colin McGrath said, it is rather convoluted, if not highly confusing. How many more lockdowns will there be? How many more blows will be suffered by people who have struggled financially and emotionally throughout the pandemic? The approach has been inconsistent and incoherent. The regulations paint that picture very clearly. The Executive published plans and frameworks for decision-making on easing and tightening restrictions and we did not follow them. Ministers argued and fought about reopening non-essential services that would have increased the transmission of the virus, and then, faced with the complete implosion of our health service, they rushed to backtrack and impose tighter restrictions. The competing priorities of each of the Executive parties have compounded attempts to deal with COVID-19. There has been a failure in the most basic duty to communicate simple, consistent messages to the public and to give relevant information. One day, we have room to relax, but, less than two weeks later, we have arrived at our worst point; we are told that we can mix with other households for several days over Christmas, then, sorry, no, just one 24-hour period; and we are told to travel only if it is necessary but that there would be no restrictions other than for those in and out of tier 4 in England. All of that was in the amendment (No. 22) regulations, as outlined, and in the amendment (No. 23) regulations.

Confusion, mixed messaging and no, or very little, information are recurring themes. We continue to find out what has been, or will be, discussed by the Executive through Twitter or Facebook posts by journalists. As MLAs, we are not given the information to answer our constituents' questions. Perhaps, however, it is just those in the opposition. I appreciate that this is a fast-moving picture, but people deserve information to get their questions answered or, at least, to have an avenue to do so. I fully support Kellie Armstrong's call for a single point of contact for MLAs to utilise to get the answers that their constituents need.

I repeat, again, my call for press conferences to be more regular and, specifically, this question: when will Ministers conduct a youth press conference? I have written to the First Minister

and deputy First Minister twice — both unanswered — not to mention the questions for written answer. When will children and young people get their questions answered?

Today, the Education Minister launched the Northern Ireland Executive's children and young people's strategy 2020-2030. One aspect of that strategy, apparently:

*"stresses the importance of allowing children and young people opportunities to participate in society and to have their voice heard and their views respected, especially on issues which affect them."*

Where is their ongoing opportunity during this most uncertain of years in their lives, as they deal with massive changes and ongoing restrictions? Worst of all is the underlying tone that is evident in some communications that ordinary people are to blame for the virus getting out of control. As the dean and vice dean of the Faculty of Intensive Care Medicine in England noted:

*"A troubling narrative now appears to have crept into some reporting of intensive care bed shortages – blame the public."*

Our NHS staff are struggling. They are frustrated, stressed and stretched beyond what we can only imagine, and they have every right to be angry with those who flout the rules, but it is not a few reckless individuals or young people who are responsible for the near collapse of our health service. It is not the public's fault that hundreds of people had their cancer surgery cancelled last week. The BMA's medical ethics committee pointed out:

*"Rather than blame the public, we should focus on how the timing and communication of restrictions have contributed to the current situation ... We are also dealing with a variant that makes the virus more transmissible, which is especially dangerous for those living in areas of social deprivation where the infection spreads more easily. Fundamentally, however, it is chronic underfunding and lack of resources in the NHS that are driving staff to breaking point – not the public, who are doing everything they can to prevent our beloved health service from going under."*

There has been a failure to deliver an effective test, track, trace and isolate system that compensates people who miss out from lost income. As, I am sure, others have, I have had constituents contact me to tell me that they

have been turned down for support, even for grants that are set up for them to apply for, and are being told that they are not eligible. As an Assembly, we need to protect the most vulnerable — the people who cannot afford to self-isolate — and those who have missed out on forms of financial assistance for their business or livelihood.

As I have said, the restrictions before us were to be expected. We were warned that infection rates would rise and that our health service would become dangerously overwhelmed, but it did not have to be this way. The pandemic is far from over. What we need, above all, is a clear and consistent approach to deal with the crisis. We do not need any more confusion, ambiguity or toing and froing from pandering to populism. We must get on top of this, once and for all. There has been too much unnecessary suffering. The Executive must get support to those who need it. Thank you, Mr Speaker.

