



Northern Ireland  
Assembly

**OFFICIAL REPORT**  
(Hansard)  
and  
**JOURNAL OF  
PROCEEDINGS**

**Volume 129**  
(9 June 2020 to 2 August 2020)



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# Assembly Members

## A

Aiken, Steve (South Antrim)  
Allen, Andy (East Belfast)  
Allister, Jim (North Antrim)  
Anderson, Mrs Martina (Foyle)  
Archibald, Dr Caoimhe (East Londonderry)  
Armstrong, Ms Kellie (Strangford)

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Bailey, Ms Clare (South Belfast)  
Barton, Mrs Rosemary (Fermanagh and South Tyrone)  
Beattie, Doug (Upper Bann)  
Beggs, Roy (East Antrim)  
Blair, John (South Antrim)  
Boylan, Cathal (Newry and Armagh)  
Bradley, Maurice (East Londonderry)  
Bradley, Ms Paula (North Belfast)  
Bradley, Ms Sinéad (South Down)  
Bradshaw, Ms Paula (South Belfast)  
Buchanan, Keith (Mid Ulster)  
Buchanan, Thomas (West Tyrone)  
Buckley, Jonathan (Upper Bann)  
Bunting, Ms Joanne (East Belfast)  
Butler, Robbie (Lagan Valley)

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Carroll, Gerry (West Belfast)  
Catney, Pat (Lagan Valley)  
Chambers, Alan (North Down)  
Clarke, Trevor (South Antrim)

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Dodds, Mrs Diane (Upper Bann)  
Dolan, Ms Jemma (Fermanagh and South Tyrone)  
Dunne, Gordon (North Down)  
Durkan, Mark (Foyle)

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Easton, Alex (North Down)  
Ennis, Ms Sinéad (South Down)

## F

Flynn, Ms Órlaithí (West Belfast)  
Foster, Mrs Arlene (Fermanagh and South Tyrone)  
Frew, Paul (North Antrim)

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Gildernew, Colm (Fermanagh and South Tyrone)  
Givan, Paul (Lagan Valley)

## H

Hargey, Ms Deirdre (South Belfast)  
Harvey, Harry (Strangford)  
Hilditch, David (East Antrim)  
Humphrey, William (North Belfast)  
Hunter, Ms Cara (East Londonderry)

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Irwin, William (Newry and Armagh)

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Kelly, Ms Catherine (West Tyrone)  
Kelly, Mrs Dolores (Upper Bann)  
Kelly, Gerry (North Belfast)  
Kimmins, Ms Liz (Newry and Armagh)

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Lynch, Seán (Fermanagh and South Tyrone)  
Lyons, Gordon (East Antrim)  
Lyttle, Chris (East Belfast)

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McCann, Fra (West Belfast)  
McCrossan, Daniel (West Tyrone)  
McGlone, Patsy (Mid Ulster)  
McGrath, Colin (South Down)  
McGuigan, Philip (North Antrim)  
McHugh, Maoliosa (West Tyrone)  
McIlveen, Miss Michelle (Strangford)  
McLaughlin, Ms Sinead (Foyle)  
McNulty, Justin (Newry and Armagh)  
Mallon, Ms Nichola (North Belfast)  
Maskey, Alex (Speaker)  
Middleton, Gary (Foyle)  
Muir, Andrew (North Down)  
Mullan, Ms Karen (Foyle)  
Murphy, Conor (Newry and Armagh)

## N

Nesbitt, Mike (Strangford)  
Newton, Robin (East Belfast)  
Ní Chuilín, Ms Carál (North Belfast)

## O

O'Dowd, John (Upper Bann)  
O'Neill, Mrs Michelle (Mid Ulster)  
O'Toole, Matthew (South Belfast)

## P

Poots, Edwin (Lagan Valley)

## R

Robinson, George (East Londonderry)  
Rogan, Ms Emma (South Down)

## S

Sheehan, Pat (West Belfast)  
Sheerin, Ms Emma (Mid Ulster)  
Stalford, Christopher (South Belfast)  
Stewart, John (East Antrim)  
Storey, Mervyn (North Antrim)  
Sugden, Ms Claire (East Londonderry)  
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Wells, Jim (South Down)  
Woods, Miss Rachel (North Down)

# Principal Officers and Officials of the Assembly

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# Ministerial Offices

## The Executive Committee

First Minister .....	Mrs Arlene Foster
Deputy First Minister.....	Mrs Michelle O'Neill
Minister for Communities.....	Ms Deirdre Hargey ( <i>until 14 June 2020</i> ) Ms Cáral Ní Chuilín ( <i>from 15 June 2020</i> )
Minister for Infrastructure.....	Ms Nichola Mallon
Minister for the Economy.....	Mrs Diane Dodds
Minister of Agriculture, Environment and Rural Affairs .....	Mr Edwin Poots
Minister of Education .....	Mr Peter Weir
Minister of Finance .....	Mr Conor Murphy
Minister of Health.....	Mr Robin Swann
Minister of Justice.....	Mrs Naomi Long

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The Executive Office .....	Mr Declan Kearney Mr Gordon Lyons
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Administration.....	Conor McCourt

# Official Report (Hansard)



# Assembly Sitings





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# Northern Ireland Assembly

Tuesday 9 June 2020

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

*Members observed two minutes' silence.*

## Assembly Business

### Standing Order 20A: Suspension

**Mr Principal Deputy Speaker:** The first item on the Order Paper is a motion to suspend Standing Order 20A. It will be treated —.

**Mr Allister:** On a point of order, Mr Principal Deputy Speaker. Here we go again: without debate, the House is about to, yet again, extend the strangulation of scrutiny in the House by, this time, prohibiting topical questions. I can think of no time when it is more appropriate for the asking of topical questions than the situation in which we currently exist, and, yet, they are to be banished.

According to the Speaker's latest letter, also to be banished are follow-up supplementary questions, when Ministers are here, by anyone other than the Member who tabled the question. Why are we diminishing scrutiny in the House? Why are we shielding Ministers in the manner that these proposals will do?

**Mr Principal Deputy Speaker:** I thank the Member for his point, and I have considerable sympathy with the concerns that he has raised. The Member will know that, at its meeting last week, the Business Committee reviewed its decisions on Assembly questions and agreed that, as lockdown restrictions ease, a first step towards resuming normal business is to allow Question Time to resume on 16 June. These are matters that are decided at the Business Committee, and I appreciate that if the Member has concerns, he is absolutely within his rights to raise them at the Business Committee.

Having given my view on that point of order, I will return to today's business.

The first item on the Order Paper is a motion to suspend Standing Order 20A. It will be treated as a business motion and there will be no debate on it.

**Ms Armstrong:** I beg to move

*That Standing Order 20A be suspended until 4 July 2020.*

**Mr Principal Deputy Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20A be suspended until 4 July 2020.*

## Ministerial Statement

### Rebuilding HSC Services

**Mr Principal Deputy Speaker:** I have received notice from the Minister of Health that he wishes to make a statement. Before I call the Minister, I remind Members that in the light of social distancing being observed by parties, I have relaxed the Speaker's ruling that Members must be in the Chamber to hear a statement if they want to ask a question. Members still have to make sure that their name is on the speaking list if they wish to be called, but they can do that by rising in their place, as well as by notifying the Business Office or the Table directly. I remind Members to be concise in their questions. This is not an opportunity for debate and long introductions. I call the Minister of Health, Mr Robin Swann.

**Mr Swann (The Minister of Health):** Thank you, Mr Principal Deputy Speaker, and thank you for the opportunity to update the House on my approach to the rebuilding of health and social care (HSC) services.

COVID-19 has wreaked havoc on our community, our way of life and on how our health and social care services are delivered. Things will not be the same again, and we need to carefully navigate the next phase of dealing with this terrible virus.

By complying with social distancing and other restrictions — measures that, only four months ago, would have sounded so far-fetched that no one could have envisaged them — the people of Northern Ireland have been instrumental in dramatically reducing the rate of infection. Sadly, however, as of yesterday, 537 of our fellow citizens have passed away after testing positive for COVID-19. No matter how long the pandemic continues, we must never forget that behind every figure was a person who was loved and who is sorely missed. With so many families having experienced that grief, we all have an obligation to minimise the rate of infection and future loss of life. My sincere condolences go to the families and loved ones of those who have tragically passed away.

The actions that we took to control the virus meant that we had sufficient health service capacity to cope with the additional pressures exerted by COVID-19. Our nurses, doctors, paramedics, other allied health professionals, pharmacists, care workers, primary care and other front-line health and social care workers have bravely and tirelessly put themselves at risk to save the lives of others. Among them were those who volunteered to return to work or to temporarily leave training to provide much help and support. I cannot thank our workers enough for that. I know

that I can rely upon continued commitment from all staff as we begin the task of rebuilding health and social care services as soon as possible.

With this being carers' week, it is incumbent on us to acknowledge the essential work of all our carers. Whilst carers have always been key pillars of the local HSC system, the pandemic has further highlighted their sheer contribution to families throughout the United Kingdom. Many new carers have come forward to look after friends or relatives who are elderly, sick or disabled. As Minister, I thank them wholeheartedly for everything that they have done, and continue to do. I appreciate that the efforts of our staff and carers have taken their toll. We must put their welfare, along with patient safety, at the heart of our efforts to rebuild services.

COVID-19 has presented our health and social care system with its biggest challenge since its inception, and that is in the context of the huge strategic challenges that were facing us prior to COVID-19, all of which are well known, and which were highlighted in the Bengoa review and the Delivering Together agenda. Those strategic challenges have not gone away. We need to continue to tackle issues such as the impact of an ageing population, increasing demand, long and growing waiting lists, workforce pressures, the emergence of new and expensive treatments and ongoing budget constraints.

The terrible events that have occurred in recent months, such as the loss of loved ones that has been suffered by many families, and the restrictions on our daily lives and access to employment and public services have only heightened my commitment to use the resources of my Department to better deliver health and life outcomes for all our people. My Department's budgetary position continues to be hugely challenging. There have been significant additional funding requirements for our response to the unprecedented challenges of COVID-19. The Department has secured additional funding from the Executive to respond to COVID-19, and continues to liaise with the Department of Finance to secure the further required funding. Rebuilding health and social care services, whilst simultaneously dealing with the ongoing COVID-19 pandemic, will require additional resource funding. However, let me be clear, as serious as the immediate impact of COVID-19 was, and still is, I remain equally as concerned about the detrimental impact that it has had on the delivery of a wide range of crucially important health and care activity.

Throughout the pandemic, HSC has continued to provide high priority and urgent services such as emergency care and many cancer treatments. However, despite that, a terrible consequence of this pandemic is that, for some people, conditions will have gone undetected or untreated for longer than they otherwise would have been. Many of us in the House have bitter experience from friends, families and colleagues of what a cruel disease cancer is and how it thrives in a vacuum. No one is more concerned about the impact of delays than our exceptional cancer clinicians themselves, and that is why we all want to see as many of the full services resumed as quickly as possible.

I am acutely aware that COVID-19 is not the only thing seriously impacting on the health of the local population. For some time, I have also been extremely concerned about the reduced numbers of people presenting to primary or secondary care with serious symptoms. COVID-19

has changed all our lives, but it has not stopped people experiencing chest pains or other unexplained signs. That is why my Department, along with the trusts, individual hospitals, GP practices and staff groups, has consistently urged people not to put off a medical intervention for whatever they suspect that they may require it. I absolutely want to send out that message again today. I am also worried about the impact of the pandemic and the lockdown on mental health, especially for the most vulnerable citizens in our society. That is what makes our recently published 'Mental Health Action Plan' even more important.

We have now reached the position where we must remain vigilant and plan for further outbreaks of the virus while starting the work to rebuild the delivery of health and social care services. I will now highlight key aspects of the strategic framework for rebuilding services that I am publishing today. I will cover the impact assessment that my Department has completed, highlight some of the innovations that have emerged in recent months and set out my strategic approach to rebuilding health and social care services as soon as possible. Finally, I will update the House on a new governance approach, to provide the direction and oversight that is needed to deliver all of this at pace.

As the pandemic took hold, it was necessary to protect all the highest priority health and social care services and create the capacity to treat COVID-19 patients. This meant that, as resources were re-directed, some health and social care services had to, unfortunately and unavoidably, be curtailed. Whilst that was the right thing to do, the consequence was that some health and social care services were adversely impacted. Most adult screening programmes were paused from the second week of March. This was needed to ensure not only that adequate healthcare and laboratory resources could be redirected to the pandemic response but to reduce the risk of infection by ensuring appropriate social distancing to safeguard patients. However, it is also important to note that some screening services have continued. These include higher-risk breast screening, diabetic eye screening for pregnant women, newborn blood spot screening, newborn hearing screening, antenatal infection screening in pregnancy and smear tests for non-routine cervical screening. Breast assessment and colposcopy follow-up clinics also continue to be held, where possible.

Elective care activity also had to be reduced during the pandemic, as medical staff were redeployed to treat COVID-19 patients.

As I have said, those waiting lists were unacceptable before COVID-19 and are even more horrendous now. For instance, outpatient activity is down by between 40% and 55%, and inpatient activity by between 34% and 67%, both compared with the similar period last year.

#### 10.45 am

COVID-19 continues to have a significant impact on adult social care, which remains in the surge period of the pandemic. The impact on social care is evident in the presence of COVID-19 among care home residents and staff. A recent survey of providers indicates that 19% of those who responded were caring for residents who had tested positive. A slightly higher proportion — 23% of providers — had employees who had tested positive.

As I have highlighted, I am concerned about the impact of COVID-19 on mental health. Early anecdotal evidence suggests that there are a large number of mental health presentations previously not known to mental health services. Those may well be linked with the effects of a reduction of face-to-face contacts and stress related to the pandemic.

Important projects and programmes being delivered across the Department have also been affected. For example, only two of my Department's 'New Decade, New Approach' priorities are now on target for delivery. Work on the other commitments will continue but, unfortunately, will be behind schedule.

Emerging research indicates that population health is, on balance, likely to be negatively affected by the wider impacts of COVID-19. Perhaps the greatest concern is that the most disadvantaged in our society are likely to be worst affected. We need to carefully monitor the impacts on population health and consider ways in which we can address them, especially for our most vulnerable citizens.

Clearly, COVID-19 has impacted extensively across all Health and Social Care services, projects and programmes. There is much more detail on these impacts in the strategic framework and, in particular, in the appendices published alongside it.

I leave the impact assessment and turn to the important issue of service innovations. I recognise that it may be difficult to find any positives in the situation that we find ourselves in, but we must recognise that the emergency response across primary, community and secondary care services has involved innovative service delivery approaches. Our health and social care providers have adopted the use of technology like never before. Virtual clinics and telephone triage are now widely embedded in primary and secondary care services. We cannot go back to the way we delivered services before COVID-19. There is now an opportunity to mainstream the recent innovations as normal services are resumed. I am determined that we take that opportunity. We also need to factor into our plans the ongoing Encompass programme, which is designed to facilitate greater digitalisation of our services. Of course, we must recognise that the use of technology will not be appropriate in all circumstances, and we must continue to offer face-to-face services where it makes sense for patients and staff alike.

We must also not forget the extensive transformation programme that had gathered pace prior to the pandemic. It will also inform the rebuilding of health and social care services. Our primary and secondary care providers have also stepped up to collaborate in ways not previously seen. That is best exemplified in the 11 COVID-19 centres established as a response to the crisis. We must now build on those experiences to further encourage that collaboration. I confirm to the House that innovation, transformation and collaboration will be at the very heart of my approach to rebuilding health and social care services. My plans for rebuilding health and social care will be integral to the overall strategic approach to recovery that the Executive will take forward. I will work closely with my Executive colleagues to ensure that the societal, economic and health and well-being impacts of the pandemic are addressed across government to ensure that the interests of all our citizens are secured.

I turn to the strategic approach that we will adopt to rebuild health and social care services as soon as possible. It will involve the development of service incremental plans in three-month cycles. I do not consider it feasible to plan beyond that three-month horizon, given the high degree of uncertainty that we face about potential further surges of the virus. Of course, this will be kept under review, and I will adopt a flexible approach to the rebuilding effort.

Service providers, including our health and social care trusts, will therefore be required to develop successive three-month service plans. The plans will detail how they will increase capacity to resume normal service provision as quickly as possible. It is critical that the plans be developed in a systematic and consistent way. We will therefore involve the wide range of existing managerial clinical networks, project boards, task-and-finish groups and any other suitable vehicles in the development of service-specific plans for their respective areas. That will ensure an integrated and coordinated regional approach.

I recognise the importance of engaging with civic society and stakeholders on the rebuilding of HSC services. My Department will therefore use its existing consultative structure to ensure that we take account of external stakeholders' views. A key aspect of that work will be a review of existing patient pathways in the light of the constraints and issues that COVID-19 presents. The first three-month plans will cover July, August and September. Further plans will be developed thereafter in three-month steps. I will ask trusts and other service providers to develop the incremental plans through taking account of the constraints imposed by COVID-19; recent service innovations; opportunities associated with the transformation programme; and digital innovation, such as the Encompass programme. The incremental service improvement plans will identify further funding requirements that I will bring to the Executive in the weeks and months ahead.

I recognise that it will take time to develop the first three-month plans and that immediate action is essential. Our trusts have therefore developed initial service delivery plans for the month of June. The plans will be published today by the trusts, and I urge Members to review them to see the specific services that are being recommenced in their area.

The trusts have made a number of key commitments that I very much welcome. They include the ongoing emphasis on high-priority cancer services and other urgent conditions. In addition, during June, trusts are increasing scheduled day-care cases and diagnostics, including endos— I will give that one a miss [*Laughter*]; apologies. They will be doing that or determining the extent to which that will be possible in the near future. The individual trust plans, also published today, provide more detail on the immediate actions that they are taking.

I reassure Members that I have long made it known to my officials that, where services across the trusts could be turned on before then, I want to see them turned on. This is not the time to be getting caught up in process, especially as I remain acutely conscious that every day that our health service is not operating at full capacity, the longer and the harder it will be to repair the damage that has been and still is being done.

My overarching approach to rebuilding services as quickly as possible involves a strategic, regional approach. My immediate priority is to support services where further delay would seriously risk conditions worsening for patients. We need to deliver at pace, and I will now say more about how I intend to do that.

The scale of the challenge confronting the health and social care system is daunting. We need to maximise service activity in the context of managing the ongoing COVID-19 situation. At the same time, we need to embed innovation and transformation; incorporate the Encompass digital programme; prioritise services; develop contingencies; and plan for the future. Given the complexity and scale of those challenges, it is more important than ever that our health and social care system be given clear direction and that decisions be taken quickly in a fluid and changing environment. To facilitate that, I have established a new management board for rebuilding HSC services. It will give clear direction to the Health and Social Care Board (HSCB), the Public Health Agency (PHA), the health and social care trusts and the Business Services Organisation (BSO). The management board will consist of senior departmental officials, trust chief executives and senior officials from other key arm's-length bodies. It will be advised by a group of expert advisers who will be invited to provide input and advice to inform management board deliberations as and when required. I envisage that that arrangement will facilitate input from and engagement with a significant range of key stakeholders. The new governance arrangements will be facilitated through changes to the existing framework document, which sets out the roles and responsibilities of all Health and Social Care bodies. The revised governance arrangements will be reviewed on a six-monthly basis, but my intention is to have them in place for at least two years. The rebuilding of services will not happen overnight and will require a response that is both agile and adaptable to ensure that the system can respond to further potential COVID-19 surges.

As I have said before, my priority is to ensure that the services provided by Health and Social Care are safe and effective. I have no doubt that some will have wanted to see more outcomes and targets in the framework: that will be fully addressed in the three-monthly rebuilding plans that my Department will publish from July onwards. Above all, we will need to increase the available capacity in health and social care services to address the backlogs that have increased since the start of the emergency. That will require new recurrent investment alongside ensuring that the innovation that has emerged during the emergency finds its way into policy making. Above all, I want to see an acceptance and a willingness across the system to entertain new ideas and to accept change in the delivery of health and social care services.

I am in no doubt that we are confronted with a huge challenge. We must, as a system, try to rebuild services as quickly as possible; manage the ongoing COVID-19 pandemic; embed innovation and transformation; and plan for the future — all at the same time. Above all, my wish is no different from that of Members in the Chamber and from that of the wider community: that, through good government, sound financial investment and partnership working, we will rebuild our health and social care services. I commit all the various parts of Health and Social Care to that task. I will bring to bear all

the leadership and encouragement that I can offer, as we move through what will be a period of considerable testing and change for Health and Social Care. I commend the 'Rebuilding Health and Social Care Services' strategic framework to the House.

**Mr Principal Deputy Speaker:** I thank the Minister for his statement. I remind Members that this is not a meeting of the Ad Hoc Committee, so I have no flexibility. Under Standing Orders, we have an hour, and, once the hour is up, the hour is up.

**Mr Gildernew (The Chairperson of the Committee for Health):** I thank the Minister for coming to the Chamber to make this important statement. I wish to acknowledge every one of those 537 individual tragedies, as well as the huge amount of work that has been done across the Department in the response.

I welcome the part of the Minister's statement indicating that the approach will be one of innovation, transformation and, most importantly, collaboration. Given that the Minister has established a new management board for rebuilding health and social care services that will give clear direction to the Health and Social Care Board, the PHA and the trusts, will he chair the management board to ensure that rebuilding is a priority? How often will the board meet formally?

**Mr Swann:** The management board will be chaired by the permanent secretary. I can and will be in attendance as often as possible to make sure that it meets as frequently as is necessary in the beginning. A similar structure, although not a formal one, got us into place during the surge plans. It allowed a flexible approach, with the Department working with HSC, BSO and the trusts to enable us to look at a regional approach to COVID-19. As the Chairperson will be fully aware from the briefings that we have given him, as we were able to move, through various steps, to a COVID-19 surge plan — depending on how serious the surge was — this facility will take us back to establishing a functioning Health and Social Care service across Northern Ireland at a regional level.

On the consultation and the collaborative response, the document refers to — the Member will see it now that it is published — staff involvement, new ways of working and working along the lines of co-production to make sure that it is not solely the management board giving direction but that consideration is given to, and there is consultation with, all stakeholders and users as we take this forward. However, the first stage, what we are doing in June, is a quick reflex to make sure that we can get as many services up and running again as possible.

**11.00 am**

**Mrs Cameron:** I thank the Minister for his statement to the House. We are all aware, Minister, that, in the face of COVID-19, health services have been launched into even deeper crisis than they were in before. I note from the 'Rebuilding Health and Social Care Services Strategic Framework' that the New Decade, New Approach priorities are in disarray, with just two of the items showing with green lights for delivery; those are the 'Mental Health Action Plan' and the extra 900 nursing and midwifery undergraduate places over three years. Minister, when will we see healthcare that looks remotely like normal and

where the urgent physical healthcare needs are being met?

**Mr Swann:** I thank the Deputy Chair for her point. On page 15 of the document, we have laid out all our New Decade, New Approach targets. She is right that there are only two that are green at this minute in time: our 'Mental Health Action Plan', which we published a couple of weeks ago, and the extra 900 nursing and midwifery undergraduate places. I want to put on record my thanks to all the nursing students, medical students and dental students who came forward to answer the call to support our health and social care services during the COVID-19 pandemic.

The Member asks when we will see health and social care services return to normal. I do not want to put a timeline on that. That is why we were looking at the three-month incremental steps. We cannot go back to the service that we left in January, because our waiting lists were getting longer and our nurses were on strike because of pay conditions and safe staffing conditions. It is about using the opportunity that we have in these three-monthly review steps to make sure that we have a health and social care system that supports the patients who need urgent care and routine care but also ensures that staff across our entire health and social care system are safe, confident and supported in the job that they do in supporting the people who need their help and care. So, while I am disappointed that we are not far advanced on our New Decade, New Approach targets, I hope that the Member and the House accept that, due to the exceptional circumstances that we are in, those targets were unachievable. However, they are still targets that are in New Decade, New Approach, so they are targets for the entire Executive. These are the ones that are specific to Health, and that is why we have detailed them in this document.

**Mr McGrath:** I begin by apologising to the Member for North Antrim, whom I walked in front of when he was making his point of order. When I entered the room, I did not see that he was doing that.

I welcome the Minister's reference to providing:

*"high priority and urgent services such as emergency care and ... cancer treatments."*

Only one emergency department in the whole of England, Scotland and Wales was closed as part of COVID yet we had three closed here, two of which are in and serve the constituency of South Down. Do you agree with me that reopening these services will help to get us back to normality, increasing and enhancing patient flow and enabling people to go to emergency departments and not clog up the other centres? If finance is an issue, would he consider scrapping the COVID centres, which the GP sector absolutely laments as a waste of time and money. Some of those centres see only three patients a day, yet they have cost hundreds and hundreds of thousands of pounds to maintain.

**Mr Swann:** I will start with the Member's second point on the COVID centres. I am aware of a small number of GPs who refer to them like that. The majority of GPs representative bodies that I talk to — and I have talked to a lot of them — see the benefits and positives of the COVID centres because they have taken COVID-positive patients out of normal practices. As we take our incremental and

then further steps out of the lockdown in society, there is a risk, which the Executive and the Department of Health accept, that we could see an increase in COVID. That is where those COVID centres will come into their own again. They have served the people of Northern Ireland well. They have served health service provision well and have seen collaborative working across primary and secondary care that was previously unseen at such a level in Northern Ireland. I do not accept the Member's criticism of COVID-19 centres. I have seen some GPs who are of that mind, but the majority whom I talk to definitely have seen the benefit. It is about looking at how we use them now and prioritising and further utilising what they could deliver.

The Member will see, when the trusts present their individual recovery plans, that there is reference to a number of emergency departments and when they may come back online. I do not see them coming back in this first stage in the month of June, but, further down the line in the three-month steps, they may be there, and that is as the trusts develop where they see the need and utilisation.

**Mr Principal Deputy Speaker:** Before I call the next Member, I gently remind Members that they may ask more than one question but the Minister is obliged to answer only one, and he gets to pick and choose. Let us try to keep it a bit more focused.

**Mr Chambers:** I thank the Minister for his statement and for his continuing work and that of his team to protect the public of Northern Ireland, which to date has been with their cooperation. I welcome the Minister's commitment in his statement to rebuilding our health services. Is the Minister confident that the Finance Minister will make available the funds to deliver his rebuilding plans?

**Mr Swann:** I thank the Member for his question. We have received financial support over the last number of months as and when we have needed it to respond to COVID-19. We have been fortunate that the Barnett consequentialities that have come from Westminster have allowed us to do much of that work. In regards to the funding for the next steps and the transformation, New Decade, New Approach changes, the challenges to elective care and the support for our nurses' pay banding that resolved the strike issues were all Executive commitments. It is the commitment of the Executive and not just that of the Finance Minister that we will have to rely on to make sure that our health and social care system is funded to deliver for the entirety of Northern Ireland.

**Ms Bradshaw:** I thank the Minister for giving his statement today. My question is also about the COVID-19 centres. I have been contacted by GPs who also see low numbers coming through and are very keen to get back to their own surgeries to deal with the patient backlog. Given the large number of vacancies in the GP workforce, how does he plan to man those in the short to medium term as outlined in the strategic framework?

**Mr Swann:** I thank the Member for her question. We are reviewing current workforce provision in those centres, and it will be on an on-call basis going forward. As we still try to manage and prepare for a second surge, should it come, the COVID-19 centres have proved to be critical in our response. When we developed them, they were copied in other parts of the United Kingdom, as they saw them as a way of primary and secondary care working together to tackle COVID-19 and to keep it out of our

normal GP surgeries. Part of the greatest concern that a lot of GPs had came from the fact that, if we were mixing COVID-positive and COVID-negative patients when they presented at GP surgeries, there was an opportunity for cross infection. The COVID-19 centres give an easier route for diagnosis, treatment and onward referral to hospital, if necessary. The COVID-19 centres prove useful at this time. As we start to step out of our challenge with and fight against COVID-19, and we move in our next monthly and three-monthly stages, we will look at how we can maybe utilise the centres in different ways, as well as making sure that the capacity and facility is still there to tackle any future surge.

**Mr Easton:** I thank the Minister for his statement and welcome what he has said. In his statement, the Minister mentions looking for increased funding. Does he have any idea or a rough idea of how much funding will be needed? Can he give a guarantee that, as we ramp up outpatient appointments and operations, patients will be treated safely to ensure that they do not catch COVID-19?

**Mr Swann:** I will go to the Member's second question first with regard to how we make sure that those patients approaching normal service provision, should it be operations or diagnoses, are kept safe — and that the staff are kept safe as well. I know about the Member's sister, whom he has mentioned at the Health Committee, and wish her a speedy recovery. We need to make sure that we have a health service that can provide support to COVID and non-COVID patients, so we may look at changing the utilisation of some facilities. There may be COVID-positive centres only treating COVID patients or COVID-neutral centres where patients who do not have COVID are treated. We have to look at how we use the physical space, but also how we support the staff. We will see a complete change in how PPE is used across our healthcare sector in the months and even years ahead.

With regard to the Member's specific financial question, I think that there is a paper coming to the Health Committee in the next week or so that will detail that. I do not have it in front of me, but the Member, as a member of the Health Committee, will receive that briefing.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for his statement. I appreciate the difficulties that he is going to have in re-establishing normal services in our health system. I also acknowledge that he describes this as a "quick reflex". However, given that the membership of the management board is going to be made up almost exclusively of senior DOH managers and other senior managers within the health and social care system, with no involvement from trade union representative groups or patient bodies, does the Minister not think that he has missed an opportunity here? He mentioned partnership working and collaboration in his statement, but the essence of transformation is about co-design and co-production. Does he not consider that he has missed an opportunity here to involve everyone in rebuilding the health service and getting back to normal?

**Mr Swann:** I thank the Member for his point, which is well made. The quick reflex is something that we have to do immediately with regard to the surge plans. As we stepped services down and concentrated them in a number of areas, it was about how quickly we could get back to normality. When the Member gets a chance to refer to the document itself, he will find on page 27:

*"Communication with Patients ... Staff Involvement ... Ensure you have a consistent approach to meaningful involvement of staff in developing solutions and in decisions which affect their working lives",*

so it is about consultation. In addition, as each trust chief executive comes to that board, they will bring the input from their board members and stakeholders. There are a number of references throughout the document to the new ways of working, and that is to ensure that the principles of co-production are embedded in rebuilding HSC services going forward. Co-production is also referred to at paragraph 5.7, so it is actually embedded in the document.

On the management board itself, we do not have that representation. Previously within the Department, we had three structures. The transformation improvement group (TIG) was similar to the body that we have here, the transformation advisory board (TAB) included the stakeholders and union membership that the Member referred to and the ministerial advisory group (MAG) was a cross-cutting section of the same organisations that met directly with the Minister. That structure had been established by Minister O'Neill. One of the things that I did before COVID was to look at how we could join MAG and TAB into one organisation so that we had those stakeholders talking to and engaging with me directly, rather than sitting on a specific board. The direction towards co-production and engagement is there, although those bodies may not be represented on the management board.

**Mr Buckley:** I thank the Minister for his statement and for the strategic framework. The Minister has rightly outlined the severe impact that COVID-19 has had on a range of cancer services across the system in Northern Ireland, and this news today will come as some relief to some of those cancer patients. Potentially, we can move towards regularisation of the services provided.

Does he agree that we must adopt the same will and determination as we applied to COVID in the fight against cancer in Northern Ireland?

The Minister mentioned mental health: is there any update on the appointment of a mental health champion, as that will, hopefully, help many of those who are potentially suffering adverse mental health on the back of COVID-19?

**11.15 am**

**Mr Swann:** Cancer is a scourge across this society that, I would say, has affected everyone in the House, whether through family, friends or colleagues. Again, when the Member gets the opportunity to refer to the full document, he will see that the first thing that we talk about in the action list, in annex A, is cancer care. We lay out strategic and specific directions on what cancer care pathways used to look like, how we are adopting the innovation that we have seen over the past eight weeks and what the new pathways to accessing service look like now.

I will say this to Members, and, as a constituency MLA and public representative, I know that this is something that will be hard for many to take: while we go through the next steps in the next number of months, we may ask people to go outside their normal route to service or treatment. I would rather look at how we tackle waiting lists and how we stop measuring them in months or years but in weeks and days or even miles. Individuals may have to travel that

bit further to gain a specialist service while we reconfigure the Department of Health so that we get people treated more quickly across Northern Ireland on a regional basis, rather than solely at their local hospital.

One of the discrepancies that we saw in the past was a postcode approach, where how quickly an individual might be seen and treated depended on which trust area they lived in. In the next months, we will look at a regional approach to getting on top of our waiting lists and starting to tackle those who have been seriously adversely impacted on in the past number of weeks.

**Ms Flynn:** I thank the Minister for his statement, particularly his comments that transformation will be at the heart of the approach to rebuilding health and social care services. We know that health transformation, when properly funded and based on partnership working with service users and all those in health and social care, is essential to building the future of our health and social care system. How will the Minister work with the transformation advisory board to progress the transformation? I am not sure from his response to Pat whether the new management board will supersede or replace the transformation advisory board.

**Mr Swann:** I apologise for the confusion. There is the ministerial advisory group, which is akin to the new management board and always was. The transformation advisory board (TAB) was there in the past, along with the ministerial advisory group. Therefore, there were two organisations that were made up of largely the same stakeholders doing roughly the same job. As I said to Pat, before COVID-19, I started work to bring those two groups together because they involved our trade union colleagues as well as service users. I wanted to bring them into one body that could advise me, as Minister, on how the workings of the recommendations that came from the management advisory group were working and changing the direction and what health service provision looks like. It is making sure that they are there to consult me, rather than being part of the board.

**Mr Catney:** I thank the Minister and his team for producing the strategy, and I completely agree with him that we have to address the wider impact of COVID-19 across the service. The strategy makes startling reading about the dire situation that the service is in. However, one thing that is clear is that there is no chance of progress and recovery without the hard work, adaptability and ingenuity of health service staff.

Minister, I welcome the establishment of the management board. My only concern is that it seems similar to existing groups such as the transformation implementation group and the transformation advisory board. Does the Minister agree that it is crucial that the board is outcomes-focused and that front-line staff who deliver care on the ground are fully engaged in its work?

**Mr Swann:** I refer the Member to my previous two answers. The management group looks like TIG — I cannot remember what it was called; it was the management board, anyway. TAB was the transformation advisory board, which was the stakeholders. This is about strategic direction and about management and direction of travel, so it is right that it comprises senior members of the Department along with BSO, the Health and Social Care Board and the trusts. The recommendation and the

document put that into a more formalised structure rather than just an advisory structure to me as Minister.

**Mr Nesbitt:** Mental health and well-being has traditionally been regarded as a Cinderella service that is in need of massive investment. The Minister has made it clear today that COVID-19 will make a serious situation much, much worse. Is he confident that his Executive colleagues are aware of the scale of the investment that is necessary to tackle that and that they will make that support and resource available to him?

**Mr Swann:** I assure the Member that my Executive colleagues are aware of that, because I have made them aware of it. I have bids in with the Department of Finance for the future funding of the service. However, we are also aware that Westminster may be moving to support the mental health outcomes and support mechanisms of their health service and, hopefully, Barnett consequential will come to Northern Ireland from that Westminster spend. My job as Minister of Health will be to make sure that those moneys are ring-fenced and used to support the mental health provision that has been so in need of central support in the past. The new Executive that came in on 11 January recognised that as a key priority in tackling mental health in Northern Ireland.

I apologise: I have just realised that I did not answer the question about the appointment of the mental health champion. The formal process for that appointment is well under way, and we hope to announce not just the process but possibly an interim mental health champion until the formal consultation on the appointment takes place.

**Ms Kimmins:** I thank the Minister for his statement. It is welcome that we now have a bit of a road map ahead of us for the restoration of services. I pay tribute to the pathfinder group in my constituency, which has done excellent work over the last three years to ensure the retention of the emergency department at Daisy Hill Hospital. The work of that group is a model that could be used in lots of other areas.

On that note, how will the Minister decide what services will reopen first? Will he ensure that we avoid a postcode lottery and that services in centralised sites will not be opened first on that basis to the detriment of other hospitals such as Daisy Hill? I have been engaging with the chief executive of the Southern Trust on that matter and was pleased to see its plan this morning as well. The reopening of the emergency department is, obviously, not part of that for this first phase, so I am keen to hear more about that.

**Mr Swann:** The Member has described the statement as a road map, and I have no doubts that there will be bumps in the road. As we look to open up services again, the work that has been done by each of the six trusts to bring forward their initial plans for June has been highly strategic. They are looking at what service provision they can restart as soon as possible without getting caught up in process or implementation. We need to get back to a place where we provide healthcare for the majority of the people of Northern Ireland.

As I said in an earlier answer, Members may see some of our healthcare being delivered differently, because we asked people to look at a regionalised and a Northern Ireland-wide service rather than simply going to their local one. If we start to look at that regionalised service, we will

also start to look at regionalised waiting lists so that they are the same across the region. People on waiting lists will be triaged according to medical and surgical need, and that will be done by the professionals who have always delivered that service to make sure that those who are most in need are at the top of the regional waiting lists. That will, hopefully, deliberately remove the postcode lottery that we have seen, unfortunately, in some instances in the past.

**Mr Muir:** I thank the Minister for the statement, particularly the section on general dentistry, opticians and allied health professionals. I have been contacted by many people in that industry, and the role that they have and the services that they provide are invaluable. I know that as a runner, given the number of injuries that I have managed to incur that have made me revert to using physios.

One thing that they are really looking for is guidance on how to operate and on financial assistance going forward because of the public health requirements that will be put in place. What consideration will be given to giving that financial assistance so that those services can continue to be delivered for our community?

**Mr Swann:** I know that we have, as a Department, put financial support into dentistry provision to keep dentists operating during this difficult time. To get their services back, we have established recovery groups that comprise representatives from the Health and Social Care Board, the representative trade body and my officials, who are examining how non-urgent services can be resumed as well as developing operational guidance. Those groups are expected to report again in the coming weeks, and that will inform the decision on when routine dental care can start to return.

In the context of the recent announcements on the return to dentistry services in the rest of the UK and the Republic of Ireland, the Chief Dental Officer has published outline plans for the return of dental services in Northern Ireland. The Minister for the Economy was looking at the financial support for the other allied health professionals rather than it being done through the Department of Health. Some of those service providers operate as individual businesses rather than providers for the Department, but support and guidance are available.

**Mr Durkan:** I thank the Minister for his statement. The Minister and Members have spoken of the impact of the pandemic and the lockdown on people's mental health. It is fair enough to presume that there will be an ongoing increase in the need for support and services. The pandemic is also having a devastating impact on community mental health services, particularly community and voluntary organisations and charities, which have yet to receive any financial assistance. With demand increasing and important preventative and early intervention projects being severely depleted, it is also fair to assume that more people, sadly and inevitably, will reach crisis point. With that in mind, does the Minister concur that it would be extremely short-sighted — in fact, it would be scandalous — should the Executive choose not to fund the Community Crisis Intervention Service in my constituency?

**Mr Swann:** The Member has written to me and texted me. He has been in regular contact about the service that he talks about. I have asked my officials to look at it in regard

to how we support the mental health action plan and the Protect Life 2 funding to see what opportunities there are. I know that the additional provision that has come from the council is also being challenged because of the financial situation it finds itself in.

The Member will be fully aware that the Minister for Communities has a support mechanism and funding for charities. I will check with her to see where that support is and how it is being given to the charities that need it at this minute in time.

**Mr Beggs:** I, too, thank the Minister for his statement and put on record my appreciation of Health and Social Care and, indeed, the voluntary care staff and the volunteers who have assisted over the recent period.

In his statement, the Minister referred to the need to mainstream innovation that had been learnt recently, and he referred to the Encompass programme. Can the Minister give examples of recent innovation that can lead to improvements in healthcare for the wider community?

**Mr Swann:** I thank the Member for his point. Encompass is a digitalisation programme that was in place before COVID, but what we have seen in the past period, as we have dealt with COVID, is the utilisation of digitalisation and online and telephone triage that has worked and has been supportive, always bearing it in mind that there is a point in time where face-to-face consultation is the best way forward. It is those innovations that we have seen on telemedicine stuff, which had been talked about and supported in the past but had never been developed or adopted, and we are now seeing those advances being part of common practice. It is about how we embed that innovation into our day-to-day delivery and do not take a step back into those gains that have been lost. It is also about support that we have seen between our GP practices and community pharmacies. We have seen far better collaboration between them.

It is about the general breaking down of what were perceived in the past as silo mentalities, which were not silo mentalities but were simply ways of working that had developed over time. We have seen those broken down and that mentality cracked over the past weeks. It is about how we take forward that work to make sure that all the good developments, all the relationships that have been built and all the working practices that have been developed and are working well are now embedded in the service.

### 11.30 am

**Mr McNulty:** I thank the Minister for his statement and for his role in endeavouring to navigate these uncharted COVID-19 waters. I note that this morning Members from my constituency received by email a copy of the Southern Trust's rebuilding plan. The plan sets out phase 1, which runs to 30 June, and phase 2, which runs to 30 September. Minister, given the potential hidden consequences of the fear that people have of attending the health service during this pandemic, would you apply whatever pressure you can to ensure that the reopening of the Daisy Hill emergency department occurs as early as possible in phase 2 of the plan?

**Mr Swann:** As the Member said, he has already had the opportunity to read the entirety of the trust's plan. The trust is bringing forward those staged recommendations and, as I said in my statement, our first stage will be what



we do in June and that is stage 1. We will then look at a three-month increment. It is always cognisant of where the service delivery is, but it is also cognisant of how we support our staff. Members must always be mindful that when we talk about service delivery and things going back to normal we are asking people who have put themselves through physical hell — excuse my language, Principal Deputy Speaker — over the past weeks.

At one point in January, they were standing on picket lines about their pay, conditions and safe working standards. They then stepped up to an intensity and a delivery of service that no one in this House could ever have imagined at that time. Each of those healthcare professionals, no matter where they are, or where they were, on the spectrum of delivery, delivered a service that has seen us record zero deaths for the past two days. That is because of what those people delivered.

When we talk about simply returning services, yes we want to get back to providing as many services as quickly as possible, but we must also be mindful that the people we are asking to get back into those places do need a wee bit of space to recuperate and recharge their batteries. We are just coming out of what was a terrible pandemic and I hope that we continue to take the trajectory that we have over the last few days.

**Miss Woods:** I thank the Minister for his statement on the rebuilding, reopening and transformation of the health and social care services. I welcome and echo his call that, if people suspect that they require medical intervention for whatever reason, they seek it. I am sure that most Members have had that matter raised by constituents. How will the Minister, alongside the trusts and as part of the rebuilding strategy, ensure that women have access to contraceptive services and early medical abortion services when required?