**Mr Allister:** I do not think for one moment that there is anything but extreme difficulty for any Government dealing with the pandemic, and it is the same for the Stormont Government as it is for anywhere else. However, those difficulties are nothing compared with the difficulties that our health service has had to cope with.

I join others in saluting the dedication of so many across that service for answering beyond the call of duty.

Although I acknowledge that it is difficult to deal with a pandemic from a government perspective, this Government, through the Executive, have had a number of steps and missteps that have compounded those difficulties. One of those is the flip-flops in the announcements. Miss Woods articulated some of them. In November, we were told that it would be two weeks and that would do it. Then, at Christmas, we were told that it would be five days, but, no, it was then one day. Then we were told that the current lockdown would last until 6 February, but now it will last until 5 March. That leaves a public who are not just increasingly frustrated but increasingly questioning whether some of those in charge know what they are doing.

The issue that brings that to the fore is what the public were told was the key determinant. For months, the public were told, "It is the R number, stupid. If we can get the R number below 1, we can ease things". Now the public are being told, "The R number is below 1, but we will extend the lockdown from February to March". Where did the benchmarking to the R number go? The public are entitled to ask and

to have that question answered. Does the R number not matter any more? Yes, I understand the delay in working through the system of rising numbers of infections, hospital admissions and deaths with a falling R number, but, if there is, as there seems to be, that conjoiner between a rising R number and rising numbers of cases and a falling R number and falling numbers of cases, surely, as we go forward with a falling R number, we should anticipate a fall in the demand for hospital admissions. We know that there has been a fall, thankfully, in the number of positive COVID tests. The lag for that works both ways. The lag is now, hopefully, working in the opposite direction. However, the lockdown is not. We have just been told that the lockdown is reaching into March. It is issues like that that add to the public's scepticism.

I understand that our hospitals have to be able to cope. I will not labour the point, but I will say again that, if, under devolution, we had looked after our hospitals instead of taking out 2,000 beds since 2007 and all the attendant staff that go with them, we would be in a much better position to cope. I understand that, but, when the R number is falling, surely the admissions are projected to fall and, happily, the deaths, yet we are projecting extension. Why is that? What about all the talk that we had before Christmas from the First Minister and the deputy First Minister about how we had to learn to live with the virus? That is the sort of flip-flopping on the message that I refer to, never mind even going to issues such as the catastrophic impact on messaging of the Storey funeral.

Those are some of the problems that the Executive have had. The other dimension of public disquiet, from what I hear from my constituents, arises in the disparate treatment of businesses.

The point that some have made in the debate is that large supermarkets can open, but small retailers that do not predominately sell essential goods are closed. So the draper who sells predominantly clothing is closed, but you can walk into Marks and Spencer and kit yourself out in its vast range of clothing. That is what really irks so many small businesses on our high street.

**6.30 pm**

**Mr Buckley:** I thank the Member for giving way. Does he acknowledge that the ability to socially distance at many small independent retailers, given that they work on an appointment basis,

makes them a much safer environment than Marks and Spencer, for example, where people go for their jolly shop and then venture on into the clothing section?

**Mr Allister:** The Member is absolutely right. I think of the main town in my constituency: Ballymena. We have a Range store. The Range sells a vast range of, essentially, household goods. It sells some essentials such as toiletries etc, but the predominant sales are in its household goods. The Range is open, but Wyse Byse, a local business, which also sells some toiletries but which predominately sells household goods, is closed. Why is that? Why are those who, prima facie, seem to be breaching the rules not enforced against? Does that simply mean that others should equally disavow the rules, because that is the open invitation?

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

**Mr Allister:** Yes.

**Mr McGrath:** There was an example in my constituency of a business that sells home heating fuel, which is essential, and has a small car wash to the side being fined by the police, because the regulations say that car washes cannot open. Yet multinational companies that do essential retail are allowed to sell their unessential retail, which is also listed in the legislation. Does the Member agree that that really does make small local businesses feel as though it is one rule for the big companies and a different rule for them?