**Mr Swann:** I am aware that that provision was debated in the Chamber, I think last week or the week before. With regard to the delivery of abortion, that is a provision that this House should debate and decide on how it is delivered in Northern Ireland; it is not something that should be imposed on us by Westminster. At this minute in time, such provision has not been commissioned by my Department, but I am aware that it is being delivered by some trusts.

**Mr Allister:** As the Minister moves our service from the national COVID service back to the National Health Service, I express disappointment that in the Northern Trust's phase 1 there is no return of the maternity services to the Causeway Hospital. Will the Minister give us an indication of when that will happen, and that it is not a service that has been stripped out, never to return?

In terms of the framework going forward, is there not a danger with new advisory boards, new management boards, three-monthly service plans, expert advisers to this and that, and has it not got the feel of a bureaucracy bonanza? Is there a danger that the whole thing could get caught up in ever-strangling red tape?

**Mr Swann:** I thank the Member for his questions and I am glad that I am not able to shield from them as he accused other Members and Ministers of doing earlier.

In regard to the bureaucracy that he referred to, this actually moves away from some of that and the ability of some boards and structures to hide behind bureaucracy

and decision-making. The management board is comprised of senior executives in trusts and senior departmental officials answering to me as Minister. Our health service is not going to get caught up in bureaucracy or strangulation. I will be back in this House, and the Member is free to challenge at any time if he sees that as a direction that this structure is going in.

The three-monthly review allows us to make sure that we step back from, as he referred to it, the national COVID health service — because that is what we became for a number of weeks while we challenged the pandemic — to where we should be in the delivery of the services that we were delivering, always mindful that there may come a time when we need to step back into that COVID support.

The return of maternity services to the Causeway Hospital is within the Northern Health and Social Care Trust's stepped approach. They do not see that returning in June in the first phase of the plan, but I have seen correspondence that said that it is something they are planning. I have been assured that the service will return, but there is no timetable for that at the minute. From a constituency point of view, I know that the Member has championed and argued for that service to return to the Causeway Hospital so that it can deliver for the people of East Londonderry and North Antrim.

**Mr Carroll:** I thank the Minister for his statement. The Minister mentioned mental health. There is a lot of concern about the likely increase in mental health problems after this pandemic, and in people presenting with those problems. That needs to be reflected in spending and the allocation of budgets by the Department.

Given the much-welcomed support, praise and clapping for NHS staff, including carers, what assurances can the Minister give that any transformation will not mean the whittling down or privatisation of existing health services? Can he assure us that there will not be a shock-doctrine approach to the NHS?

**Mr Swann:** I can answer the Member in one word: yes. I can give you that assurance. This is not about the privatisation of the health service.

One of the greatest things that has supported Northern Ireland through the COVID-19 pandemic is the fact that we have a National Health Service. We have a health service that is free at the point of use and free at the point of delivery, and I am proud of that. When we went out on a Thursday night and clapped, it was for the entirety of that National Health Service.

I utilised provision and support from the private sector in past weeks to make sure that we had capacity. If we now need to utilise that provision to get on top of and tackle some of our waiting lists, I will use it. I will give a commitment to the Member that I see no opportunity and will take no opportunity while I am Minister for further privatisation or any privatisation of our National Health Service.

**Mr Principal Deputy Speaker:** Thank you, Minister. Because Members were concise, we have about 20 minutes left, so if any Member wants to ask an additional question of the Minister, if they rise in their place or catch my eye, I will call them.

**Mr Gildernew:** What plans are in place so that we rebuild in a way that addresses and tackles existing health inequalities?

**Mr Swann:** Again, I thank the Chair for his question. Taking a regional approach, managed by that board, should and will tackle discrepancies that we have seen in the past. I referred, maybe inadvertently, to the silo mentality. That is not a criticism of any of our trusts and the way that they have operated. It is just because of their day-to-day operations and the restrictions they have working in a geographical area that that is the way their service has been focused. It is how we now utilise cross-region working and cross-sector working, should it be primary, secondary or community, to ensure that we all come together with the same focus: health delivery for the people of Northern Ireland.

**Mr Buckley:** Minister, one of the key, fundamental issues that we saw in the health service before COVID-19 was the abuse of A&E. Has the Minister given any consideration to that? Can we learn anything from COVID that will prevent the future abuse of A&E services across Northern Ireland? Such abuse puts a strain on the health workers whom we have rightly championed throughout this crisis.

**Mr Swann:** The Member is right to highlight that. When I came into post on 11 January, which seems a long, long time ago, two of the biggest factors that we were tackling were waiting lists and the time spent in emergency departments by people who were utilising them but did not need to be there. It was not that they were abusing the system, but there was better provision elsewhere within the health service from which they should have sought help. MDTs that can provide physiotherapy support and mental health support have been established. Maybe we can look at a different utilisation of the COVID centres currently used for those who are COVID positive. There might be an opportunity to ease the work of emergency departments.

A major piece of work to review emergency departments has already commenced in the Department and should come to fruition in the next number of weeks. It looks at how we could do things differently. One of the things that the review involved was the utilisation of telemedicine and telephone triaging, which are now well established in our health service and can be used to take pressure off the emergency departments.

I want to highlight one issue. In the past, we stood and clapped for our health workers and commended them. However, at the start of this week, I was disgusted to see that there had been 35 attacks on our ambulance crews. While we talk about the great work that our people are doing, there are still those in society who look to abuse not only the system but our staff — the people who have put themselves on the front line and at risk, and, with the COVID situation, even, at times, put their families at risk. I want to take this opportunity to condemn those who still see our health workers as an easy target. I think that, at some point, there should be a provision whereby an attack on any health service worker reveals the full force of the law.

**Mr McGrath:** Thank you very much, Mr Principal Deputy Speaker, for the additional questions. We are like kids being told that we have an extra 20 minutes in a sweet shop.

My question follows on from your last remarks, Minister. You talked about the reviews that will take place within the trusts. Is the Ambulance Service trust included? As the sixth trust, it is almost forgotten at times. It found

that there was some easing of demand at the start of the process because people were not attending A&E in the same numbers. However, those numbers are starting to increase, and we are starting to see the ambulance corridors in hospitals backing up. You will know, being from a rural constituency, as am I, that our ambulances end up getting trapped in the cities and unable to move. Yesterday, I met the chief executive of the Ambulance Service to discuss cases. On two or three occasions, people who were in dire need had to wait for 45 minutes for an ambulance. Will that form part of this review?

**Mr Swann:** If the Member looks back at my comments, he will see that I talk about “our six trusts”, which include the Ambulance Service trust. It is always included because it is integral. It is one of the original trusts. It works across other departments as well.

We are conscious of the pressures that the Ambulance Service has been under, not just the attacks but as we start to see the need increase. During the pandemic, we had to step down our emergency helicopter service. Fortunately, it is up and running again and providing the critical service to rural constituencies that the Member referred to. Utilising that part of the health family is vital.

The Member talked about waiting times in EDs and the ambulance corridors. At the point when we were seeing less use of the emergency departments, those were not so much of a problem. However, that utilisation is starting to increase, and that, in addition to the social distancing required in emergency departments and waiting rooms, is putting additional weight on ambulance times. We are cognisant of that and are supporting the Ambulance Service while we work through the step-out plan. When the trust plans are published — I think that they already have been — they will include one for the Ambulance Service trust.

#### 11.45 am

**Mr Principal Deputy Speaker:** Mr McGrath referred to a sweet shop: please do not gorge yourself with 13 minutes left and six Members looking to get in.

**Mr Nesbitt:** Earlier, a couple of Members made reference to the call by some to wrap up the COVID-19 centres on the basis that they are not the most efficient use of resources and funding. Given that the second wave of coronavirus is still a distinct possibility, will the Minister agree that the expression “Better safe than sorry” trumps all other considerations?

**Mr Swann:** With regard to how our planning has been progressed over the past 10 weeks, that is one of the factors that we have always taken into consideration. It is about making some of these decisions, and, although it was hard at the time, I was always looking to the worst-case scenario that we could have seen ourselves in.

With regard to the COVID-19 centre and my answers to Members earlier, my robust defence of them is the fact that we have a number of GPs and GP representative organisations who speak highly of them and see them as a critical piece of the front-line service in how we were fit to manage COVID-19 by keeping those patients out of the normal GP surgeries and the normal run of the mill.

I am in no doubt that we will see an increase in COVID-19, because, as we allow people to come back out into their

normal way of life, coming out of lockdown, accessing retail, leisure facilities, tourism, hotels and all the rest of it over the next few weeks and months, there will be increase in COVID-19 cases in Northern Ireland. We will still need the facilities and the structure to support those people when they need it. I think that the COVID-19 centres have proven beneficial in doing that.

**Ms Bradshaw:** I would appreciate it if people did not misrepresent my question: my question was about how we were going to manage the COVID-19 centres and get our GP surgeries back up and running with an overstretched GP workforce.

My second question relates to the community pharmacy services. In the Committee for Health, we put through the regs relating to the emergency supply service, which has obviously been very beneficial. Is the time right for a longer-term routine repeat prescription service to be made available between our community pharmacists and GPs, given how effectively they have worked together during the pandemic?

**Mr Swann:** Pharmacies working with GPs was one of the innovations that I spoke of. In the early stages of the pandemic, staff capacity fell below 70% and in recent weeks, it has improved to 80% in our Community Pharmacy. The new emergency supply service that was introduced provided access to prescriptions and medicines in the event that a patient had run out of their repeat medicine and could not access their GP, so that enhanced facility was in place. It has worked well. In collaboration with Community Pharmacy and our chief pharmacist, we are having that conversation about how we adopt the changes that were made.

Also, the delivery service in Community Pharmacy was mostly supported by volunteers who came forward to deliver. At the last count, the collaboration between the Health and Social Care Board and the Community Development and Health Network led to 120 community groups registering to deliver prescriptions. By one point last week, 33,000 prescriptions had been delivered safely by volunteers. Therefore, it is not just about the repeat prescriptions; it is about how the entire community pharmacy service is provided, going forward. They were a vital link over the past number of weeks while we combated COVID-19. Again, many family-run shops and services put themselves on the front line. At the very initial point, as I referred to earlier on, they took an awful lot of abuse and criticism from frustrated people who were going into the pharmacies. They stood up to a lot, they have adapted and they are in need of additional support from the Department of Health and the Executive. However, we need to make sure that we adapt any positive working collaborations that they have with GPs and that they are embedded into future service provision.

**Mrs Cameron:** I will also ask about the pharmacy issue, given that pharmacy has become the front line in the pandemic and has been there and has worked incredibly hard throughout. What additional support will the Minister give to the pharmacy sector, and what conversations is he having with it on the role that it can play in transformation in the midst of the pandemic?

**Mr Swann:** Last week or the week before, I met the board of Community Pharmacy Northern Ireland. We had a good engagement. In recent weeks, the Department,

the HSC Board and Community Pharmacy Northern Ireland has completed extensive work to agree a new commissioning plan for community pharmacy services for the rest of 2020-21. That will build on lessons learned in the pandemic to date to ensure that pharmacies continue to provide the public with access to medicines, advice and treatment for common conditions and support for health and well-being. Pharmacists and pharmacy teams in trusts have adapted their working practices and introduced innovative solutions, working in intensive care units. Clinical pharmacists and clinical technicians have joined their colleagues in critical care teams. Pharmacists have used technology to hold virtual clinics to maintain contact with and support for patients taking specialist treatments. That has been a positive engagement between the Department, the Health and Social Care Board and Community Pharmacy Northern Ireland, and I hope that it will bear fruit in the next few weeks, if not days.

**Mr Sheehan:** The Minister referred in his statement to experts who will assist in the rebuilding strategy. Will he identify those experts? Will he also commit not only to transparency about their identity but to the public accessibility and visibility of that advice, contrary to the approach taken by the Scientific Advisory Group for Emergencies (SAGE) in London, which has been very secretive?

**Mr Swann:** Certainly, I will give the Member that commitment. If we bring any in, we will make sure that they are named and that their advice is published.

**Ms Kimmins:** I thank the Minister for the opportunity to ask another question. As it is Carers' Week, it is important that we pay tribute to the thousands of unpaid carers who, throughout the pandemic, have very much held court, for want of a better word, with the closure of day centres and facilities that are a major lifeline to help them through very difficult times. Can the Minister update the House on the reopening of day centres and respite services? I know that the plan is to work towards that: can we ensure that it is a top priority? Many families feel that they have been very much left to their own devices. Can he ensure that support is available to them, going forward?

**Mr Swann:** The Member is right: it is Carers' Week, so it is right that their commitment is acknowledged. Over the past number of weeks, they have gone over and above what was ever expected of them in the support that they have given to their family members and loved ones without the additional support of respite centres, which have always been relied on for peace of mind as places of support for their loved ones. As I said, stage 1 gets us to the end of June. Then, each trust will look at a review every three months. I will ensure that respite and day centres are as far up those priorities as practically possible, while always taking into consideration the health and well-being not only of users but of staff.

**Mr Principal Deputy Speaker:** We have four minutes left, and three Members wish to ask questions. Can we have short questions and short answers, please?

**Miss Woods:** Thank you, Mr Principal Deputy Speaker, for the additional time to ask questions. I refer to my previous question and the Minister's answer. Can the Minister ensure that, as part of the reopening and rebuilding strategy, women will have access to contraceptive services

when they require them, given that those services have not been available?

**Mr Swann:** I refer to my previous answer: those services are available through some trusts and are being delivered at trust level, not by a central, departmentally commissioned service.

**Mr Allister:** Can the Minister update the House on the health service's current level of reliance on the private sector and how he sees that evolving, going forward?

**Mr Swann:** I refer the Member to my answer to Gerry Carroll. We are using some independent services to ensure that we keep up to date with red-flag cancer services and a number of other procedures at a day-care level. In 'New Decade, New Approach', there was a bid for £50 million per year to tackle waiting lists. Some of that money would have gone to the independent sector, because it is the only way we could have got on top of and challenged those waiting lists. It is about making sure that we use the independent sector when it is available and when it is appropriate to do so, but we also have to make sure that, if there is additional money, it is invested in our National Health Service. The independent sector should be there as a supplement, not to be completely relied on.

**Mr Givan:** Can the Minister advise when, in restarting the health service, routine surgeries and theatres will be opened up for people who are waiting on vital appointments that they still have not got? Secondly, as we reopen our economy and every other aspect, the World Health Organization has said that its advice is for social distancing at one metre. When will we move from two metres to one metre in line with the World Health Organization? That will be critical in going forward into some kind of normal semblance of society.

**Mr Swann:** The re-engagement of service provision is what the plan is all about, including how we open up theatres to make sure that we can get back to delivering the service and the operations that people have been waiting for. People have been getting a six-week notification for procedures that they need, but we will cut that down. As we reopen, those notification times will be shorter, so, if people get a notification of access to the provision of healthcare and operations, I ask them to move as quickly as possible.

In regard to the question about two metres versus one metre, our scientific advisory group, which feeds into the Department of Health and the Executive, still very much takes the position that two metres is the right measurement at this minute in time. Members have to be cognisant of the fact that it is two metres for 15 minutes as an engagement of a positive case. If you reduce that measurement from two metres to one metre, you have to reduce the time that people interact to prevent the transmission of COVID-19. I recently got an estimate that, if we reduce our current advice — two metres for 15 minutes — to one metre, it could be as little as three minutes' interaction. When it comes to contact tracing and finding a positive case who could have transferred COVID-19, there are larger implications than simply accessing facilities or utilisation when it comes to the physical distance of two metres or one metre. It is also about the time of the interaction: that greatly reduces at the same measurement. That has to be taken into consideration. At this minute in time, our recommendation to the Executive is still two metres.

**Mr Principal Deputy Speaker:** That concludes questions to the Minister on his statement. I thank the Minister for coming to the House and taking an hour's worth of questions. I wish him all the best as he leads our health service during this time.

Members should take their ease for a moment before we move on to the next item of business. It will allow other Ministers to get into the Chamber. Thank you.

12.00 noon

## Executive Committee Business

### Northern Ireland Criminal Injuries Compensation (Amendment 2020) Scheme (2009)

**Mr Principal Deputy Speaker:** The next item of business is a motion to approve the draft Northern Ireland Criminal Injuries Compensation (Amendment 2020) Scheme (2009).

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

*That the draft Northern Ireland Criminal Injuries Compensation (Amendment 2020) Scheme (2009) be approved.*

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

**Mrs Long:** The purpose of this amendment to the Northern Ireland Criminal Injuries Compensation Scheme is to enable victims of a crime of violence, who were living as members of the same household as their assailant between 1 March 1969 and 30 June 1988, to apply for criminal injuries compensation. From 1 March 1969 until 30 June 1988, both the Criminal Injuries to Persons (Compensation) Act 1968 and the Criminal Injuries (Compensation) (Northern Ireland) Order 1977 excluded claims for injuries inflicted on victims who were living as members of the same household as their assailant. That bar on eligibility was changed from July 1988, so same-household victims are only eligible to claim from that date under the 2009 scheme.

On 23 November 2018, the Court of Appeal in Northern Ireland delivered a judgement on a judicial review, overturning the same-household rule, stating that it was incompatible with human rights. A similar ruling in GB relating to the same-household rule was also overturned by the Court of Appeal for England and Wales. The GB compensation scheme has been amended as a result of that ruling.

There is limited information on the volume of applications that could be received by my Department as a result of removing the same-household rule from the criminal injuries scheme. However, it is estimated that around 800 applications may be eligible within the period 1969 to 1988, at an estimated 10-year cost to the Department of somewhere between £9·7 million and £18·5 million. Amending the same-household provision will address the Court of Appeal decision and bring the Northern Ireland Criminal Injuries Compensation Scheme into line with the GB scheme in relation to treatment of victims of same-household abuse.

I thank the Justice Committee for its careful consideration of the draft amendment. It is with its support that I can bring this draft amendment to the scheme before you today, and I commend the draft amendment to the House.

**Mr Givan (The Chairperson of the Committee for Justice):** I am pleased to speak on behalf of the Committee for Justice in today's debate. Victims whose injuries were inflicted from 1 March 1969 to 30 June 1988 by assailants who were members of the same household are, as the Minister outlined, excluded from making claims for criminal injuries compensation. Under the Northern Ireland Criminal Injuries Compensation Scheme 2009,

victims from 1 July 1988 can submit claims, but victims from before that date remain ineligible. The Court of Appeal in Northern Ireland concluded that the same-household bar was not justified in law in November 2018, and the amendment that we are considering today will, therefore, remove the same-household rule and allow victims of such a crime between 1 March 1969 and 30 June 1988 to apply for criminal injuries compensation.

The Committee first discussed the proposed removal of the same-household rule during an oral evidence session with Department of Justice officials on 23 January. At that time, the officials advised that the period covered by the amendment would be 1968 to 1988. Following that session, the Committee requested clarification on the position of cases pre-1968 and an indication of the number of cases that may be eligible between 1968 and 1988. In response, the Department advised that an impact assessment suggested, as the Minister outlined, that 800 people may be eligible to make a claim for that period.

The Committee was also advised that there was no criminal injuries compensation scheme in Northern Ireland prior to 11 June 1968, which is when the first scheme came into force and excluded injuries that were inflicted on victims who were members of the same household as their assailant. The Department later clarified that while the Criminal Injuries to Persons (Compensation) Act 1968 was made on 11 June 1968, it was not commenced until 1 March 1969. There was, therefore, no scheme in place until that date, and it is the date from which the amendment we are considering today will apply.

The Committee considered a written briefing from the Department on the proposed amendment to the scheme at the meeting on 14 May, as well as the details of the proposed amendment. The Committee noted that a similar amendment to the relevant scheme in England and Wales passed with wide support and came into force on 13 June 2019. This amendment will, therefore, ensure that victims of same-household abuse in Northern Ireland are not treated any less favourably than those in Great Britain.

The Department's briefing paper also detailed potential cost implications of between £9·7 million and £18·5 million over a 10-year period. The Committee will monitor that expenditure as part of its ongoing scrutiny of the Department of Justice budget.

Having considered the detailed briefing paper, the Committee agreed on 14 May that it was content with the proposed amendments to the scheme. At its meeting on 4 June, the Committee considered the papers for the draft Northern Ireland Criminal Injuries Compensation (Amendment 2020) Scheme (2009), which were laid by the Department of Justice on 29 May and which confirmed that there have been no changes to the policy intent since the proposals were considered by the Committee. The Committee recommended that the amended scheme be approved by the Assembly. Therefore, I support the motion on behalf of the Committee for Justice.

**Ms Dillon (The Deputy Chairperson of the Committee for Justice):** I have very little to add to what the Chair has already outlined, other than to thank the Minister for bringing this forward. It is a very positive move. It is important that those who live in the same home as their assailant are treated the same as anybody who suffers outside of that circumstance. I think that is important,

particularly given the context of some of the issues that we are dealing with moving forward around coercive control behaviour, domestic violence, stalking and all those other issues. It is extremely important that we address that, and I welcome it.

**Mr O'Toole:** I, too, will speak very briefly on behalf of my party simply to welcome this change that has been brought forward by the Department and to thank the Justice Committee for expediting this and doing it promptly. This equalisation in the rules is completely the right thing to do in relation to same-household victims from post-1988 and also equalisation of victims here versus those in Britain. So, I very much welcome that change.

As Linda Dillon said, it is part of a broader agenda around other legislation going through the Assembly around support for victims and broader things. So, I very much welcome that change. It is an example of what we can do in fast time for real change for people with the reformed Assembly and Executive.

**Mr Beattie:** I thank the Minister for bringing forward the motion. This is an incredibly important motion, and I hope that we all get a chance to look in and understand it. Mental, physical and sexual abuse by somebody within one's own household is an insidious crime, and those people from 1969 to 1988 who were abused like that have been largely forgotten. I have been engaging with a young man who was sexually abused by his mother between 1976 and 1984. She was brought to court on 15 counts of sexual abuse. This is real. This is live.

We have 800 people who have registered for this scheme, but what concerns me slightly — and I know that the Minister will take action with regard to this — is that the new legislation give them only two years to claim. So, it is incredibly important that when the legislation is enacted, we do something to reach out to those people who were abused so that they know that they can claim over the next two years, because I would not want to see, one month past that two-year point, somebody coming up and saying, "I was abused", but they are outside the window. I really hope that our communication plan is in place for that, and I think that we have time to do that. I am in no doubt whatsoever that the Minister will be on top of that.

For the individuals affected, it is not just about getting money for the criminal damage that they suffered through the abuse. It is acknowledgement and recognition that they went through it; it is that young man who went through it in the '70s and '80s — in a time when he could not go out because his area was controlled by paramilitaries — being listened to. That is what was happening over that period. We sometimes forget what it was like between 1969 and 1998. We may have 800 victims registered, but there could be more. There will be a cost, and we will have to absorb that cost, but we definitely must ensure that our communication plan is in place.

**Ms Armstrong:** Thank you, Minister Long. As others have said, the motion is important as it corrects an unfair retrospective exemption for criminal compensation on the basis that the victim lived in the same household as the perpetrator. On behalf of the Alliance Party, I welcome the motion and commend the Minister for righting an issue that, as she has confirmed, was completely incompatible with human rights.

Amending the same-household provision will bring Northern Ireland in line with the rest of the UK. It means that victims who were injured when they were living in the same household as the perpetrator, and who were previously excluded, can apply for compensation. I appreciate that that is limited to victims between 1969 and 1988. I note from the comments of Mr Beattie MLA that there is a two-year period within which victims will be able to claim. Will the Minister confirm whether she is working with groups in preparation for that claims process, because the last thing that any of us want — we must recognise this — is those 800 individuals being retraumatised by the process. They will need not only the criminal justice system, but the support mechanisms that are available in the community.

**Mr Principal Deputy Speaker:** As no other Member has indicated a wish to speak, I call the Minister to conclude and make a winding-up speech on the motion.

**Mrs Long:** I thank all Members who have participated in the debate. Sometimes, the things that go through the Chamber most quickly are some of those that are most impactful on the people affected. Therefore I thank Members. Whilst they did not labour, they raised some important issues.

The draft amendment to the scheme will enable people who were victims of a crime of violence between March 1969 and June 1988 to submit an application for compensation. It will also enable those victims whose applications for compensation were refused under the same-household rule to apply. It will address the Northern Ireland Court of Appeal's decision, and it will bring the Northern Ireland compensation scheme same-household rule into line with the GB scheme.

Members have rightly said that this is a sensitive issue, particularly given that we recognise that, often, people are subject to violent, coercive and sexually exploitative behaviour within their own household. It is, therefore, hugely important that as we recognise that, we also look to see how we can compensate those victims from the past.

Doug Beattie and Kellie Armstrong asked how we will ensure that victims are made aware of their entitlement to make an application. Unfortunately, the Department does not hold Compensation Services records of all claims that were previously denied under the same-household rule. However, we are continuing to work with victims' organisations to provide information to victims that they will be able to submit a fresh application for consideration by Compensation Services. We would welcome the support of MLAs, many of whom will have been approached over the years by people who had been excluded under this rule, were seeking their support and who have lobbied for this change.

There is a time limit of two years from the date that the amendment is passed for same-household applications. However, that time limit may be waived if the Department considers that there is a good reason for the delay, and it is in the interests of justice to do so. Although there is a two-year time limit, it is flexible. We will, therefore, be able to respond if, for any reason, someone with a justifiable case comes forward later.

I hope that the draft amendment will make a difference to victims who have previously and up until now felt ignored,

and I am pleased that it brings the Assembly into line with good human rights practice.

I commend the draft amendment to the scheme for approval by the Assembly. Thank you.

*Question put and agreed to.*

*Resolved:*

*That the draft Northern Ireland Criminal Injuries Compensation (Amendment 2020) Scheme (2009) be approved.*

12.15 pm

### **Birmingham Commonwealth Games Bill: Legislative Consent Motion**

**Mr Principal Deputy Speaker:** The next item on the Order Paper is a legislative consent motion (LCM) for the Birmingham Commonwealth Games Bill.

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

*That this Assembly agrees to the extension to Northern Ireland of a number of provisions within the Birmingham Commonwealth Games Bill relating to the creation of a new offence that prohibits the unauthorised sale or resale of games tickets.*

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

**Mrs Long:** The purpose of the Bill is to provide a number of temporary operational measures required to support the delivery of the Birmingham Commonwealth Games in 2022. A number of the provisions contained in the Bill extend only to England and Wales. However, others extend to the whole of the UK. The provisions that extend to Northern Ireland relate to the creation of a new offence that prohibits the unauthorised sale or resale of games tickets.

The Bill was originally introduced to Parliament in autumn 2019, but fell prior to the general election. It was subsequently reintroduced in January 2020. The Bill has completed its passage through the House of Lords, and is due to have its Report Stage and Third Reading in the House of Commons in the coming weeks. At the outset, I can reassure you that members of the public will legitimately be able to sell spare tickets. This legislation is aimed at those seeking to obtain financial gain. Members may recall that similar provisions were introduced for the London Olympic Games in 2012 and for the Glasgow Commonwealth Games in 2014.

A person found guilty of this offence in Northern Ireland would be liable on summary conviction to a fine not exceeding £50,000. In Northern Ireland, the fines on summary conviction, which are triable in a Magistrates' Court, do not generally exceed £5,000. In this case, the level of fine is set as a deterrent, with the intention of preventing criminal activity such as money laundering. The offence carries the same penalty in Scotland. In England and Wales, the offence will be punishable by an unlimited fine. It is not possible to have unlimited fines on summary conviction in Northern Ireland, so the fine here must be defined.

The Department considered the following points when setting the level of the fine. First, this is a UK-wide offence, and there is a need to maintain alignment between the levels of fine in Scotland and Northern Ireland and, insofar as is possible, with England and Wales. Secondly, given their interest in sport, colleagues in the Department for Communities have agreed the need for parity. Thirdly, the level of fine is commensurate with the changing nature of the online-ticketing market. The Department for Digital, Culture, Media and Sport has indicated that the expected number of prosecutions under this offence will be very low.

On whether or not this could be brought via the Assembly, Members will appreciate that I am normally of the view that we should bring legislation to the House and take it

through the normal procedures here. However, Members will appreciate that we are somewhat out of step with the normal processes. Generally, Executive and Justice Committee approval should have been in place prior to the Bill's being introduced in Parliament at Westminster. In this case, my Department was unable to do so as the Assembly was not sitting at that time. However, permanent secretary agreement in principle was obtained. On the return of the Assembly, officials sought my views, and I subsequently wrote to the Chair of the Justice Committee at the earliest opportunity and sought approval from Executive colleagues. Approval was obtained on 2 March.

The Justice Committee agreed to provisions extending to Northern Ireland at its meeting on 14 May and to the laying of this LCM. I believe that, given the advanced stage of the Bill and the very tight timescales involved, it would not have been practically possible to legislate locally on this matter. Westminster colleagues are keen to have the request considered as soon as possible as the timescales are somewhat challenging. I am keen, therefore, to seek legislative consent today, but I am also keen to hear the views of Members of the Assembly. I look forward to the debate that will follow. Thank you.

**Mr Givan (The Chairperson of the Committee for Justice):** I am happy to speak on behalf of the Committee for Justice. The Department of Justice wrote to the Committee in March, advising of the proposed LCM for the Birmingham Commonwealth Games Bill. That Bill introduces a number of temporary operational measures to support the delivery of the Commonwealth Games to be held in Birmingham, between 27 July and 7 August 2022.

The Bill will enable the Secretary of State to provide financial assistance to the organising committee, and includes provisions in relation to advertising, trading, transport and ticket touting. The majority of the Bill's provisions apply to England and Wales only, though a number extend to the whole of the United Kingdom and this includes the powers to provide financial assistance and reporting obligations for the organising committee. Although consent is not required for these provisions, due to their incidental nature on matters within the Assembly's competence, consent is, however, required for the creation of a new offence, prohibiting the unauthorised sale or resale of tickets, commonly known as "ticket touting". The Bill also provides for a fine of up to £50,000 for those found guilty of this offence on summary conviction in Northern Ireland. Currently, penalties for summary offences in Northern Ireland do not generally exceed £5,000.

In view of the COVID-19 pandemic, the Committee agreed that the LCM would be considered as a written briefing, in the first instance, and an oral briefing could be considered at a later stage, if it were felt necessary. Papers were, therefore, issued to members on 5 May for our consideration. It was noted at the time that the Department of Justice had engaged with the Department for the Economy and the Department for Communities on the proposed LCM, given their respective roles in enforcement and sporting matters. However, while the Department of Justice confirmed that DFC did not raise any issues, no indication of DFE's views was provided to the Committee. The Committee, therefore, sought clarification of that Department's position from the Department of Justice on 7 May, and the Department of Justice responded on 12 May to advise that the Department for the Economy had

confirmed, with the Department for Digital, Culture, Media and Sport, that it had no difficulty with the enforcement role and had not expressed any concerns with the proposed offences and penalties. The Committee was also advised that neither the Minister for the Economy nor the Minister for Communities had raised any concerns with the proposed LCM at Executive level.

The Committee agreed, at a meeting on 14 May, that it was content with the proposed LCM. The memorandum was subsequently laid by the Department of Justice on 15 May. The Committee was made aware that, in order to meet the Westminster legislative timetable, it would be necessary to schedule the debate for today's proceedings. To facilitate the passage of the LCM and to enable the requirements of the relevant Standing Order to be met, the memorandum was issued to Committee members via correspondence. The majority of members responded to confirm that they were content with the LCM.

While content with the LCM, the Committee requested further information from the Department of Justice on practical enforcement matters, on 20 May, including whether the Department had any role in enforcement, and how a member of the public may legitimately sell a spare ticket. In response, the Department advised that enforcement of provisions that extend to Northern Ireland will be the sole responsibility of the Trading Standards Service in the Department for the Economy. The Committee was also advised that a ticketing strategy is in development, and this is expected to include an authorised resale platform for ticket holders who find that they are no longer able to attend an event.

At its meeting on 28 May, the Committee for Justice formally agreed that it was content with the proposal to extend to Northern Ireland, by way of an LCM, a number of provisions in the Birmingham Commonwealth Games Bill, relating to the creation of a new offence, which prohibits the unauthorised sale or resale of games tickets. I can confirm, as set out in the Committee report, that the Committee for Justice supports the Minister of Justice in seeking the Assembly's endorsement of the legislative consent motion and, therefore, I am happy to endorse the approach that has been taken.

Speaking as an individual member, very briefly, the Minister has outlined the approach that has been taken. That is entirely understandable. I agree with the comments that the Minister has made. Aside from the importance of how we manage the ticketing, I use this opportunity to say what a fantastic opportunity we have in 2022, that the Commonwealth Games will be held just across the water in Birmingham. I know that many of us who are keen sporting enthusiasts and those who will want to go and support our athletes will want to wish them all every success. This is an important piece of logistical preparation work, but at its heart will be a fantastic sporting experience, and I look forward to cheering on people.

I note that, in the Republic of Ireland, elite athletes have been able to start training again. We really need to be facilitating that in Northern Ireland so that our athletes can get back to training. I declare a slight interest, not that I am one of those elite athletes. *[Laughter.]* I have family members who are involved in elite sport. I will leave it at that, but I have made the pitch.



**Mr Principal Deputy Speaker:** The Chair was in danger of veering away from the content of the motion.

**Mr Catney:** I thank the Minister for her statement. The LCM supports the creation of an offence that prohibits the unauthorised sale or resale of tickets for the Commonwealth Games that are due to take place in Birmingham in July and August 2022. The offence aims to safeguard the sale of tickets for the games from any money-laundering activity and to keep the tickets affordable. The Bill does not intend to prevent the legitimate resale of tickets. Ticket holders who can no longer attend will be able to pass on their tickets to family or friends, provided that that is not done in the course of business for profit or in a public place.

The Commonwealth Games delivery unit in the Department for Digital, Culture, Media and Sport has advised that the organising committee's ticketing strategy is in development, with tickets not likely to be sold before summer 2021. It is anticipated that the strategy will include an authorised resale platform for those ticket holders who legitimately can no longer attend. The SDLP believes that it is important that ticket holders from Northern Ireland have an extra layer of protection to allow for the potential breakdown in travel planning. In the event of a flight or ferry crossing being unavailable or cancelled, all ticket holders should be enabled to retain their tickets while attempting to secure alternative travel. In the unfortunate event that travel cannot be secured, swift access to a last-minute authorised resale platform should be easily available, with information on the process to follow, printed clearly on the ticket.

We all hope to see ease of access to travel resume long before 2022, but we now live in a world where it does no harm to attempt to future-proof and mitigate possible disruptions. Like my colleague from Lagan Valley, I wish, on behalf of the SDLP, the organisers and the athletes every success. We will be supporting the LCM today.

**Mr Blair:** I thank the Minister for the information that she has brought to the House today and made us aware of. The LCM extends the Birmingham Commonwealth Games Bill to Northern Ireland. The Bill creates a new offence to stop the unauthorised sale or resale of tickets for the Birmingham Commonwealth Games.

On behalf of the Alliance Party, I welcome the Bill, particularly because it includes the opportunity for people who genuinely cannot use their tickets to be able to sell them for face value. That will stop the tickets touts, while taking reasonable steps to protect those who are unable to use their tickets because of illness, a family emergency or another justifiable reason. I am fully aware that the legislation will end the day after the games do. That was the case, I believe, for the Olympic Games in 2012 and the Glasgow Commonwealth Games in 2014. When the Minister responds, hopefully she can tell us a bit more about how the Bill will prevent ticket touts from accessing tickets and also, as was mentioned earlier, give us a bit more information about the level of fine that can be introduced if someone is found guilty of an offence.

**Mr Principal Deputy Speaker:** No other Member has indicated to me or is indicating to me that he or she wishes to speak in the debate.

**Mrs Long:** I thank Members for considering the motion and for their contributions.

I also want to put on record my thanks to the Justice Committee for its very thorough report and to the Executive for their consideration of the issues at hand at a time when we had many pressing issues to deal with.

### 12.30 pm

A number of Members raised issues. I want, if I may push a little at the door opened by the Chairman, to say that this is a good opportunity for people who are genuinely interested in sport, and in such big-ticket events, to see, and to participate in, it live. It will come as no surprise to people that I am not a participant in sport, but I am often a spectator, and I do very much enjoy watching it. I know what a thrill it can be to see such sporting events take place live and to take part in them. Being part of the London Olympics, for example, was a memorable experience, and I hope that people will take this opportunity. However, tickets are often expensive. Therefore, it is critical that they are kept affordable, as Mr Catney correctly pointed out, by preventing other people from reselling tickets illegally for profit.

It is also important to remember that people who, for very genuine reasons, are unable to use tickets that they get — we know how complex ticketing systems can be — can still exchange or sell them on a not-for-profit basis so that they are not out of pocket and do not lose the money that they paid for the ticket or let the seat go unused. It is important that everyone can avail themselves of tickets and use all the tickets sold.

The significance of the level of fine reflects the increasing value of the market for the secondary selling of tickets. To put that in context, I think that the figure for the secondary ticketing market is about £1 billion a year in the UK. Obviously, that will include some legitimate resellers — those who sell because they cannot attend. Anecdotally, however, we understand that the vast majority of people who put tickets up for sale are professional traders and touts.

To put in context just how valuable this trade can be, and the significant profit that criminals can make from it, it was reported that, in a recent court case in Leeds, two individuals had made about £3.5 million of net profit between them. They were sentenced to a total of six and a half years' imprisonment for it. You can see that, from an organised crime perspective, it can be quite a lucrative market for raising funds. Therefore, Mr Blair is correct that the fines introduced are commensurate with the potential seriousness of the offences committed.

I am pleased with the support that we have had today in the Chamber. It is sensible that these provisions be carried forward in a Westminster Bill. On this occasion, I ask the House to support the motion to ensure that everyone can enjoy the Commonwealth Games in an affordable, and legal, manner.

*Question put and agreed to.*

*Resolved:*

*That this Assembly agrees to the extension to Northern Ireland of a number of provisions within the Birmingham Commonwealth Games Bill relating to the creation of a new offence that prohibits the unauthorised sale or resale of games tickets.*

## Private Members' Business

### COVID-19 Pandemic: Support for Sheep and Beef Farmers

**Mr Principal Deputy Speaker:** The next item of business is a motion on support for sheep and beef farms during the COVID-19 pandemic. However, I am mindful that, based on the indicative timings, most Members were expecting this item of business to commence at 2:00 pm. Therefore, in order to allow Members to come into the Chamber, we will take our ease for a few minutes.

*The House took its ease from 12.33 pm to 12.38 pm.*

**Mr McAleer:** I beg to move

*That this Assembly notes the important role that sheep and beef farmers play in ensuring a safe and secure supply of food for the population; acknowledges that a significant portion of sheep and beef farmers, such as hill farmers, are situated in areas of natural constraint and severely disadvantaged areas and face considerable challenges in running their farms; recognises that COVID-19 has had a huge impact on the sheep and beef sector, with the closure of restaurants, hotels and the wider food services industry; further recognises that due to low incomes and the minimal support from other COVID-19-related schemes, sheep and beef farmers in areas of natural constraint have been disproportionately impacted by the pandemic; and calls on the Minister of Agriculture, Environment and Rural Affairs to ensure that equality and fairness underpins the allocation of the £25 million agri-food sector market intervention fund and that sheep and beef farmers from areas of natural constraint receive the support that they need through the distribution of this funding.*

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

**Mr McAleer:** I commend the motion. The COVID pandemic has highlighted the importance of the agriculture and food sector in providing food security. COVID has brought a growing awareness of the value of local food producers. The agri-food sector has been negatively impacted by the crisis, and I want to commend the excellent work of our front-line farmers and food producers during the pandemic.

Committee members have received weekly updates on current issues affecting the agri-food sector, and I thank the departmental officials and Committee officials for providing them. Those weekly updates have consistently flagged up that, since the lockdown, the impact on markets and at farm level has been profound. Written correspondence that we received highlighted the fact that financial pressures are increasing rapidly on businesses across the supply chains, for example, through the loss of the food service markets and certain export markets, reduced productivity at processing plants and increases in some input costs, such as animal feed. All of that has converged to create a crisis for the farming and agri-food sector.

Industry has been consistently calling for financial support measures. Some of the measures — *[Interruption.]*

**Mr Principal Deputy Speaker:** Sorry, Mr McAleer. Oh, is it your phone? I was about to reprimand somebody else for interrupting you. Members should try to keep their phone away from the microphones. Thank you.

**Mr McAleer:** Some Government initiatives have been made available, such as the self-employment income support scheme (SEISS), through which self-employed people can receive a taxable grant worth up to 80% of their average trading profits in previous years, and that is paid by HMRC. However, the self-employment scheme is not enough to support our farmers during the COVID-19 crisis. That is particularly true for our beef and sheep sector farmers, whose average income is around half of the regional average wage at under £12,000 a year. When you apply the 80% and tax it, it is not enough to sustain them through the crisis. For that particular sector, the SEISS will have a negligible impact. It is pivotal that we keep the food supply moving and the food chain operational in the pandemic, and to do that the agriculture sector needs substantial support from us.

It is also of concern that some of the independent reports that we have seen show huge losses sustained by the beef and sheep sector, particularly as a result of rising input costs and the closure of the food service industry, which accounts for 35% to 40% of the beef and sheep red meats. We have seen losses in the region of £240 per head for cattle and £31 per head for sheep. That loss is substantial for small farmers.

The scale of the impact of COVID can be seen in the closure of the marts in March 2020 and the number of cattle being traded under the restrictions. We can look at the trading figures and have information from the animal and public health information system (APHIS). There was a substantial amount of farm-to-farm movement of cattle when the marts were closed: for example, 7,500 in the week beginning 26 April, and 7,000 in the week of 19 April. During those weeks, there was substantial movement of cattle from farm to farm. If we apply the average loss of £238 per head, we see that that is a huge loss to the beef sector, in particular. We are looking at a substantial figure.

According to the Livestock and Meat Commission (LMC), on 29 March, just five cattle were transferred from farms to marts in the North, compared with 7,800 cattle having been traded last year. The closure of the marts during the COVID crisis has had a huge impact on our beef and sheep sector.

Another figure from the LMC shows that, during March 2020, a total of 30,320 cattle were moved from farms to marts or farms, as recorded in APHIS.

Again, if you apply the loss per head, it is a huge loss and again demonstrates the importance of the marts and the role that they play in the meat supply chain. It also demonstrates the scale of the impact. The Minister will be aware, certainly from Sinn Féin's perspective, that, given the scale of the loss and the fact that beef and sheep farmers represent 80% of farms here — they are the very primary producers at the beginning of our food chain — we have made a proposal that £15 million of the £25 million be allocated to the sector, given the impact that it is sustaining and the scale of the production that it provides. That is for

that sector, notwithstanding the other sectors that have been impacted.