**Mr Allister:** I agree absolutely. If nothing is heard out of this debate but the pleas on behalf of small local business, I hope that those at least will be heard. It is imperative that, either through proper enforcement or ironing out the wrinkles — let us be kind — of the regulations, there is not that disparity. Until that is done, you are going to build a huge pond of resentment. I am getting correspondence all the time. Here is one from the owner of a garden centre, who, to help himself over the winter months, sells a few bags of coal. He had to close the garden centre and cannot sell the coal, because it is a minority interest, but the hardware store that can sell coal can also sell the things that he normally sells — garden benches and all of that. Take another business: this one, I see, is from — she is not here — Ms Hunter's constituency of East Londonderry. The owner of this well-established business tells how every lockdown has had a massive impact on local business, while the big multinationals appear to be able to trade without any impact on their business and are

benefiting from local business being shut down. He added that he had to go into Asda last week for groceries and was completely shocked by the number of people in some aisles in the store not buying groceries but buying other stock. He also made the point that someone else made that, in fact, small local businesses have a better opportunity to control their customer input properly.

I say to the Executive that there has to be a readdressing of the disparity in the matter, which is becoming acute not just in its level of annoyance but in its level of damage to the possibility of those businesses surviving. I trust that the junior Ministers have been listening and that, the next time we debate the regulations, we will not have the same catalogue of complaints about the prejudice against small business. If the debate serves any purpose, I trust that that is the purpose that it will serve.

**Mr Carroll:** I have been incredibly frustrated for almost a year by the way in which the Executive have implemented regulations, not solely because their strategy of living with COVID is utterly reckless, which I will come to, but because of the nonsensical charade whereby we are expected retrospectively to give approval to or discuss regulations that have long been implemented and, in some cases, are out of date. There is no real semblance of oversight, transparency or accountability. The latest regulations are cooked up behind closed doors, often diverging from health advice, and pushed through without a pick of scrutiny. It is bad enough that Governments around the world have been able to do this much more rigorously and effectively, but, when the regulations actively allow a deadly virus to surge, allow for the criminalising of protests and put workers at risk, the lack of accountability and scrutiny is totally negligent.

It seems clear to everyone that the current regulations will be extended to early March if not beyond, but when will we debate those decisions? In April or May, when the regulations have already been implemented? As others have said, why are we not discussing in the House the long-term strategy for dealing with the virus? This charade and the Executive's strategy have left us with one of the worst records in the world of dealing with the virus, and that needs to end.

The regulations before us relate to the Christmas period and, in some cases, just before. It is worth remembering that the Health Minister has already publicly admitted that the Executive got it wrong in how they handled that period. How many cases were contracted

unnecessarily? How many deaths have occurred because of the decisions made by the Executive before the Christmas period, which we are able to discuss — some of them — only today, at the end of January?

One of the amendments allows for up to 500 people to attend a sporting event. I have no doubt that sport can help alleviate the pressures of isolation, COVID and lockdown generally, but it is utterly baffling to me that the Executive would permit such large gatherings while criminally punishing people at socially distanced protests such as the Black Lives Matter protests. Many people will ask and have asked, "Where is the consistency? Where is the medical evidence that says that one gathering is permissible but the other is not?". The only discernible difference is that you pay into one event but not into a protest, never mind the questions around systemic racism.

The amendment (No. 25) regulations allowed taxi drivers to operate after 8.00 pm over the Christmas period. I do not think that anyone would oppose that. Some taxi drivers, however, were approached by the PSNI for doing so, some while transporting essential healthcare workers to work or home from work. Regulations have been rushed time and time again. Half the time, Ministers are not available on the air waves beyond a quick, curt press conference to explain the details. Many people are left to ask multiple questions online and of MLAs. People rely on WhatsApp and Twitter to understand the new rules. It is clear to me that the regulations were not understood, and taxi drivers were on the receiving end of that. They should not have been approached by the police. They have been through enough already. Too many still struggle financially without having to deal with that extra pressure.