#### 12.45 pm

Sheep meat has also been affected very negatively by the closure of the marts, the restaurants and the food service sector. Incomes in those areas are extremely low, and that is compounded, of course, by the loss of the less-favoured area (LFA)/areas of natural constraint (ANC) payment, which farmers relied on around March to sustain them. We are concerned that the sheep sector has not been referenced for funding in the scheme that the Minister has announced. There is a huge impact on this sector as well, the evidence being a price of £31 per head for sheep. Add in the input costs: we are told by many assessments that fertiliser went up during the pandemic by about £15 per ton and feeds by about £25 per ton. That has all been sustained by the sector; indeed, information from the Department shows that there has been a decline in income. It went down by 26% last year, and the beef and sheep sector is at the lowest ebb of all the sectors and will be able to avail itself of less from the self-employed scheme or any other scheme to deal with the COVID crisis.

A recent research paper looks at agriculture support across the devolved regions. In Wales, for example, an extra £5.5 million was provided to the basic payment scheme. I should point out that, in the January monitoring round, DAERA surrendered £12 million to the Department of Finance that was not spent in the financial year. It is important, as we look towards future financial years, that we try to avoid that situation. We should, for example, look at using money that was not going to be spent to make a bid for something like an ANC scheme. That would compensate the hill and marsh areas where it is more inhospitable and challenging to farm. That is where 10,000 of our beef and sheep producers are. A return of the ANC scheme could help to mitigate the impact of COVID and the other pressures that they face. Before COVID, as I said, farm incomes had dropped significantly — 26% last year — and they have started to plummet again at £240 per head for cattle and £31 for sheep. The lockdown of the restaurants and all has greatly contributed to that.

We are all in this crisis together. I want to make it very clear that supporting the motion does not mean that you are not supporting the other sectors. We are just flagging up this sector —.

**Mr Buckley:** I thank the Member for giving way. He has outlined the wider factors and issues that face sheep and beef farmers across Northern Ireland. Particularly in relation to the money that has been secured by the Minister for COVID response, does the Member accept that it is only fair, reasonable and vital that, albeit that we will not have money to go around all — that has been accepted — in any of the relief schemes across the Departments, we target funding at those who are most particularly affected by the COVID-19 pandemic? I realise that there was an element of impact across all sectors, but it is important that we focus to help farmers who are particularly affected by COVID-19.

**Mr McAleer:** I thank the Member for his intervention. It is worthwhile pointing out that all farmers and all sectors have been impacted. We have seen the independent per head evidence of that impact, and we have seen the number of movements that there have been from farm to

farm after the collapse of the marts. I accept and we all need to accept that all farmers have been impacted by the rising input costs and the decreasing farmgate prices, particularly due to the COVID crisis.

I want to underline this point: supporting the motion does not negate support for, say, the dairy sector, the horticulture sector or any other sector. Members and the Committee have been lobbied heavily, particularly by the sheep sector and by beef producers in hill areas, that they have not been included in the response.

Folks, we are all in this together. We are not opposed to any other sector; we just want to take the opportunity today to highlight the importance of the beef and sheep sectors to our food production chain at this time in the middle of the COVID pandemic.

**Mr Principal Deputy Speaker:** I thank Members for getting here on time. It was a bit difficult.

The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The sitting is, by leave, suspended until 2.00 pm, when we will have urgent questions, after which, we will return to the debate.

*The debate stood suspended.*

*The sitting was suspended at 12.51 pm.*

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

2.00 pm

# Questions for Urgent Oral Answer

## Justice

### Police Enforcement of Belfast Mass Gathering

**Mr Deputy Speaker (Mr Beggs):** Paul Givan has given notice of a question for urgent oral answer to the Minister of Justice. I remind Members that if they wish to ask a question, they should continue to indicate by rising in their place. The Member who tabled the question will be called automatically for a supplementary question

Mr **Givan** asked the Minister of Justice for her assessment of the police enforcement powers related to the COVID-19 regulations, following the breach of regulation 6 in respect of the mass gathering that took place outside Belfast City Hall on 3 June 2020.

**Mrs Long (The Minister of Justice):** Before I answer the question, I want to preface my answer by setting out the context in which it has come about. I received very late notice of the question, through no fault of the questioner, who submitted it in good time, but because it was not passed to my officials by TEO last night as would normally be the case. By the time I was made aware of the question, at 12:20 pm today, it had already been accepted by the Speaker.

Under normal circumstances, I would not answer questions on operational matters in relation to policing in the Chamber. I am here as a courtesy to the Chair of the Justice Committee, who asked the question in good faith and in good time and, I believe, has a right to expect some answer, albeit, I would argue, not from me, and to the Assembly, because it would have been discourteous not to come when there was an expectation that an answer would be given. However, I want to put it on the record that no precedent should be taken from the fact that I am answering the question this afternoon.

The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 were made by the Health Department on 20 March in response to the serious and imminent threat to public health posed by coronavirus. Regulation 6 places restrictions on gatherings in a public place during the emergency period and provides the police with powers to take enforcement action where there has been a breach of the restrictions. Decisions on what enforcement action should be taken are a matter for the police, based on their operational assessment. Anyone who has complaints or concerns about operational policing decisions can have them addressed by contacting the Police Ombudsman for Northern Ireland.

With respect to the powers that are available, no further powers for enforcement have been requested by the PSNI in any exchanges with me. Furthermore, at this point in the coronavirus pandemic when we are relaxing the restrictions on a progressive but cautious basis, as we give

people more freedom we will also be delegating to them more responsibility. As I have said before we should not, therefore, rely on enforcement for our future protection.

**Mr Givan:** Assistant Chief Constable Alan Todd has already said that regulation 5 is no longer being policed because there are so many exceptions to the rule that they are not enforcing it, unless there is a blatant disregard. Then, a mass gathering was facilitated by the Police Service on 3 June, with follow-up comments that it was proportionate. Any wonder there were, then, further protests on the Saturday in Londonderry and Belfast.

The credibility and integrity of regulations 5 and 6 have now been undermined as a result of the policing of the protests that have taken place and of police inaction. Does the Minister agree that the regulations that we are now asking the police to enforce are undermining the public's confidence in the police's position? Will she feed into the Executive the broad concern that exists that the regulations, by not being enforced and policed, have undermined the police's credibility, leaving the public to take decisions by exercising their own best judgement as the way forward in future?

**Mrs Long:** I thank the Member for his supplementary question but I do not accept his analysis of the policing of the situation. However, I reiterate that when it comes to issues that are about operational policing it is not for the House to question the Justice Minister. I am not the policing Minister; I am the Justice Minister, and it is not for Members to question me for my assessment of operational matters.

I have stated that, with respect to the powers that are available, no further powers have been requested. I am also not in a position to comment on what Alan Todd has or has not said in the public domain. However, Members can reach their own judgement about that.

I gently remind the Member, however, that many of the exceptions to which ACC Todd refers are those that were requested and, indeed, pre-emptively announced by his own colleague in Lagan Valley. Therefore, it would be fair to say that, having requested that people have more freedom to move, more freedom to travel and more exceptions to the reasons not to, it was always going to become more difficult for the police to enforce those regulations. If the Member chooses to liaise with his Executive colleagues, they will make him well aware that I raised those concerns at that time and that I have continued to raise them since.

**Mr O'Dowd:** Does the Minister agree that events and gatherings will arise that a multitude of sides in an argument may not agree with but that the key is this: we cannot expect the police to adopt one approach to a gathering or a funeral or to a procession that we disagree with and then to ignore another funeral, gathering or procession that we might have sympathy with? The key is that the police have to deal with this through a common approach and they have to be fair and transparent in what they are doing. It is not about who gathered — it is about the law being enforced impartially.

**Mrs Long:** I thank the Member for his point, and I think that it is an important one. It is important that the police are impartial. It is also important that they are seen to be impartial in their enforcement of the law. It is too easy at times to judge whether they acted in a proportionate

and impartial manner based on partial information about situations, and I think that there is huge risk for all of us — there is a huge duty, effectively, on all of us to desist from doing that — in doing that because it can undermine the respect for the police.

With respect to how this is taken forward, I also agree that the police should have a consistent approach. They announced that there would be a four-stage approach; the four Es. They would first engage; then they would educate and explain; and they would then encourage. So, they would engage with people who were about to breach the regulations or who were breaching the regulations; they would explain why that was the case; they would then go forward and encourage people to move on; and the fourth E is that they would enforce. The final stage would be enforcement. It would not be the first option, but the final stage in recognition of the fact that these are health regulations and that, therefore, their role is a very delicate and sensitive one.

With respect to consistency, Members should also note that the Northern Ireland Policing Board has initiated a review of policing under the coronavirus regulations, led by its human rights adviser, to ensure that the police can give robust and clear feedback that would be useful should there be any further pandemic or a second wave.

**Mr O'Toole:** I thank the Minister for answering the question for urgent oral answer. I will ask her two questions, one specific and one broad. Can she shed some light on something that some groups have been concerned about, which is that there appears to have been — I do not know whether she will be able to give any clarification about this — a late change on Friday evening to the enforcement powers of regulation 6(a) in the Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020? That seems to have been tabled by the Executive at 5.00 pm to come into force at 11.00 pm. Can she confirm whether that is correct?

I agree with John O'Dowd about the consistency in application and that, with a protest going ahead the next day, that is perhaps not ideal for people having clarity about enforcement. Does she secondly agree that, while again I agree that we should all be following social-distancing rules — that is absolutely clear — it is very important that we have proportionate policing in terms of the fines and penalties that are given and that people are —

**Mr Deputy Speaker (Mr Beggs):** I remind Members that this is an opportunity to ask a question. Minister.

**Mr O'Toole:** — allowed lawful protest as much as purchasing garden furniture?

**Mr Deputy Speaker (Mr Beggs):** Order. Minister.

**Mrs Long:** I thank the Member for his question. With respect to the changes to the coronavirus regulations, let me be clear. The coronavirus regulations changes were announced, I think, about 10 to 15 days prior to the changes being laid on that Friday evening. They were a relaxation, so anyone who breached the regulations, as stated, on Friday night, would have breached them by more than had they breached them unamended. It went from a maximum gathering of two, to a maximum gathering of six. No one was disadvantaged by the fact that the regulations were laid.

It took the Health Minister and the Health Department slightly longer in laying the regulations than was anticipated. I think it may have taken around 10 days to lay the regulations to match the announcement that had already been made, but it was clear that that was the direction of travel. Members will appreciate that Ministers are amending legislation in very short time frames, but it needs to be accurate, clear and concise. Therefore, there was a delay while that was being achieved, but there was no disadvantage to those who opted to protest. Their position would have been illegal before and after the regulations were altered.

With respect to the need for proportionate policing, I agree. Policing should be proportionate, transparent and, moreover, be accountable. Anyone who believes that policing on this or any other occasion was none of those things, or not all of those things, has recourse to the Police Ombudsman. That is the route that they should take with their complaint.

**Mr Blair:** Does the Minister agree with me that the basis of the question is wrong and that scrutiny and accountability for the operations of the police lie with the Northern Ireland Policing Board, on which Members are well represented and on which some of us are already raising these issues, as is on the public record?

**Mrs Long:** I thank my colleague for that helpful question. It is, of course, correct that it is the Policing Board first and foremost that should hold the Chief Constable to account for his actions and for the choices that are made in operational policing and other matters. That is the right forum for such questioning to take place: not in the Assembly, where we do not control policing. The structures in policing were very clearly divided between Justice and policing at the time of devolution and I am not going to impinge either on the Chief Constable's independence when it comes to operational issues, or to trample roughshod over the responsibilities of the Policing Board to hold him to account.

**Mr Buckley:** I am sure that the Minister will join me in condemning the attacks on police officers right across the United Kingdom as a result of ongoing protests. In light of the despicable attacks on war memorials and other memorials across the United Kingdom, will the Minister give us an assurance that that type of activity will not be tolerated in Northern Ireland, for if it had not been for their sacrifice, none of us would have the right to protest in this country?

**Mrs Long:** I have no reservations in condemning any form of violence or lawbreaking in our society.

**Mrs D Kelly:** As a member of the Policing Board, I welcome the Minister's very firm reassurance that it is the Policing Board that holds the Chief Constable to account in his operational decisions, and we will continue to do so. Does the Minister agree that the police are between a rock and a hard place? She has already said that the interpretation of the regulations and the issue of the time delay means that there is a lack of clarity, and the police have made that comment on more than one occasion. Will the Minister provide an update?

About three weeks ago, I asked the First Minister and the deputy First Minister about the issue of the designation of other officers in the public sector regarding enforcement, for example traffic wardens and environmental health officers. The police simply cannot police the health

regulations in relation to social distancing etc and do their other work

**Mrs Long:** I thank the Member for her question. She will be aware that I have raised the issue of further designation of other bodies. I believe that the Society of Local Authority Chief Executives (SOLACE) was consulted and that councils can now enforce these regulations.

It is very clear that, as we move out of this pandemic, those responsible and appropriate to make the judgements about whether or not regulations are being enforced, and indeed whether good practice is being implemented, will fall way beyond the powers and the locus of policing matters. It is hugely important that we encourage those with the right expertise, in whatever field that might be, to be party to the enforcement and encouragement of people to keep within the guidance.

We should not lose sight of the reason for the regulations. It is to protect life; it is not to deprive people of liberty.

## 2.15 pm

**Mr Frew:** Does the Minister agree that draconian legislation that applies to every twist and turn of a person's life, even in their home, is impossible to police? It is impossible for the police to police and enforce that. In her answer to my colleague Mr Paul Givan, was the Minister suggesting to the House that she does not support the lifting of any of the restrictions to date?

**Mrs Long:** I assure the Member that, if that was what I had wanted to say, I would have said it clearly and unequivocally and no one would have gone out of the Chamber in any doubt that that was the message that I was sending. It is not. What I am saying very clearly is that, with the change in the regulations and with increasing responsibility being delegated to individuals, it is unreasonable to expect, as you rightly stated, that the police could police people's back gardens, living rooms and all their daily activities. We rely largely on people's sense of responsibility and community and respect for their own life, the lives of their families and the lives of those around them. We will do that increasingly, and it is right that we should do so. Again, that is why I have encouraged the Executive to share more information about the very balanced decisions that we often have to take so that people are fully informed not just of what the regulations state and the guidance says but of why we are making the changes. That will mean that, when people reach a dilemma — we cannot prescribe for every situation — they can apply their common sense and good judgement in a way that does not breach the spirit of the regulations and the spirit of the guidance.

**Mr Durkan:** Does the Minister concur with me that there certainly seems to be disproportionality and inconsistency in an approach that saw the issuing of 11 fines and community resolution notices in Belfast and 57 in Foyle, where attempts were made and adhered to by the vast majority of those in attendance to ensure social distancing and where masks, gloves and hand sanitiser were provided? Does the Minister share my view that it would not be in the public interest to pursue prosecutions?

**Mrs Long:** Most of the issues that the Member has raised are not matters on which I am willing to comment. I cannot judge the policing operations in Belfast and Derry. I cannot compare the two. I was present at neither.

It would be inappropriate for me to comment on whether the policing was proportionate, because I do not know in detail the actions that they took on the ground on that day, what advice was issued, what guidance was given to organisers or what response they were met with. It would be completely inappropriate for me to comment on what are operational matters.

If the Member has genuine concerns about proportionality, I am sure that his colleague will take it up on his behalf with the Policing Board, or he could refer them to the Police Ombudsman for consideration. However, to be clear, people who do not pay fines break the law. It is incumbent on me, as Justice Minister, to uphold the law. Therefore, I say that those who have been fined have 28 days to appeal the notice and, if they are unsuccessful in their appeal, should pay the fine, because that is the law. I have no scope for flexibility in that regard.

I want to be clear on the wider issue and on whether people used hand sanitiser, masks and social distancing: all of those are supplementary to the regulations as guidance. They are not a replacement for the regulations and do not absolve any of us of our responsibilities to obey the law.

**Mr Dunne:** Does the Minister recognise the significant impact on the community of Northern Ireland of being denied the right to assemble at churches and at funerals, which I have raised previously in the House? Does she fully recognise the implications of that? Will she assure us that, in the future, the law will be applied equally to everyone in Northern Ireland?

**Mrs Long:** I have previously answered the Member with respect to my recognition that not to be able to hold a funeral is a massive sacrifice for any family to make at this time. It is evidence of a sense of public responsibility and a sense of generosity on the part of those who have abided by the regulations.

These are sensitive issues, but there has been criticism on both sides of the argument. Some feel that the police have not policed harshly enough; others that they have policed too harshly. Perhaps, somewhere in the middle lies the truth.

**Mr Deputy Speaker (Mr Beggs):** I remind Members to rise in their place.

**Miss Woods:** I thank the Minister for coming here today. I agree with other Members about consistency of approach but the question is about protests held last week and regulation 6. Notwithstanding that, would the Minister agree that we must respond to the cause of campaigners and do everything that we can to address systemic racism in our society?

**Mrs Long:** I concur completely. I fully understand the strength of feeling that exists about what happened to George Floyd. It has been a powerful catalyst in reminding us all not just of our responsibilities internationally but, I would hope, of our responsibilities personally and individually when it comes to combating racism, both individual acts of racism and the wider and more systemic racism that exists in our society. It is important that people not only protest but take positive action to address those issues.

I am somebody to whom civil liberty matters a lot. I believe that people's right to protest is a fundamental part of living in a democratic society and that the right to peaceful protest is one that we should not give up easily. In the

current circumstances, however, it is not appropriate for large numbers of people to gather. There are many ways that we can raise our voices in solidarity with the BAME community in Northern Ireland. I hope, going forward, that we will not only raise our voices but put our shoulder to the wheel and make a real difference.

**Mr Allister:** On the issue of proportionality, given that a headline demand of the Black Lives Matter movement is the de-funding of police, was it proportionate for the Minister to re-profile her Twitter page to extol Black Lives Matter, given that she has responsibility for funding the police? Likewise the Chief Constable, who used the hashtag.

Is she concerned that a sector of this community, namely the innocent victims, suffered great hurt from the spin-off of the events of the past weekend, when the Assembly Commission, in a duplicitous move, decided to light this Building for Black Lives Matter but refused to light this Building for innocent victims of terrorism? Does she share the concern for the hurt that that causes?

**Mrs Long:** It is unfortunate that, when events of such seriousness and weight take place in other countries and highlight systemic issues that are, perhaps, not our own, we always have to return to trying to make this about ourselves. Perhaps, one of the first things that we could do about institutionalised racism in this place is to have an informed conversation about racism that is not automatically overlaid with our own prejudices around sectarianism. I say that gently to the Member in respect of his question.

With respect to Black Lives Matter, it is not just a movement; it is a slogan, a phrase that, I think, typifies the emotions that all of us feel. To be clear, all lives will not matter until black lives matter. While any of us are not equal, none of us is equal. It should not be an affront to anyone in the Chamber for the Justice Minister to say so.

**Mr Carroll:** I am deeply concerned about the PSNI's actions at the Black Lives Matter protests in Belfast and Derry on Saturday. People were fined, intimidated and threatened with prosecution for attending a socially distanced and peaceful anti-racism protest. While groups like Amnesty International were speaking out against police actions —

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

**Mr Carroll:** I appreciate that other Members had a bit of leeway.

**Mr Deputy Speaker (Mr Beggs):** May we have a question, please?

**Mr Carroll:** The Minister, only hours after the protest, stated that the PSNI response was proportionate. I wonder how the Minister can stand over that, given that, as she has indicated, she was not at any of the demonstrations. Did she speak to any BME groups? Did she even examine the police evidence on the day? My main question is whether —

**Mr Deputy Speaker (Mr Beggs):** There are a number of questions there already.

**Mr Carroll:** — it is fair to treat —

**Mr Deputy Speaker (Mr Beggs):** Members have to learn that this is an opportunity —

**Mr Carroll:** — BME protesters differently.

**Mr Deputy Speaker (Mr Beggs):** Order. Members have to learn that this is an opportunity to ask the Minister a question. You have already asked a number of questions.

**Mrs Long:** I think that what I said at the time was that I believed that, overall, the police had behaved in a proportionate way in enforcing the regulation. I have at no time said that individual decisions were proportionate, nor would it be right for me to do so. As I said to other Members in the Chamber who raised specific issues and concerns, the way to raise those is through the Police Ombudsman. That is not to diminish your concerns, but it is not appropriate for me to be held to account for operational matters for the Chief Constable. He is not accountable to me for operational matters. I neither give him direction nor seek to do so. There is a clear divide here, unlike in the United States, between policing and politics. I happen to believe that that is important and that it needs to be sustained by going through the correct channels when we have complaints and want accountability in policing. I hope that you will feed your concerns directly into the review of policing under the coronavirus regulations that is being undertaken by the Policing Board. It is important that everyone's experiences of this are heard, including those of the black and minority ethnic communities in Northern Ireland.

The direct answer to your question is, "Yes". I did talk to black and minority ethnic people, including some who were at that protest. I understand that they were passionate about the issue. I understand that they wanted to make their voice heard. At any normal time, I would have been with them, but these are not normal times.

**Ms Dillon:** I thank the Minister for coming before the House, although the more appropriate place for operational matters is the Policing Board, as she has outlined. In the Assembly and in the Chamber, we need to focus on the fact that the accountability mechanism for the PSNI is the Policing Board, and that is where it must be held to account, not through the Justice Minister in the Chamber or Assembly. Those accountability mechanisms are helpful —

**Mr Deputy Speaker (Mr Beggs):** Has the Member a question?

**Ms Dillon:** — and she has outlined why.

**Mrs Long:** The Member is, of course, correct that there are important structures that need to be respected. I also respect the fact that many people have made sacrifices, many of them voluntarily, by cancelling huge events that are important to them and by delaying protests and other things that they wished to hold. We know, for example, that the Pride organisers will not go ahead with their event in the current circumstance; the Orange Order has taken a very progressive stance in cancelling the large parades on 12 July; the St Patrick's Day events did not go ahead; and Easter Sunday commemorations in the republican community did not go ahead. Everyone has made a contribution. We need to focus on this: the vast majority of people in Northern Ireland are abiding by the regulations and are doing so not out of fear of police action but because of the desire to defeat a virus that puts our health service under pressure and has the ability to rob them and their family of their lives. I commend them for what they do in voluntarily complying with the regulations.

## Economy

### Job Losses at Thompson Aero Seating

**Mr Deputy Speaker (Mr Beggs):** John O'Dowd has given notice of a question for urgent oral answer to the Minister for the Economy. Again, I remind Members to rise in their place to indicate that they wish to ask a supplementary question. Mr O'Dowd will be able automatically to ask a supplementary question at the start. All other Members should rise in their place.

**Mr O'Dowd** asked the Minister for the Economy what action her Department plans to take to help avoid the loss of 500 jobs at Thompson Aero Seating in Banbridge and Portadown.

2.30 pm

**Mrs Dodds (The Minister for the Economy):** I thank the Member for a very important question at this very difficult time. First of all, our thoughts are with those in Thompson Aero Seating who face an uncertain future. I was in touch with the company again today, and I understand that conversations with the unions will progress this afternoon. These are very difficult times.

The COVID-19 pandemic has had an immediate and unprecedented impact on the global aerospace industry; airlines and airports across the world have been severely impacted. The COVID-19 crisis has resulted in a number of airlines cancelling aircraft contracts, and aircraft manufacturers Airbus and Boeing have reduced their build rates by 40%. Those are quite staggering figures in a very short period of time.

Unfortunately, those global conditions have resulted in Thompson Aero Seating having to reduce headcount. Invest NI has maintained regular contact with the company since February 2020 on the challenges that resulted from the COVID-19 pandemic. These job losses are deeply regrettable, and our thoughts remain with the workers who will lose their source of income.

Invest NI will work with the local council and the Department for Communities to establish redundancy clinics in conjunction with the company, and my Careers Service will provide support as appropriate. Our focus going forward remains on securing the long-term success of the business, and Invest NI are fully engaged with Thompson Aero Seating on a number of projects.

Generally, I am in touch with other aerospace companies. Indeed, this morning, I was talking to some of those companies, which are a very important part of the supply chain for our larger companies in Northern Ireland. These are very difficult and uncertain times for those companies.

This issue is very local for us, but there is a wider global and national context. I have weekly conversations with the Department for Business, Energy and Industrial Strategy (BEIS) and the Business Secretary to highlight the importance of the aerospace sector, locally and nationally, and the risks to the sector. Nationally, I think that it is acknowledged that that is a red flag issue and that the risks are very great to the sector. I will continue to ask for support at a national level, as well as working with companies on a local level. Thank you.

**Mr O'Dowd:** I thank the Minister for her answer, although I have to express disappointment because the question asks:

*"what actions her Department plans to take to help avoid the loss of 500 jobs at Thompson Aero Seating",*

and I do not see any actions in her answer. The council will give careers advice and other advice. The trade union discussions are about 90-day statutory redundancy. What is the Department for the Economy doing? At the start of the crisis, we talked about ripping up the economic rule book, and it needs to be ripped up, not only to save these jobs but other jobs.

I hope that the Minister is engaging with the Chancellor about extending the furlough scheme because these jobs can be saved. If these jobs can be saved over the next number of months, there is a chance of more contracts for this factory. However, the fact of the matter is that the furlough scheme deadline is 10 June, which is tomorrow. If that can be extended, we can help save the 500 jobs —

**Mr Deputy Speaker (Mr Beggs):** Question.

**Mr O'Dowd:** — for when the economy returns. Will the Minister speak to the Chancellor about extending the furlough scheme to help save those 500 jobs?

**Mrs Dodds:** I thank the Member for his question. I understand the urgency and the passion.

I speak to and have fairly regular meetings with the other devolved Administrations and the Chancellor and the Business Secretary. We have already raised the issue of the furlough scheme. In fact, this morning, I raised the issue of the furlough scheme again with Thompson. The issue really surrounds the fact that the furlough scheme, as it is currently constituted, will be closed to new applications from 10 June. If there were to be an opportunity to save those jobs in that way, it would mean that amendments would have to be made to the scheme at a national level by the Chancellor. Of course, that request has gone to the Chancellor. I hope that he and the Business Secretary will respond positively. However, we must acknowledge the difficulties around that.

This morning, I spoke to the company about the longer term. Invest NI is engaging with it because we want to see it remain and the workforce maintained. We want to try to win as many jobs back for that industry as we possibly can. While the production line and order book are secure in the very immediate short term, there will, then, come a period for many such companies in the medium term, during the period when no new contracts or tenders are being sought, when life becomes increasingly difficult. That is why Invest NI is working with the company on its new R&D projects. That is why we want to see those projects brought to fruition; because that will stabilise the company in the long term and ensure that there is aerospace seating production build and capacity in Banbridge and Portadown.

**Mr Buckley:** With all politics being local, I am absolutely devastated about those job losses; up to 500 at a company that employs 1,300 people across my constituency. The Minister has outlined her ambition to write to the Chancellor. Furlough is essential to try to save those jobs. Does she agree that it is a gross irony to hear Mr O'Dowd criticise her and sympathise with those employees, given



that, in the midst of the COVID-19 crisis, he, alongside his party leader Michelle O'Neill, called for major companies like Thompson and others to close their doors, knowing the pressures that existed because of orders that needed to be met?

**Mrs Dodds:** I thank the Member for his question. I will, of course, continue to be in touch with the Chancellor and the Business Secretary in London. Those are very important issues.

On the second part of his question, I pay tribute to those businesses that kept going, in the face of very challenging circumstances, right throughout the pandemic. Thompson Aero Seating was one of those companies in Portadown, along with Ulster Carpets, that kept going and are busy trying to fulfil their order books and stabilise the company to ensure that there is a future and jobs to support families in the local area. I will continue to support those companies and do what I can, both with the national Government and locally, to ensure that there is a future for the aerospace industry in Northern Ireland.

**Mrs D Kelly:** As another Member who shares the Minister's constituency, I, too, am devastated by the job losses. There is no doubt that they will not be the last that we hear about, given the recession into which we are facing. There are two strands to the issue. Obviously, there are the 500 potential job losses, and, then, sustaining jobs for the future. With regard to Invest NI's work with the company, will there be a skills audit and ongoing discussions with neighbouring manufacturing industries in the constituency and more broadly in order to match workers with available jobs? Where there is urgent retraining need, will measures be put in place quickly and will there be flexibility of approach by Invest NI and the Minister in responding to whatever opportunities may arise?

**Mrs Dodds:** I thank the Member for her question. She raises a very important issue. Let me just tell the House that the unemployment figures for April, which included the new additions to the register in that month, completely wiped out six years of very hard work to reduce unemployment in Northern Ireland. That is a measure of the crisis that has been caused by COVID-19 and the impact that it will have on jobs and families in Northern Ireland. People on all sides of the House will be sympathetic to that and will understand how deeply impacted communities and families will be by that figure. That is part of where we are at and part of the ongoing crisis.

Invest NI is working with Thompson Aero Seating on its recovery plan, which it has called Project Phoenix, and that includes some R&D development on new seating products that the company can bring forward for the airline industry. There will be a recovery in aerospace in Northern Ireland because the skills that we have are absolutely fantastic, but the timing of that will depend on the global environment and on the new orders that are placed by the bigger companies. These are difficult times; I have not tried to sugar-coat that. We will work with companies in the best way that we can.

You raise another really important issue. We now need to look at how we can match skills with other companies and how we can help people to retrain and upskill. This morning, I had a conversation with all six of the principals from the further education colleges throughout Northern Ireland, and that is one of the issues that I want us to

get grips with so that we are trying to match people with skills, trying to upskill people and are offering retraining throughout our working life and not just to the younger elements of our society, important as that is. We can all be challenged and we can all retrain and upskill at different times, and that is part of our work in progress.

**Mr Beattie:** I thank the Member for asking the question, which is really important to us in our constituency. I thank the Minister for her answers so far. It is all well and good talking about 500 possible job losses, but what on earth did we do about the 350 job losses at the same company two months ago, when non-contract workers and agency workers were dismissed? Nothing was done to support them. Did the Department not see this coming, Minister, when that happened?

**Mrs Dodds:** Thank you for your question. You are quite right when you say that this has come in two tranches. The first tranche was the redundancies in the early part of this year, which were largely agency workers.

Yes, my Department has been working with the aerospace sector and, in the next number of weeks, the work that we have been doing will become increasingly clear. We recognise that the global pandemic, the shutdown of air travel and the difficulties in people moving around globally has resulted in very difficult trading conditions for the aerospace sector. We will continue to work with the sector as a whole because we want to see the sector stabilised and we want it to be in a position where it can grow in Northern Ireland once again. As I said to my colleague, who is also from Upper Bann, we want to maintain the skills and build the skills base so that we do not lose those people for when we recover, and we will recover.

**Mr Muir:** I thank Mr O'Dowd for asking the question for urgent oral answer; it is very important. As Mrs Kelly said, this is probably — well, not probably, it is actually — not the last that we will hear of job losses and job-loss announcements that will come down the road.

People and workers are not looking for sympathy but for hope. They are looking for a clear, robust recovery strategy on how we will get through this and how we will safeguard jobs and livelihoods. When will we get that clear, robust recovery strategy? Thus far, I have not seen that, and that is what people are looking for.

## 2.45 pm

**Mrs Dodds:** I thank the Member for his comments. Of course, since the very start of the pandemic, we have been working on measures to try to contain and mitigate the impact of COVID-19. We have done that in a number of ways, and Members throughout the House will have been in touch with businesses that have been supported by the measures that we have brought in.

The best opportunity for recovery will come from letting business get on with doing business and starting to open the economy in a safe and sustained way to allow businesses in Northern Ireland, which are run by people with entrepreneurial skills who know how to create jobs that sustain families in our communities, to get on with doing what they do best. That is the pitch that I have been making to the Executive for some time.

I am glad that we have had some progress on that. I am glad that the retail sector is largely going to open up

this week. I want to see people using common sense, practising social distancing and being sensible about what they do when they are out and about. Our retail sector can sustain that; we have seen our small shops operating throughout the pandemic with success and safety. So, the plan is to open up the economy and get on with where we are going and working.

I plan to bring forward some new ideas on parts of the economy that we will always support and other parts of the economy in which we will be able to grow our skills base and provide more and better jobs. I am talking about our skills in cybersecurity. Even in the depths of our pandemic experience, we welcomed a new company from the United States bringing 65 new jobs in cybersecurity. There are specific areas where our expertise and our work with our universities will help us to grow the economy in a sustained and successful way. I am also looking at the area of clean energy, where I see a lot of innovation. Over the next number of weeks, we will be bringing forward some ideas on all those things that can help, not just to support the sectors that we rely on that are our bedrock but to grow in other sectors as well.

**Mr Dunne:** Does the Minister recognise the impact that such job losses could have on the supply chain — subcontractors and other suppliers — and on the Northern Ireland aircraft support industry in general?

**Mrs Dodds:** I absolutely do. Just this morning, I was talking to a company from the Member's constituency on that issue. Northern Ireland has not only some very successful large aerospace companies, but a supply chain with many smaller companies that feed into the sector. There is danger for them, too, in the global crisis that the sector faces. I will shortly be talking to Invest NI on how we support the small suppliers that feed into the larger chain. That is really important in sustaining the economy, keeping skills and keeping people in jobs.

**Ms Kimmins:** As others have said, it is very sad to hear of job losses like this, and we will hear of many more. That brings me to my question, which, in the same vein, is about sole traders and how many of them will face similar challenges. Is the Minister considering providing financial support for sole traders? Many of them are still waiting on an update because they have been excluded from the supports that have been available to date.

**Mrs Dodds:** I thank the Member for her question. We have had the grants schemes that have been out in the public domain. On the question of sole traders, it is rather difficult to define when you come down to looking at particular sections and subsections of that, and many sole traders will be self-employed people who can refer to the self-employed scheme. I will continue to look at where we can provide further help for people and businesses in our community that have not received help so far. However, I know that the Member will have talked to her colleague the Minister of Finance and will be aware of the budgetary constraints around that, so it will be dependent on how we are able and how the Minister is able to identify the money that is available and, then, we can go ahead and look at other types of supports.

**Mr McNulty:** I thank the Minister for coming here today and thank the Member for tabling the question. Whilst Portadown is not in my constituency, there are obvious links with Newry and Armagh, with the people and families

affected, as well as the supply chain companies. We are in difficult times, and, unfortunately, there may be many more painful announcements to come in the months ahead, and we need to adopt a strategic approach to deal with the uncertainty and with the economic challenges that we face.

Given the economic uncertainty created by the COVID-19 pandemic, some employers are hesitant about availing themselves of the additional months announced by the Chancellor for the furlough scheme. Can the Minister give clarity and reassure those companies that are unsure about availing themselves of the additional months furlough support that they will not be punished and will not be pursued to repay the additional payments, whatever the outcome for their business at this time of huge uncertainty?

**Mrs Dodds:** I thank the Member for his question but remind him that the issue of these national schemes and how they are administered or how firms relate to them is a matter for Her Majesty's Treasury and not for the Northern Ireland Assembly. However, the Member raises important points in general about the furlough scheme. I am significantly worried. I thought at the start that the furlough scheme was not flexible enough so that companies that required specific skills could not have those skills on a particular set of days in the week without getting support for the other days, so I worried that it was not flexible, but some flexibility has been introduced to it.

Where I see the greatest difficulty at the moment with the furlough scheme is the fact that many companies, particularly small businesses in hospitality, retail and that kind of sector, have had no income for the past three months and are very worried about the contributions that they will be required to make to the furlough scheme at a later stage. That is a significant worry for us. That I why I say genuinely that, for all of us, opening our economy, letting business do business, helping business to thrive and families to have support in the labour market is the most important thing that we can do, and I hope that people respond responsibly and with everyone's safety in mind.

I also think that there is a case to be made to the Chancellor around furlough for a longer tail of support for some industries, and aerospace and possibly tourism and hospitality are two of those areas where that kind of longer tail of support might be required just to get us through the next six to nine months.

**Mr Frew:** Given that a disproportionate number of my constituents have been affected by Thompson, who had previously lost their jobs in Wrightbus, it proves that the manufacturing industry is, indeed, a regional industry. Will the Minister provide assurance to the House that manufacturing will be supported? Thompson and Wrightbus are innovative companies, with Wrightbus having the hydrogen bus innovation hub, and Thompson, with its cutting-edge technology. Will there be support to allow businesses to retract when they have to but to increase in size when they can?

**Mrs Dodds:** I thank the Member for his question. Of course, we should be there to support businesses not just when they are there and doing well but in the tougher times. Business thrives when it can reinvent itself and when it can produce new research and development to produce new products. Thompson is a good example of that as a company, as is Wrightbus. I met representatives

from Wrightbus, last week, to discuss their ideas around their hydrogen project and how we might take that forward as part of our clean, green energy supply for the future.

**Mr O'Toole:** Thank you to the Minister for coming, and thanks to the Member who tabled the question. My sympathy, thoughts and solidarity are with the hundreds of Thompson workers who are uncertain about their future, and who worked very hard to make it a cutting-edge firm. Unfortunately, we will have many similar announcements in the weeks ahead.

I did not hear certainty from the Minister on when we will get an updated economic strategy from the Executive. Can we have that? Furthermore, what are her thoughts on the fact that foreign direct investment is, unfortunately, not going to be a reliable growth area for Invest NI to be focusing on in the future? We are in a changed world. Will the new economic strategy move us beyond what, I am afraid, has been a focus on foreign direct investment over the past few years, understanding that, in the changed post-COVID world, it is not going to be there in the volume that we would like it to be?

**Mrs Dodds:** I thank the Member for his question. We are trying to achieve balance. We need foreign direct investment, because it provides jobs. It has provided us with jobs in areas of specific expertise. It is, therefore, important that we achieve that balance. However, it is vital, and always will be, that we support our indigenous companies, give them time and space with their research and development and allow our universities to work with them.

I reflect, again, on the cybersecurity company that invested, recently, in Belfast. They told me that one of the reasons for their investment was the fact that our universities and industry work so closely together. I see that combination as a good basis for us to move forward on. In fact, later today, I will be talking to the Minister with responsibility for universities and research in London about a research strategy for the whole of the United Kingdom. I believe that investing in research and development is the way in which we will reinvent business and the economy and help us to be successful into the future.

**Mr Allister:** I agree with the Minister on the urgency of reopening our economy. It is a pity that some of those who were so gung-ho about closing it down, with no thought for tomorrow, had not been a bit more far-seeing. One need not be an economist to work out that the aero industry is going to be one of those with the toughest path into the future. With that in mind, and bearing in mind the assistance being given by Invest NI, etc, what scope is there, and how far is it being pursued, to discuss diversification with these firms? I ask that because it is hard to foresee the same volume of demand for aircraft seats in the immediate to medium future. Are there opportunities for diversification that could be explored? If so, are they being explored?

**Mrs Dodds:** I thank the Member for his comments on the economy. I agree with him: we need to let business do business and get on with things in a safe and sustained manner.

Yes, there is scope to look at diversification. It is particularly important when we look at the supply chain. I am always encouraged and, at times, surprised by parts of the supply chain into the aerospace industry, for example, which started off as small companies making agricultural

tools. So, yes, reinventing ourselves is something that we have done, something that we will be able to do and, I hope, something that we will be able support in the future.

**Mr Deputy Speaker (Mr Beggs):** That ends the period for questions for urgent oral answer.

**Mr Givan:** On a point of order, Mr Deputy Speaker. In the course of the remarks made by the Justice Minister, she challenged the Speaker and the decision-making process for granting questions for urgent oral answer. Is it in order for a Minister to challenge the ruling of a Speaker with comments designed to have a chilling effect on the Speaker and Members, like me, who are democratically mandated to hold to account those Ministers responsible, in this case, for regulations 5 and 6?

**3.00 pm**

**Mr Deputy Speaker (Mr Beggs):** The Member has made his point. I will refer the matter to the Speaker for further consideration, but his point is on the record.

## Private Members' Business

### COVID-19 Pandemic: Support for Sheep and Beef Farmers

*Debate resumed on motion:*

*That this Assembly notes the important role that sheep and beef farmers play in ensuring a safe and secure supply of food for the population; acknowledges that a significant portion of sheep and beef farmers, such as hill farmers, are situated in areas of natural constraint and severely disadvantaged areas and face considerable challenges in running their farms; recognises that COVID-19 has had a huge impact on the sheep and beef sector, with the closure of restaurants, hotels and the wider food services industry; further recognises that due to low incomes and the minimal support from other COVID-19-related schemes, sheep and beef farmers in areas of natural constraint have been disproportionately impacted by the pandemic; and calls on the Minister of Agriculture, Environment and Rural Affairs to ensure that equality and fairness underpins the allocation of the £25 million agri-food sector market intervention fund and that sheep and beef farmers from areas of natural constraint receive the support that they need through the distribution of this funding. — [Mr McAleer.]*

**Mr Deputy Speaker (Mr Beggs):** We now return to the motion on support for sheep and beef farmers through the COVID-19 pandemic.

**Mr McNulty:** I welcome the motion and opportunity to highlight the difficulties faced by our sheep and beef farmers in running their farms during the coronavirus pandemic.

Many will not know this, but, as a youngster, I was brought up on a farm. My uncle, who lived across the road from us, had no children so, essentially, we were the farm children. My farming background has given me enormous experience. I grew up milking and calving cows, tending to the beef and dairy herd, taking in the hay, the transition to silage and covering the silage pit. I have very many happy memories of my childhood and youth on the farm, so I completely identify with the demands on farmers.

From my youth, I also remember the langle on sheep. To a large extent, farmers feel they have been langled because they have no support. Thankfully, the practice of putting a langle on two legs of a sheep has now been abandoned, but I am sure farmers feel that they have a langle on four legs because they have been held back by a lack of support. Now, on top of that, we have the COVID-19 pandemic.

In 2018, it was estimated that there were 19,800 cattle and sheep farms in the North, which is nearly 80% of all farms. The sector plays a significant role in our economy and supports the livelihoods of many people and families. Even before COVID-19 struck, the agri-food sector on this island was struggling with the uncertain future brought about by Brexit. There remains a lack of clarity about the new rules and regulations that farmers will have to deal with and the supply lines in and out of the EU.

The pandemic has made an already difficult situation potentially catastrophic for farmers and their families.

As well as the social restrictions of lockdown that we are dealing with, sheep and beef farmers have businesses to run that cannot be shut down temporarily. Animal welfare and food security measures continue to require constant attention, and the nature of sheep and beef farming means that the overheads associated with running a farm do not stop even in the midst of a global pandemic.

Our farmers have also seen significant sections of their markets close down. While the temporary closure of local livestock marts may have had a short-term effect, the shutting down of hotels and restaurants in the hospitality sector, and the wider food-services industry across Europe, along with the ability of the sector to restore customer confidence and return to trading, are likely to have longer-lasting implications for farmers.

Farmers' ability to continue to operate and provide produce is, of course, vitally important in any crisis, but they also rely on the rest of the food supply chain to continue to function. The support provided to the haulage sector for imports and exports, as well as to the hospitality and retail sectors, is essential for the maintenance and security of that supply chain. However, many of our beef and sheep farmers, such as hill farmers in severely disadvantaged areas (SDA), have had to meet the full cost of continuing in business with the prospect of ever-lower market returns.