The key question for the Minister is this: when will the Executive learn the lessons of the failed strategy of designing rushed regulations behind closed doors that risk the health of workers and communities by allowing the virus to continue to surge and then asking the Assembly retrospectively to give permission to the regulations? Unfortunately, I do not think that I am the only person who doubts that lessons will be learned. There has been consistent talk of individual responsibility and even a shameless attempt by some on the Executive to shift the responsibility on to ordinary people.

Yet here we are, looking back at regulations from the Christmas period, at a time when the virus was allowed to spread once again. Where is the acceptance of culpability on behalf of the Executive? Where is the individual

responsibility for the strategy advocated by this Executive?

There is a momentum growing for an entirely different approach to the regulations, which amounts to a zero-COVID strategy. That has been raised already today, and I have raised it many times in this House but have been met with derision on many occasions. Last week, I wrote to the five party leaders on the Executive about the issue, and, frankly, the excuses from the Executive and the Government for not implementing a zero-COVID policy are pathetic and dangerous, and the Irish Government are pointing the finger at the North. They say that they cannot implement an elimination strategy because regulations here are different and looser, and our airports could undermine their strategy and provide back-door travel to the South.

Meanwhile, the Northern Executive muddy the water by fixating on the differences between us and New Zealand. They have referenced the cost of an elimination strategy, while the cost of their own living-with-COVID strategy surges in terms of money, impact on the health service and lives. It has even been suggested by some that an all-Ireland strategy could be the first step towards a united Ireland. The border is being cynically utilised by parties North and South as an excuse not to implement the necessary strategies and regulations to suppress this virus and to save lives. There has been no attempt to come together and work together to hash out a costed zero-COVID strategy which could be implemented across this island. The absurdity of allowing a man-made border to stand in the way of getting us through this pandemic is striking. It has been said over and over again that if this was foot and mouth or some other animal-borne virus, there would have been an all-Ireland strategy on day one. Excuses, obstinacy and posturing around the border are pathetically transparent and patently dangerous. That is just one reason why the campaign for a zero-COVID strategy is gaining momentum.

A zero-COVID strategy is not about lifting the New Zealand model and dropping it over into Ireland. It is about working to achieve the same levels of elimination, suppressing the virus through reduced economic capacity, travel bans, rigorous testing and tracing and the necessary financial and mental health impacts being put in place. It means listening to the growing calls from experts and working out how that can be done in Ireland. I do not hold out much hope that the Executive will implement such a strategy on their own initiative, but our party and others across the island are doing all

that they can to continue to put pressure on both Governments to ensure that we force them to adopt such a strategy.

**Mr Lyons:** I believe that Standing Orders mean that we have to be out of here this evening by 8.00 pm, so I will do everything that I can to make sure that I am finished up before then.

I thank all Members for their contributions this evening. As is normal, we have often gone beyond the regulations that are in front of us and got into a more general COVID debate, but that is the way that it has always been. Perhaps it is the way that it will be in the future as well.

I will address some of the comments that Members have made. I will begin with the Chair of the Executive Office Committee. I thank him for the comments that he made and the fact that the Committee has recognised the united approach that we need if we are to tackle this pandemic. I also note the concern that the Member raised about the complexity of getting the regulations to the Floor of the Assembly. That is something that we have talked about in this Chamber time and time again. I hope that all Members will recognise the efforts that we have made to make sure that we can get information to MLAs as quickly as possible through, for example, the Ad Hoc Committee. As junior Minister Kearney said in his remarks, after the latest decisions were made by the Executive, a number of Ministers made themselves available to that Committee so that they could address the issues and concerns that Members have. We are operating under the structures that were agreed in the coronavirus legislation, which mean that the Executive make the decisions and then bring them to the Floor in this way. I know that that is not ideal, and that is why we have tried to ensure that that there are opportunities, through the Ad Hoc Committee, for Members to question Ministers about some of the changes that have been made.

#### 6.45 pm

Paula Bradshaw spoke on behalf of the Committee, and I thank her for her comments. I understand the concerns that she expressed. The Committee Clerk has written to the Department about those, and I hope that she will get a reply to them. On her point about consultation, it is difficult and we do not have the time to go through the formal consultation procedure, but we are doing everything that we can to have a close dialogue with key sectors. We have done that in a number of ways and will continue to do it.

Speaking as an individual MLA, Ms Bradshaw raised the learning that has been gained from the reopening of sectors. That is an important lesson for us that we will take into our planning for recovery. She also rightly stated that the case numbers are horrendous, which is why we are under the restrictions. She also spoke about the new variant, the impact that it has had, and the use of a travel ban. She is right that it is transmitting too rapidly and that we are suffering the consequences. We will consistently monitor that to see what further action needs to be taken.

Mr Buckley spoke next. I thank him for his contribution. His passion was very clear. It is important that we do not just nod through the regulations or in some way get used to them, because they are extreme. We can see that in a number of ways and in the impacts that they have. As MLAs, it is right that we do not shirk our responsibilities in asking those questions and that we make sure that we try to find out exactly why we are bringing them in and whether they are proportionate at this time.

Mr Buckley raised a number of impacts that the regulations are having on people, and he was right to do so. In particular, let me mention his concerns about cancer treatments. One of the reasons why we have restrictions in place is because of the wider health impact on cases and issues such as cancer. The restrictions are not preventing cancer operations from taking place and they do not mean that doctors are staying at home, but resources are being diverted to COVID-19 cases. That is why it is so important that we drive down the rate of infection and do not have patients in ICUs. That will allow ICUs to be ready to be used for cancer operations and all the other very important things that he raised. He was right to make clear the impacts that COVID-19 is having on our health service. We need to make sure that we are running a health service in Northern Ireland and not just a COVID-19 service and that all those other issues are being addressed.

Members will be aware that the Health Minister has approved the establishment of a new regional approach to ensure that available theatre capacity across Northern Ireland is allocated to those patients who are most in need of surgery both during the surge and as we come out of it. That will include seeking to fully maximise all available in-house health and social care and independent-sector capacity. It is important that we recognise the impacts of COVID-19 on cancer and on non-COVID-19 health.

We also need to recognise the impacts that COVID-19 is having on our daily lives. Time and again, we have said that we will base our decisions not only on the R number but on the capacity of our health service and wider societal and economic impacts. That case is frequently pressed with the Health Minister when he brings these restrictions to the Assembly. The impact on mental health is constantly raised with him.

We frequently talk about the impact of poverty as well, and I have lost count of the number of times, for example, that the CMO — I am sure that he will not mind me saying this — has pointed to the fact that poverty and unemployment are poor for health. We need to take into consideration all those aspects, and I can assure the Member and others that that is taking place in Executive meetings. All these issues are being considered, not just COVID alone.

I am sure that everyone in the House is aware of those impacts and of the devastating impact that all these restrictions are having on people across Northern Ireland and beyond. I am thinking about the impact on people's mental health here. That is devastating, and I am sure that we have all heard stories about how the mental health crisis has got even worse over the last number of months. We can see a huge impact on education as well. As useful as remote learning can be, it is no substitute whatsoever for face-to-face teaching, and I am concerned about the impact of that.

We see it in a number of other ways, and I think particularly of special needs children. I have heard stories of special needs children not getting the speech and language therapy, the music therapy and the physiotherapy that they had been used to before, so these regulations are having lots of impacts on our lives. It is absolutely right that we take all of these into consideration and do not just look at COVID alone. In fact, there is a responsibility on us to do that, and so I thank the Member. He and others also recognised the problems around click-and-collect services, and I answered that when Mr Middleton allowed me to intervene.

Ms Anderson is not in her place, but I will, of course, raise the issue of photographers. It does seem a bit odd. If you go to a photographer, you do not want to have a mask on when you are getting your family photograph done. I see what Mr McGrath is going to say. He is probably going to say that, for some people, that might well be an improvement, but it is an important issue, and, if we can give flexibility around that, it is important that we do

so. Members will be aware that grants are being paid out to taxi drivers and financial support has been put in place, and Ms Anderson's concerns about taxi drivers will be raised with the Minister for Infrastructure.