The initial government support schemes, such as the COVID-19 self-employment income support scheme and the coronavirus business interruption loan scheme, were not designed with agricultural businesses in mind. Therefore, the £25 million agriculture agri-food market intervention fund has been welcomed by farmers, and I also welcome it. It is crucially important that support will be, and is, directed to those in the sector who have sustained the heaviest losses. As the motion states, it is essential that fund allocation is underpinned by equality and fairness. The £25 million fund has a lot of ground to cover. Our sheep and beef farmers, particularly in areas of natural constraint (ANC), must receive the support they need through the agri-food sector market intervention fund distribution. I support the motion.

**Mr Irwin:** At the outset of my contribution, I declare an interest as a partner in a dairy farm.

The motion makes a very valid point, and one I have made repeatedly in the House in the past few months, and that is the importance of our food producers at all times, but especially so in a time of great crisis.

Farmers and farm families have worked tirelessly throughout this crisis to produce food for us all. Having security of food supply, and safety and traceability in that supply, is of the utmost importance and it is what sets our produce apart from other regions across the globe.

Our standards are very high, and people in Northern Ireland enjoy high-quality produce from hard-working farmers across the Province. Excellent welfare standards are the foundation. That is important, and it has been the case throughout this pandemic. Food standards have remained high, and that work stops in no circumstances. Rules still must be applied and adhered to, checked and rechecked, and it is all for the safety of the consumer.

It is also clear and true that farmland productivity varies greatly throughout Northern Ireland. That is recognised in many ways by various schemes designed to assist farming

in areas where the general activity of farming the land is a greater challenge due to hills, mountains or, indeed, water in low-lying land.

With all that in mind, we have had to deal with a pandemic in Northern Ireland, as have many other countries across the globe. Owing to the lockdown, and the need to reduce interaction between people, the purchasing trends and eating habits of consumers have been massively altered. That, in turn, had a tremendously negative impact on the food and hospitality sectors, with hotels, bed and breakfasts, restaurants and cafes all closed. With those closures, the demand for meat and dairy products locally has been significantly diminished.

Consider that, in normal circumstances, a large fast-food operator in Northern Ireland accounted for 12% of beef used in the Province. Take, for instance, the hundreds of cafes across the Province, which all use liquid milk for coffees, desserts etc. It is clear how damaging such a significant drop in demand has been on farm incomes in some sectors across the Province.

In supporting the agricultural sector generally, this issue has been discussed on many occasions within the Committee over the past few weeks. As a Committee member, I am keen to see the maximum level of support provided to our farmers across the sectors, in order to help mitigate some of the economic issues caused by COVID-19.

A number of sectors have been practically unaffected by the coronavirus, but others have been badly affected. It is important that the assistance scheme recognises that. The fact that there has been a variance in the level of impact in different sectors, must be a key part of this debate. No one disagrees that the industry should be supported but, with limited funding available, the assistance already provided and the economic response to COVID-19 running into billions of pounds, we must be pragmatic as to how that can be done.

I welcome the self-employment scheme as an additional support and that it was open to farmers to apply.

**Ms Sheerin:** Will the Member give way?

**Mr Irwin:** I will.

**Ms Sheerin:** Does the Member agree with me that many farmers missed out on the self-employment scheme because they invested their income back into their farms, for example in buying farm machinery and doing necessary works to the farm, which then meant that they did not have enough profit to avail themselves of the scheme?

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

**Mr Irwin:** I thank the Member for her intervention. That is open to interpretation but, yes, there may be some who did that. I know a lot of farmers who avail themselves of the scheme, so I am not sure how many farmers were in that position. I am sure that, where farmers showed small profits, that is quite possible.

The reality of farming in normal times is harsh, as we all know. Therefore, we can understand the pressures now at play, given the pandemic and its associated impacts. The £25 million that has been made available is very welcome, and I thank Minister Edwin Poots and the Executive for their hard work in resourcing the scheme. The way in which the scheme is opened up and accessed will be

important to ensuring that producers benefit from it in these difficult circumstances. The scheme's importance will be in ensuring that it recognises the different levels of impact suffered across the sectors. That will be difficult and is no doubt contributing to the delay in the releasing of the assistance. It is important, however, that the scheme recognise the financial losses incurred and reflect that in allocations.

We will, God willing, get through this crisis. On the other side of the pandemic, we will still heavily rely on our agri-food sector. When all the various consumer outlets reopen, demand will once again increase. It is vital, however, that we ensure that producers economically survive the current downturn in demand. This assistance will be of some help in that regard. I urge the Minister to push forward with releasing the funding as soon as is practicably possible.

**Mrs Barton:** I welcome the opportunity to take part in the debate, particularly as the agriculture sector has been offered very limited support through the various COVID-19 pandemic schemes. Businesses in other sectors have received, or are going to receive, lump sums of financial assistance through the business support grant or the hospitality, tourism and retail grant, yet, throughout the whole crisis, the farming community has continued to produce its products and has managed to play its vital role in the food supply chain. That supply has been seamless in a situation in which the livestock marts were closed for a period. Beef and lamb prices tumbled. Milk prices are steadily reducing, and, to add insult to injury, we hear of processors bringing in Polish beef to supply a UK supermarket.

The Minister of Agriculture, Environment and Rural Affairs' recent significant bid for £105 million from the Department of Finance for agriculture has, I assume, been rejected. A £25 million fund for farmers and the horticulture industry been allocated. That is just 24% of the original bid.

These are stressful times for all businesses, including agriculture businesses. They cannot and must not be the forgotten element of the coronavirus pandemic. They must receive due and reasonable support to ensure that there is a food supply beyond the crisis. Thankfully, in Northern Ireland, the family-based farming enterprises are a very important part of our community, unlike in other parts of the UK, in sections of the Republic of Ireland and Europe, and, indeed, throughout the world, where large factory-farming techniques have been established, which churn out agriculture products without the same consideration for or management of quality and without the same level of protection of the environment.

There has long been support for local hill farmers. For those who farm in what are termed severely disadvantaged areas, which were previously referred to as areas of natural constraint, the less-favoured area (LFA) compensatory allowance was in place. DAERA's own figures highlight the fact that SDA farms are well over £100 an acre worse off in income terms than lowland farms. With the removal of the areas of natural constraint payments, it is estimated that around 10,000 farms have been impacted on, with a very large percentage of them in my constituency of Fermanagh and South Tyrone. On hill farms, there are very limited options for crops, with grass being the only feasible option, and a wide range of livestock farming therefore takes place.

In considering my support or not for the motion, I note the line:

*“to ensure that equality and fairness underpins the allocation of the £25 million agri-food sector market intervention fund and that sheep and beef farmers from areas of natural constraint receive the support that they need through the distribution of this funding.”*

### 3.15 pm

I seek assurance from the sponsors of the motion that their plan is not just to provide support to these two sectors. I fully appreciate that those two sectors have suffered financially due to COVID-19, but I am also aware that sectors such as dairy farmers have also suffered a significant downturn in their market returns. Their return is probably now below the cost of production. Support should go wherever a need is demonstrated in the agriculture world. The Sinn Féin motion raises concerns about farming in ANC areas, but the payment to farmers in those areas was ended when a consultation in 2016 on the future of the ANC scheme was carried out. That consultation was ordered on the watch of a Sinn Féin Agriculture Minister and decided on by a DUP Agriculture Minister. I would be interested to know what weight the Executive and, in particular —

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

**Mrs Barton:** — the Finance Minister gave to the Rural Needs Act (Northern Ireland) 2016 when deciding on grants and financial support. Therefore, I hope that the £25 million of support for the agriculture industry —

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

**Mrs Barton:** — will be distributed in a fair and equitable manner.

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

**Mr Blair:** Mr Deputy Speaker, I apologise for not hearing you in the first instance.

Speaking on behalf of Alliance, I am happy to support the motion, which comes, as I understand it, as detail of the COVID-19 agriculture, horticulture and fisheries support is still subject to some fine-tuning and final decision-making in the Department. Not unlike the last Member to speak, Mrs Barton, I will probably refer, in the next few minutes, to the need, perhaps, to look a little wider than the strict confines of the motion. As I say, however, I generally support the motion and understand the rationale behind it. Hopefully, I can clarify where I am coming from as well.

The motion accurately reflects the negative impact of COVID-19 on the sectors listed in it, referring to the devastating blow caused by the abrupt halt to hospitality industry activity. We know also that it had a similar effect on the dairy sector and, in fact, many sectors of our economy. I am not sure whether the Minister has been updated on consideration by the AERA Committee at this stage of the overall COVID-19 financial support package and its potential remit. However, I am aware of the variety of responses to the Committee's request for feedback. That feedback demonstrates that the range of those in need might be greater than has been hitherto recognised.

The Minister may recall that, when he came to the Committee on 22 May to inform us of the funding, I asked about building in flexibilities for review as the issue progressed. The Minister's response on that occasion, pointing out that it was a finite resource, might not have been exactly the answer that I wanted at that time, but it was, of course, understandable, given the priority of getting the fund moving.

The motion gives us an opportunity for further consideration so that a wider range of those in need in our agriculture sector might be helped. For example, a pillar of funding could be retained for emerging need, or a contingency could be built in for similar purposes. Perhaps the Minister could reflect on the prospect for such flexibility.

**Mr Harvey:** As has already been acknowledged, COVID-19 continues to have a serious impact on our agri-food sector. Farming is a volatile industry at the best of times, and COVID-19 has brought additional challenges for local producers that were unimaginable at the start of 2020.

The motion refers to the challenges faced by those farming in areas of natural constraint during the COVID-19 crisis and calls on the Minister to ensure that equality and fairness underpin the allocation of the agri-food sector market intervention fund. Unfortunately, the impact of COVID-19 has been felt across the farming sector, regardless of farm location. It is therefore vital that, in the interests of equality and fairness, we do not deem farmers ineligible for support due to land location.

The £25 million intervention fund represents the most generous allocation made to the agriculture sector by any UK or EU Administration. It reflects the importance placed on the sector locally. The Minister was instrumental in lobbying Executive colleagues to ensure that a bespoke funding package was established, and I join the Ulster Farmers' Union and others in expressing my thanks to him on behalf of the farmers in my constituency.

There is no doubt that the challenges faced in farming are deep and complex. The closure of the food services sector, which accounts for 40% of beef sales, and the challenges faced in the procurement of inputs have affected the beef industry particularly. The implementation of new protocols regarding social distancing has also had an impact across the sector. I have been contacted by numerous sheep farmers in my constituency about the viability of their business in the weeks ahead, with lamb prices having remained low and likely to be volatile for some time to come. Concern has been expressed to me that, in the weeks ahead, there will be further pressure on prices as a large number of lambs become available for slaughter. There is also the additional vulnerability of sheep farmers given their reliance on the ROI market, with 45% of lamb flocks being slaughtered in the Republic of Ireland.

The Department has focused its energy on the beef and dairy industries, given the immediate impacts of COVID-19 on them. However, as the situation evolves, others, such as sheep farmers, may require similar support. I ask the Department to bear that in mind. It is important that the intervention fund maintains flexibility in scope and reach to allow for that. It is essential that individual farm businesses can benefit from the intervention fund and that it focuses on meeting first the needs of the worst impacted, regardless of sector or locality. If we want to ensure that

the fund is distributed as fairly and as equally as possible, it must be flexible in providing financial assistance to our farm businesses across Northern Ireland. Their viability is crucial to our wider economic recovery post COVID.

**Ms Sheerin:** As I have spoken about at length in the Chamber before, I have a particular interest in the sector, coming from a farming family. Just last week, my colleague Declan McAleer and I joined Sinn Féin TDs Claire Kerrane and Matt Carthy, from Roscommon and Monaghan respectively, in a Facebook Live session focusing on rural issues. We were inundated with questions from rural dwellers the length and breadth of the country, and, although the accents changed, the issues were the same. We heard from farmers who were worried about Brexit, people who asked what provisions would be made for beef and lamb producers in the wake of COVID-19 and poultry farmers who were concerned about avian flu. Those producers are united in their acknowledgement of government intervention in their livelihoods.

The statistics for the North reflect the dominance of agriculture in the rural economy here. There are nearly 25,000 farms in the North of Ireland supporting over 48,000 jobs. Agriculture here has an annual turnover of £4.5 billion and makes up 1.7% of the North's gross value added compared with just 0.5% across the UK as a whole. The industry accounts for 2.5% of employment in the North, more than double the UK-wide level of 1.1%. The North of Ireland is more reliant on agriculture and the agri-food industry than any other area in the UK. Within those statistics, we see that 90% of farms derive two thirds or more of their total standard output from grazing livestock, including 10% that are classified as dairy farms and 79% that are cattle and sheep farms. Approximately 20,000 farmers are classified as cattle and sheep producers. The 2018 figures show that they represented more than 25% of the gross output of farms. We also know that income has decreased substantially in less-favoured areas for hill farmers.

I want to reflect on a statement that my dad told me about at the weekend. It was reportedly quoted by a neighbour he had grown up with who had had to come home from America to look after the family farm even though his heart was not really in it. He said that at that time, which was years ago, "Farming is a curious practice. One can work for 12 months consecutively, show a considerable loss and still possess the will to continue". For me, that about sums it up. These people produce something that none of us could live without: food, the energy to live. Yet, rising costs and falling prices mean that farm income at the end of the year is non-existent, while the other sectors that support the farmer, such as the machinery agents, the feed producers and those selling the fuel, continue to turn a profit, and rightly so. The farmer should also see an income following his or her hard work.

Most hill, sheep and beef farmers did not avail themselves of the British Government's self-employed business interruption scheme, because, without subsidy, they barely break even each year, and 80% of nothing is still nothing. The UFU has highlighted the fact that, in the first three weeks of March, prime lamb deadweight price was £4.80 a kilo and that it dropped immediately to £4.15 a kilo, once the lockdown was announced. Of course, lockdown happened just as many farmers were in the middle of lambing or calving, something for which working from home is not an option.

The challenges posed by the COVID-19 pandemic and Brexit have put unprecedented pressure on the agri-food sector. It is impossible to expect the sector or, indeed, any other organisation to deal with both challenges simultaneously. Recently, we saw the passing of the British Agriculture Bill, when the Tory Government rejected amendments to the Bill that would have ensured that food imported internationally had to meet the standards that farmers in the North are expected to maintain. The current context of COVID-19 has highlighted the importance of local food production and food security here at home, so the impending exit from the EU and what that means for food importation is a constant worry for local farmers and should be a worry for all of us.

Greater support for small farms has more environmental benefits than supporting large, intensive farming practices, particularly in the hills, where land management and biodiversity are important.

In a recent presentation to the Agriculture Committee here, the LMC highlighted the fact that the beef and sheep meat processing sector employs over 5,000 people in the North. In 2017, its annual turnover was in excess of £1.3 billion. Those figures highlight the importance of our farming industry as part of our wider economy and reiterate the need for support to keep farms viable. We need to see help being delivered fairly and equitably, so that everyone has the means to continue as we make our way out of the pandemic. In response to earlier comments, I say that it is Sinn Féin's view that no one be excluded, and we want to see everyone included.

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

**Ms Sheerin:** I will.

**Mr McAleer:** Does the Member agree that, following on from Mrs Barton's comments, support for the motion does not mean that you do not support other sectors in the agri-food sector?

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

**Ms Sheerin:** Yes. That is exactly my point. We do not want to see anyone excluded, but we want to make sure that everyone is included, particularly those in the sheep and beef sector who have not been mentioned.

**Mr McGrath:** I welcome the debate and the opportunity to speak briefly to support the beef and sheep sector in the North and in rural communities such as mine in South Down.

The motion refers to the difficulty that hill farmers face, as their farms are often located in areas of natural constraint. I know of many farmers in the Mourne who face difficult conditions, with restrictions on their farming practices due to the additional tourism and natural beauty-related conditions. That makes their work more challenging and, indeed, more expensive.

The pandemic has seen a major impact on the supply chain for farmers and their product. Restaurants and cafes are closed, as are many takeaways, and opening hours are reduced, which means that the demand for their product is vastly reduced. That has caused major issues for the sector, and many face unbelievable hardship.

As mentioned, nearly 20,000 are involved in the sector, and they definitely need support and assistance. I

welcome the help offered by the Minister thus far, but, of course, this is the long game and could continue for the next year or so. The difficulty with much of the help and support that has been offered so far is that it is short-term to get people through the worst of the pandemic. Obviously, the issues could be with us for much longer, so we need to see how we can help the sector in the months and up to a year ahead and beyond that. Farmers will face problems that could stretch well into next year and beyond. Of course, the sector is in major difficulty because of COVID, but then we could have the twin impact of Brexit added to that, which could create much uncertainty and difficulty for those in the sector, in another sense for a further short term, and give them more problems.

Cumulatively, these are massive problems for the sector, which does need assistance.

### 3.30 pm

Additional support for the sector is needed. I ask the Minister to detail any approaches that he has made to the Finance Minister for additional funding, or indeed whether the Finance Minister has made any offers of additional funding, to see whether we can help the sector. I would be worried if no consideration had been given to additional funding, given that the motion comes from the party that holds the purse strings. I hope that there have been some of those conversations in the background. Otherwise, the motion will just be building up the hopes and expectations of the sector. If there is no finance to come in behind it, that will be quite unforgivable. I also ask the Minister to detail how the funding referred to in the motion will be distributed — I think it has been mentioned before — to see whether there is a possibility for payments to be weighted by the difficulties that individual farms face because of the constraints upon them.

In conclusion, the motion refers to the valuable work that beef and sheep farmers do in the agriculture sector and the wider agri-food sector in the North. Of course, I welcome and endorse that. I see day and daily in my constituency of South Down the hard work that takes place, but also the real hardship that is out there. These are unprecedented times, and I look forward to the help and assistance that will be given to the sector and to assistance in the long term.

**Ms Dolan:** I welcome the opportunity to speak on the motion. While the motion is about support for beef and sheep farmers through the COVID-19 pandemic, it is important to be mindful of the health and well-being of farmers. I want to highlight the work of Rural Support during these difficult times. Rural Support staff deal with calls to their helpline, which have steadily increased over the period of coronavirus. In a written update to the Agriculture Committee, Rural Support reported that the majority of callers to their helpline had concerns about some of the following issues: worries about benefits; concern about their mental health; farming-related matters, such as a possible slowdown in the supply chain, the movement of stock and the discontinuation of TB testing; older children moving back home; and fear of coronavirus and the impact that their death might have on the farm.

In the current climate, we should not underestimate the extreme pressures faced by our farming community. It is vital that the community, including our sheep farmers, gets financial support. The self-employed income support

scheme has been helpful to those farms that are perceived to be profitable, but, where a farm is not deemed to be profitable, the farmer cannot draw down the money. We can only guess that large number of farms in areas of natural constraint will be impacted, as they are not making a full-time income from farming and therefore cannot avail themselves of the self-employed income support scheme.

I represent Fermanagh and South Tyrone, where almost 90% of land is in less-favoured areas. LFAs are restricted in their business choices, due to limitations of environment and climate. LFA farmers are at the end of the livestock production chain. They are vulnerable to price fluctuations. Hill farmers in particular have received extra support because they face additional challenges. An NFU report, 'Farming Delivers for the Hills and Uplands', states that the value of hill farming must be recognised if it is to shape the social and economic needs of people living in rural areas. Weather, rising costs and disease lead to hill farmers getting less for their produce while facing increasing production costs. There is a demand for traceable, quality products. Natural constraints increase production costs and reduce agricultural opportunities within those designated areas.

Some 70% of land in the North is in less-favoured areas. Sinn Féin has highlighted the plight of beef and sheep farmers. We do not feel that £2 million is sufficient to deal with the crisis faced by our beef and sheep farmers. In the North, COVID-19 impacted our beef and sheep industry before lockdown, due to global markets closing. Since lockdown in March, the closure of the food industry, the loss of product value and increasing costs — including fertiliser and feed concentrates, to name but two — brought further losses. Cattle and sheep farmers in less-favoured areas have generated substantial income losses. The loss of the ANC payment was a key contributing factor. Added to this, the HMRC scheme appears to be mostly accessible to businesses that are more profitable.

I commend the work of the Agriculture Committee in engaging with the agri-food sector to have its say and to shape and influence how this funding should be distributed. I am aware that a number of submissions have been made to the Committee in support of all farmers receiving direct support, including sheep farmers, who have not been included. This is an equality issue that needs to be addressed immediately.

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** Mr Deputy Speaker, I apologise at the outset for not being in the Chamber for the Chairman's speech. I contacted my office to see what time the debate was likely to take place, and there was no indication that it would be earlier.

The House is the place to debate the motion but this is not the time to do it, given the wording of the motion, because the debate about funding is not about uplands or lowlands, it is about losses faced as a consequence of COVID-19. In the allocation of the funding by the Sinn Féin Minister, Mr Murphy, which I gladly received — although, as Mrs Barton pointed out, it falls well short of what was requested — he was very clear about how the money should be spent. I have the document here from the Department of Finance, and it states:

*"The dairy sector has already seen an 8% fall in milk price from almost 26p a litre in February 2020 to 23p a*



*litre in May for April milk, which is below the production cost in most farms”,*

which is around 25p —

*“Further decreases are expected in June for May milk, and if prices remain below production cost for any sustained period of time or fall sharply to 20p a litre or below, dairy farmers would quickly go out of business. The cost to support the dairy sector for each penny per litre fall in the price of milk is projected to be £12.4 million from April to September.”*

That comes from the Department of Finance's economists.