Alan Chambers raised the issue of an exit strategy, and whilst I understand his point about it being difficult to do that in the current circumstances, we must start looking at our recovery now so that we are prepared, and that includes how we come out of the current restrictions in the short term and the wider economic and societal recovery processes after that. Members will be aware of the original pathway to recovery document that the Executive worked on in late spring and early summer, and it was agreed at the last Executive meeting that that work will be taken forward in a new and updated document on recovery to make sure that we have a plan for how we move from restrictions into a better place of recovery. That issue was raised a number of times.

Mr Middleton raised the issue of churches. Minister Kearney and I have had a number of engagements with many groups during the time that we have been in office, and I want to thank the representatives of local churches here for the way in which they have approached our discussions. The discussions have always been sensible, measured and thoughtful, and it is good that we are able to have that working relationship with them, as we do with many leaders in other sectors. I thank them for their input and for the discussions that we have had.

Mr Middleton also raised the issue of funerals, and, again, I absolutely agree with everything that he said. I understand how difficult it is when you lose a loved one — we all do — and we want to make sure that we are able to grieve in the way that we are all accustomed to.

We want to be able to have people with us sharing in our time of sadness and grief. However, I have to say to those people, and this goes beyond funerals to any event or anything that breaches the regulations, "What makes you so special? Why do you think that the rules do not apply to you?". So many other people are adhering to the rules and to these restrictions, difficult as it may be, but they are adhering to them, so it is really important that we all send that message that we need to show that leadership and working with other people.

I note the concerns that the Member made in relation to click and collect. I get the sense from Mr Middleton that he is very concerned about not being able to get flowers for Valentine's Day

in particular. If we can make common-sense adjustments to the regulations, we should be willing to do so.

Pat Sheehan made a number of comments. I agree that the pressure on front-line staff has been immense over the last number of months. That is why we all need to make sure that we do work together and adhere to the rules and guidance as best as we can so that we can relieve the pressure on them.

The issue of travel is continually under review, both east-west and North/South. The issue of people bringing the virus into Northern Ireland is, of course, a concern, and that is an issue that we talk about frequently with other Governments across the UK and with our counterparts in the Republic of Ireland. I think that I picked up, when he was referring to the proposed travel ban with GB, him saying that he did not care who the scientist was who said that. The advice and evidence that we, in the Executive, got at that time was that the risk was small. That was why we took the steps that we did in relation to that.

**Mr Sheehan:** Will the junior Minister give way on that point?

**Mr Lyons:** I am not going to give way at this time.

Kellie Armstrong began her speech by bemoaning the negativity of the debate and then proceeded to highlight her grievances about everything that was in the regulations that she did not like.

She said that this was an orange and green debate. I wish that the Member was still in the Chamber so that I could raise that with her. I do not think that this has been particularly an orange and green debate. In fact, what I have witnessed over the past three hours has been people bringing legitimate concerns. There has been a sincerity to these debates, which is always evident, and I do not think that there has been a lot of orange/green point-scoring at all. That was evidenced by Mr Sheehan when he showed that he actually welcomed the fact that the army was coming in here to help, so I do disagree with her in relation to that.

With regard to the main point of contact for MLAs, the main point of information is, of course, Northern Ireland Direct, which is updated regularly with the latest information relating to the regulations and restrictions. We also have a team that deals with queries. If the Member is content, I will pass her contact details on to them.

**Miss Woods:** Will the junior Minister give way?

**Mr Lyons:** Very briefly.

**Miss Woods:** I thank the junior Minister for giving way. Could my contact details also be forwarded to that team?

**Mr Lyons:** Yes, I am sure that that can be sorted out. We will try to make sure that there is information for Members on the point of contact. As a constituency MLA myself, I understand what happens to your mailbox, WhatsApp groups, Facebook pages and all the rest of it. You get inundated with questions, and we want to help as much as possible with that.

I share Ms Hunter's concerns for the most vulnerable during this time. We are committed to doing everything that we can to help. I welcome her recognition of the impacts that the current restrictions are having on mental health.

Mr McNulty raised the issue of death and the fact that we all likely knew someone who had died — a sad but realistic perspective on what it is that we are facing.

He went on to talk about life returning to normal. Obviously, we want to be in that position as soon as possible. We have talked about an exit strategy time and time again, and vaccines are key to that. We will bring forward a recovery plan, and we trust that, in conjunction with the vaccines, we will really see how we get back to normality

## 7.00 pm

Miss Woods raised a number of issues about the pre-Christmas restrictions and relaxations that were put in place at that time. I hope that the Member recognises that we are dealing with a rapidly changing situation. It does not always run smoothly. It is not a straight line on a graph, and we have been reacting as best we can. As I said previously, nobody has ever got this right. If we had said to Members, "Five days — that is what you can all have for Christmas" and did not change that advice based on the evidence that was presented to us, we would rightly be accused of not listening to the advice that was in front of us. Sometimes we have to make decisions, and sometimes things have to be changed quickly. We thank the public for their patience as we do that.

To refer to her point about young people, we are very much committed to engaging with our young people. In December, the First Minister and deputy First Minister engaged in a junior

press briefing with Cool FM. We are actively looking at other opportunities to engage with young people in the coming weeks. I agree with what the Member said insofar as we should not just be paying lip service to our young people but giving them real opportunities to engage. I am happy to look at any other recommendations that come forward.

**Miss Woods:** I thank the junior Minister for giving way. I will make one suggestion. A Northern Ireland Youth Forum political panel and press conference was arranged by the Executive Office last year. Unfortunately, that was cancelled because of political fallout. I suggest to the Executive Office that it rearranges that with the Northern Ireland Youth Forum as soon as possible.

**Mr Lyons:** I am more than happy to take that back to the First Minister and deputy First Minister.

Mr Allister asked why we cannot start to relax restrictions now that the R value is below 1 and the rate of new infections is declining. The difficulty that we have is that we are at a very high level of hospital occupancy and we know that this caseload will take a considerable time to ease and reduce. Of course, it is not the Executive's policy to get the R number below 1; it is the Executive's policy to keep the R number below 1. That is why we cannot let up as soon as the number drops below 1.

I think that I covered in previous comments most of Mr Carroll's points.

I will again say that we recognise the impact that these restrictions are having on people. This is not something that we take lightly. I hoped many months ago that we would not have to be back in the Chamber doing what we are doing now and bringing all the negative consequences that come with these restrictions. However, I think that something has changed now compared with what happened in the past when we have been in front of the House, and that is that we have had the rapid roll-out of the vaccine. There has been tremendous progress. It is great to see that so many of our older people and our care home residents have been vaccinated. We need to give credit to our Health and Social Care services, which have done so much to ensure that that has happened. I hope that, with the continued roll-out of the vaccine, we will not need to constantly bring restrictions like this back to the House time and time again. That is what we all want to see. Let me again thank all those in our health service who have worked so hard to get us to this point.

My plea to the public is this: please stick with us. I know that this has been difficult. I know that people are fed up. I know that I am fed up and want this to be over. Let us just keep going through these next number of weeks and months. I have no doubt that, if we do that and work together, the normality that we all seek will be with us again shortly.

*Question put and agreed to.*

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 19) Regulations (Northern Ireland) 2020 be approved.*

### **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 20) Regulations (Northern Ireland) 2020**

**Mr Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 20) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

### **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 21) Regulations (Northern Ireland) 2020**

**Mr Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 21) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

### **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 22) Regulations (Northern Ireland) 2020**

**Mr Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 22) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

### **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 23) Regulations (Northern Ireland) 2020**

**Mr Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 23) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

### **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 24) Regulations (Northern Ireland) 2020**

**Mr Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 24) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

### **The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 25) Regulations (Northern Ireland) 2020**

**Mr Speaker:** The motion has already been debated.

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 25) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

*Adjourned at 7.09 pm.*

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