*“The beef sector has seen falls of 15p per kilo, around 4% since March although prices have stabilised as farmers take advantage of new grass and current prices to hold cattle off market. A further drop is expected later in the year, as the need to sell animals increases.”*

That is well based because there are 14,000 additional cattle in the system that would normally have been marketed by now but have not been.

*“The cost of support for the beef sector for each 5% fall in animals' value is projected to be £9.5 million from April to September.”*

So, that is £22 million gone.

It then goes on to point out the requirements for the horticulture sector. Those are the people who grow products for garden centres. That support is to come out of this money as well.

*“It is also estimated that 40% of the horticulture products, at a cost of £1.4 million are already unsaleable, and with garden centres and other outlets opening soon and plant sales resuming, the original projected loss of £3.5 million will be mitigated.”*

However, one can see that there is already a loss of at least £1.5 million. So, there is £23.5 million taken out of that money already.

Potato processors are coming forward to say that, because they were not selling to restaurants and hotels, people at that end of the market have been left with large quantities of potatoes in their cold stores. Many of them have started to sell them off at £30 a ton, instead of £170 a ton, and the consequence of that is substantial losses.

Broiler breeders have already come forward as well to indicate that there is a huge downturn in that market from Asia and the Middle East for eggs and, as a consequence, they are facing a probable £2 million loss.

So, one can see the demands, but what I noticed today was the absence of evidence from the Members who claim that uplands farmers have suffered more than others. I have to do this on the basis of evidence. I cannot just give money out willy-nilly to any group. It has to be done based on evidence alone. As regards the evidence base, some people suggest that the upland farmers are less likely to receive money from the self-employment scheme than others. The scheme is based on the last three years, and, in 2016-17, LFA farmers got £21,352 on average and lowland farmers got £16,578. In the following year, LFA farmers got £17,725 and lowland farmers got £16,637.

In the year after that, LFA farmers got £14,368 and the lowland farmers got £12,274. The evidence is very clear that the lowland beef and sheep farmers will get less from the self-employed scheme than the upland farmers but the motion is focused on the upland farmers.

I want to make it very clear that I see the motion as divisive. I say to Sinn Féin's agriculture representatives that their duty is to represent all of the farming community and not just one sector. In that respect, it is our duty, as public representatives, to help those who are battling to get through to the other side of COVID-19. Consequently, the focus should be on the beef farmers who took the cattle out and took the losses over the six weeks in the meat plants. The sheep farmers who took losses over two to three weeks are the ones who should be getting the compensation. Quite a few of the dairy farmers in the less-favoured areas deserve some compensation as a result of the price of their milk falling well below the cost of production. That is what this is about; it is not about upland versus lowland. That should not be the case.

It is a fact of life that when a beef finisher goes to buy cattle, he does not ask whether the calf came from an upland farm or a lowland farm. He asks whether it meets his standards and whether it is the quality of calf that he wants. He buys it at the best possible price for him and the seller sells it at the best possible price to enable that transaction to take place. The better the profitability is for the beef finisher, the better the price he pays to the breeder. The consequence of that is that the upland farmer does better when the lowland farmer does better. I do not see a great divide between upland and lowland farmers; I see one community that needs to be supported and brought through the crisis.

**Mr McAleer:** Will the Minister take an intervention?

**Mr Poots:** Yes, I am happy to.

**Mr McAleer:** I hear what the Minister is saying. He seems to be focusing on the finishers and the dairy sector. What about the farmers who, during the pandemic, were selling their cattle between farms? According to his Department's statistics, under the integrated administration and control (IACS) formula there were around 7,000 movements a week during the pandemic. How does he propose to compensate those farmers? I am sure that he has read the 'Andersons Outlook 2020' report, which stated that cattle prices decreased by £240 a head and sheep by £31 a head. I do not know what figures he is quoting for the last number of years relating to income, because the figures that he mentioned at the Committee averaged out incomes at £12,000 a year for beef and sheep. I am not too sure which figures he is referring to today.

**Mr Poots:** The figures were produced by the Department's economists, so if he wants to query that, he can ask them. I have every confidence in the figures that I have quoted to the Member.

In March, there were 16,500 animal movements from farm to farm and there was a significant fall-off when the markets closed in April. There were 3,300 farm to market movements in April this year compared with 39,896 in April last year. Those movements recovered quite well in May: there were 34,901 movements last year compared with 32,267 in May this year. The price of store cattle in the markets has recovered very well and the market reflects that.

That is a distraction from the point that I have been making. This is not about one set of farmers against another. It is about who was impacted as a consequence of the pandemic.

Beef finishers were at the sharp end. They were hit with the low prices. It kicked off in January because of the Chinese markets, where hides and other products dried up. For a short time the lambs were affected. This money has to be allocated on the basis of COVID-19. It has to be based on history. I cannot project forward and introduce, for example, a slaughter premium, because that would defy EU state aid rules, and I am still subservient to those. I am not at liberty to distribute to pet projects; I am constrained.

### 3.45 pm

UFU, NIAPA, NIMEA and the Dairy Council have all been engaging with me — I am not sure whether they have been engaging with you or you have engaged with them — and the fundamental principle coming from all of them is that this should go to the people who took the hurt. It is not something that should be distributed to all farmers. The consequence is that that would be where the focus would go if that is the line that I choose to take.

I will give the House this undertaking: I am happy to come back later in the year, after we have had a period of sustained poor prices over the summer and autumn time, to approach the Finance Minister again on that basis. That will feed into the upland farmers who usually, and in the main, show their animals in the autumn time in the suckled calf sales, and, if it is demonstrated then that there has been a substantial hit, I will be very happy to go to Conor Murphy and say, "This has carried on right through. The consequences of what happened as a result of COVID in the early part of this year have carried on right through to the autumn time. It has hit the suckler farmers in particular", and I will be happy to push for funding.

In any event, there are beef finishers in the LFAs. The sheep that went at a loss in that period should be covered, and those farmers will be in lowland and LFA. There are dairy farmers in LFAs. All those people who have taken the hit should be given some recompense. It will not cover the loss, but it will help them to get through to the other side of COVID. It is important that the House does that.

There are some areas that are outside my Department but where I think some people have been failed, and we need to address those issues. However, within what is DAERA's responsibility, our focus must be on and our responsibility must be to the people who took the hit. This is not about widespread distribution so that everybody gets a little; this is about focusing the funding to where the hit and the loss took place. All ships will rise as a result of it, and there will be benefits because, by ensuring that those people can survive COVID, those buyers will be there in the autumn time to ensure that prices hold up. That is the aim and the goal, and unless things deteriorate further, I believe it is a goal that we can achieve to ensure that we can see a year in farming that could have been considerably worse mitigated greatly as a result of us receiving this additional £25 million.

I should say one other thing. If we really want to see an uplift in agri-food prices, getting normality back into the market is critical. I have worked very closely with the group of devolved Ministers on getting the food-to-go market back, for example. Mr Irwin said that one company

accounts for 12% of beef sales. Another company accounts for 500,000 chickens per week. Other companies account for masses of litres of milk for the coffee houses and ice-cream parlours and so forth. It is important to get those businesses going again. It is important to get our hotels and restaurants going again, and to those parties who continue to hold back and say, "Not yet, not yet, not yet", whenever the Chief Scientific Adviser and the Chief Medical Officer say, "There is a fair degree of latitude at the minute because the R figure is low and the number of people who have COVID-19 is low", I say this: let us get on with it. Let us get Northern Ireland back to business, and let us ensure that the markets out there get stronger once again for their product and that we do not come looking for public money to compensate people for their losses but ensure that people can do business in a profitable way. That would be the biggest success story that this Assembly could make.

**Mr Deputy Speaker (Mr Beggs):** I call Philip McGuigan to conclude and wind up the debate. You will have up to 10 minutes.

**Mr McGuigan:** Tá mé sásta deis a bheith agam labhairt faoin ábhar thábhachtach seo inniu. Ba mhaith liom mo bhuíochas a ghabháil leis na feirmeoirí, agus le tionsal an bhia, as an iarracht s'acu i rith na pandéime. I, as others have done, commend our farmers and the wider agri-food industry in contributing to food security and the functioning of our food supply during this pandemic. As with other workers and sectors during the past few months, a spotlight has been well and truly shone on the importance and identification of key workers, and that certainly includes those who work on our farms and in our agri-food industry.

I include all sections of the farming community in these comments. Farmers are working in difficult circumstances, in many cases with reduced profits and, even worse, financial losses. Undoubtedly that includes those identified by the Minister, primarily in this package, who need financial support, but it also includes those unfortunately left out by the Minister in his initial proposal.

That became very clear when the Agriculture, Environment and Rural Affairs Committee opened its consultation in the agriculture sector on how the Minister would devise a scheme for distributing a financial support package. We received numerous responses from right across the board. I note that the Minister in his contribution talked about the sectors within agriculture and he pointed out that they were clear that it needed to go to those in need. I dispute who they said it needed to go to because, certainly in the Committee's consultations, there was a lot of frustration that it was a very closed section of the agricultural sector and lots were being forgotten about. That is why the motion is important. It gives a further voice to that frustration.

I also note that the Minister was not happy with the motion. I think he said that it was divisive. I fail to see how that is the case, given that at this point it seems to have the support of the SDLP, the Alliance Party and, potentially, the Ulster Unionist Party, so I do not think that he should bring divisive politics into this very important matter.

It is clear that the beef —

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

**Mr McGuigan:** I gave way in the last debate I spoke in and I ran out of time, so perhaps towards the end.

The beef and sheep sectors, for example, have been very vocal on this issue. Those two sectors make a major contribution to the economy here in the North and, as others have said, DAERA estimates that the gross turnover of the beef and sheep meat processing sector is just over £1.3 billion.

I welcome that the Minister has been given a £25 million package, courtesy of the Finance Minister. I note Mr McGrath's comments. I was a bit perturbed by them because we are not talking today about additional funds. Obviously, we would appreciate additional funding but the £25 million is a welcome package. I note that, at the beginning of this crisis, the Minister sought funding from Europe and Westminster and did not get it from either of those sources, but he did get it from the Finance Minister. What we need to talk about today is not wanting more, which we do, but how we spend this welcome package fairly, and those were also the Minister's words.

This package can and should help mitigate against some of the losses felt in the industry and I note what the Minister said about all the losses when he was totalling up the figures. There is no doubt that it will not alleviate all of that, but it will alleviate the worst excesses if it is distributed fairly and I note that that is the case. It needs to help across the whole agriculture industry. In addition, it needs to be distributed fairly and equitably, as others have said.

Lessons can and should be learned from other schemes in other Departments and the Minister alluded to that. I am sure that like me, from a constituency perspective away from agriculture, he is unfortunately receiving heartfelt pleas from individuals and business owners, sole traders etc who have not been able to access the various Government schemes, business support grants or self-employment payments because of certain stipulations. I emphasise totally with them and their predicaments, which, unfortunately, have put severe financial strains on many individuals, families and businesses, who, in some cases, will see their businesses cease to exist. Given the range of phone calls that I have received in the last number of weeks from across the agri-food industry and sectors and, most specifically, from sheep and beef farmers, I feel that it is imperative that the Minister devises a scheme that, as I and others have said, must be fair and equitable and reach as far across the industry as possible to help those farmers who have been affected by COVID-19.

As a bit of an aside, in the aftermath of COVID-19, when we are looking at how we can improve the agricultural sector, it is clear that we need more all-Ireland harmonisation. An all-Ireland agri-food task force would better coordinate supply chain issues and enable more joined-up thinking on development legislation alignment and so on. Sinn Féin has and will continue to call for that.

The agri-food industry here has flagged up the growing gap in financial support between North and South. That gap has not only been in the support provided for COVID but for Brexit. For example, the Irish Government gave a €100 million Brexit aid package to beef producers. Many of the Members who have contributed to the debate mentioned the impact of Brexit and COVID on our agri-food sector.

I now return to the motion, which deals with the impact of COVID-19 and calls for support for beef and sheep farmers. I repeat what others in my party have said in response to questions, namely that the support that we are asking for should not be to the detriment of the other sections of the agri-food industry that need support but are not mentioned in our motion. They all deserve support, but so does the beef and sheep sector. That sector is not exclusively made up of hill sheep farmers, but it is clear that COVID-19 has had a disproportionate impact on beef and sheep farmers in areas of natural constraint.

In his contribution, I noted that the Minister talked about the need for evidence. I know that he was late to the debate, but I would ask him to read the Hansard report of the debate, because he will find plenty of evidence in that. I also ask him to read the consultation responses that came to the Committee from groups and individuals in the sector. There is ample evidence contained in all that.

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

**Mr McGuigan:** I will give way towards the end of my contribution.

We know that, before COVID-19, beef and sheep farms were already experiencing severe profitability challenges. Farm-gate beef and sheep prices had moved downwards and input prices had increased, putting more pressure on our beef and sheep farmers.

There are 24,000 farms in the North, 17,000 of which are in less-favoured areas. Many people have also detailed the impact on severely disadvantaged farmers. There are 9,730 severely disadvantaged farmers across the North and, as the saying goes, we are all in this together. As has been stated, ANC farmers have experienced a loss in product value, including fertiliser and feed concentrates, to name but two. Farmers are going to market and losing money while, at the same time, are experiencing an increase in costs. My colleague mentioned the Andersons Centre report, and I would refer us all to the challenges posed by COVID-19 to the beef and lamb sector that are contained in it. Again, it details lots of evidence.

It is not acceptable that sheep farmers have been left out, or potentially left out, of any agri-fund support. They face the same challenges as other sectors, such as the closure of markets, a reduction in farm-gate prices and increasing costs, all of which are a result of COVID-19.

In conclusion, it is clear that COVID-19 control measures have had a very significant adverse impact on land-based livestock sectors, including lamb and beef. Those two sectors, along with others, must be included in any scheme by the Minister to support the industry.

To wrap up, I will detail some of the comments that Members have made. I will not go through them all, because I am short on time. It was clear that lots of the arguments were the same and detailed the impact across the agricultural sector, particularly on beef and sheep farms and those in the upland sectors. Most contributors talked about other schemes not being able to support and sustain the sector and said that they had lost out because of low profitability over the years.

Following an intervention by Mr Buckley, my colleague the Chair of the Committee highlighted the all farmers have been impacted by COVID-19. Justin McNulty talked about the impact of COVID-19 on farmers because of market

closures. He also talked about Brexit and other schemes not being designed with farmers in mind.

William Irwin talked about the importance of food production and the impact of the hospitality food sector, as others did, but stated that some sectors had not been affected, which I would, obviously, disagree with.

#### 4.00 pm

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

**Mr McGuigan:** OK. Most people, with the exception of the DUP, highlighted their support for the motion and the need for support to be across the industry. I support the motion and commend it to the House.

*Question put.*

**Mr Deputy Speaker (Mr Beggs):** I remind Members to uphold social distancing. Members who have proxy voting arrangements should not come into the Chamber.

*Question put a second time.*

**Mr Deputy Speaker (Mr Beggs):** Before the Assembly divides, I remind you that, as per Standing Order 112, the Assembly has proxy voting arrangements. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. During any Division, social distancing in the Chamber should continue to be observed. In order to facilitate that, any Members in the Chamber not due to vote in person should consider leaving the Chamber until the Division is concluded. Members who wish to vote in the Lobby on the opposite side of the Chamber to that on which they are sitting should leave the Chamber by the nearest door and enter the relevant Lobby via the rotunda. The remaining Members sitting closest to the Lobby doors should enter the Lobbies first. Any Member who has voted may then wish to leave the Chamber until the Division has concluded. However, any Member who needs to vote in both Lobbies should not leave the Chamber. I remind Members of the need to be patient at all times, follow the instructions of the Lobby clerks and respect the need for social distancing.

*The Assembly divided:*

*Ayes 55; Noes 27.*

#### AYES

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

*Tellers for the Ayes: Mr McAleer and Mr McGuigan.*

#### NOES

*Mr Allister, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Newton, Mr Poots, Mr Robinson, Mr Storey, Mr Weir.*

*Tellers for the Noes: Mr Buckley and Mr Irwin.*

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley [Teller, Noes], Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin [Teller, Noes], Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Storey and Mr Weir.*

*Mr O'Toole voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, Mr McNulty.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer [Teller, Ayes], Mr McCann, Mr McGuigan [Teller, Ayes], Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes the important role that sheep and beef farmers play in ensuring a safe and secure supply of food for the population; acknowledges that a significant portion of sheep and beef farmers, such as hill farmers, are situated in areas of natural constraint and severely disadvantaged areas and face considerable challenges in running their farms; recognises that COVID-19 has had a huge impact on the sheep and beef sector, with the closure of restaurants, hotels and the wider food services industry; further recognises that due to low incomes and the minimal support from other COVID-19-related schemes, sheep and beef farmers in areas of natural constraint have been disproportionately impacted by the pandemic; and calls on the Minister of Agriculture, Environment and Rural Affairs to ensure that equality and fairness underpins the allocation of the £25 million agri-food sector market intervention fund and that sheep and beef farmers from areas of natural constraint receive the support that they need through the distribution of this funding.*

**Mr Deputy Speaker (Mr Beggs):** I will now pause briefly to allow Members to return to the Chamber.

## Northern Ireland Prison Service: Staff Stress

**Mr Beattie:** I beg to move

*That this Assembly notes the stress experienced by members of the Northern Ireland Prison Service in the course of their duties; calls on the Minister of Finance to ensure that the Northern Ireland Civil Service human resources policy on inefficiency sickness absence management takes into account the stress experienced by Northern Ireland Prison Service staff; and further calls on the Minister to cease the issuing of written warnings to members of Northern Ireland Prison Service who are suffering from diagnosed mental health conditions and instead to manage the needs of those individuals through positive engagement and compassionate management that focuses on their needs.*

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

**Mr Beattie:** I am in no doubt that every person sitting in the Assembly today, every Member who is not sitting here today and every party in the Assembly understands the impact of mental health on our society and on individuals. I am in no doubt that every person sitting here is a champion for mental health in all sections of our society. We shout about that often enough — I certainly do, and I know other Members do too — and we get our pictures taken talking about mental health and how we should do things better. Yet, here we are with our civil servants, for whom we are responsible, getting a written warning that lasts on their record for two years, if they are diagnosed with a mental health illness. That is absolutely obscene, and it affects the whole of the Civil Service. Somebody could have a mental health illness, have to go off sick and end up with a two-year written warning. The people whom it affects by far the most are those who work in our Prison Service. Those individuals' mental health issues stretch from anxiety to post-traumatic stress disorder (PTSD). They are individuals who are in the most stressful Civil Service job in Northern Ireland.

Our Prison Service makes up about a third of the staff in the Department for Justice, and yet they get roughly two thirds of the written warnings. Of those written warnings, a quarter are for people who are suffering from a mental health illness. What are we saying? We are saying, "You have got a debilitating mental health illness, and we will give you a warning for inefficiency". Inefficiency? Scandalous.

Let me give, if I can, please, the Assembly an understanding of what I am talking about. Here is an example of a prison officer who went off sick with stress and anxiety. While sick, he was diagnosed with post-traumatic stress disorder, which is a debilitating disease. He fought hard to get himself in a place where he could return to work, which he did. When he returned to work, he got his return-to-work interview, as you would expect, from the Northern Ireland Civil Service human resources department. They accepted that he had post-traumatic stress disorder and that he had done everything that he

could to get back to work. Yet, they issued him with a warning, a warning for inefficiency. I am staggered that we do that. Is that really how we treat someone with a mental illness? It is an abject failure of leadership, a lack of understanding of the moral component and a laissez-faire attitude to our Prison Service.

Yet, we have structures in place to help individuals in the Prison Service who have mental health issues. We have the prisons' well-being programme. Each prison has a well-being officer who helps the officers. We have a welfare support service for our prison officers, occupational health and Inspire, which is somewhere that people can be sent to. We have the Police Rehabilitation and Retraining Trust (PRRT), where individuals can be sent to help them with mental illness. All of those things are in place.

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

### 4.30 pm

You would think that, if all those things are in place, we would be helping that prison officer with a mental health illness to come to terms with his mental health and get him back to work. However, it does not work that way because, as we are doing that with the prison officer and sending him to jump through all those different hoops to help him with his mental health illness, the Northern Ireland Civil Service HR is going through its own routine of contacting him after 20 days to tell him that he has been absent for 20 days and that it is taking note of that, and, when he returns to work, he will be given a written warning, or, if he does not return to work, it will be dismissal. It is that twin approach that is the real problem, and, sometimes, we do not really get it until somebody spells out exactly what it means for that individual civil servant. Remember, Prison Service employees are civil servants.

I have another example. A female prison officer was diagnosed with a depressive illness and anxiety in October 2019. In November, occupational health diagnosed severe reactive symptoms stopping her ability to function effectively at home and work. She was referred to PRRT for treatment and assessment in December 2019, had a dismissal meeting on 18 February 2020 and was found unfit to work again by occupational health on 9 March. She finally got the PRRT consultation on 24 March but then was dismissed from the service on 3 April through inefficiency. If she could not do her job, why was she not dismissed on medical grounds? Why was it not medical discharge? Why inefficiency?

I will say this clear and loud, and, please, understand what I am saying, and I will say it again later: mental health illness is not inefficiency. It is not. It is a mental health illness. It is debilitating. It should be treated like any other injury, yet it is not, and I think that is shameful.

Some will argue that there must be some kind of management tool to reduce absenteeism, and I absolutely agree with that. There has to be, but when you put your prison officer through all those hoops to help them with their mental health and they are unfit to come back to work, they should be discharged on medical grounds not inefficiency grounds. I cannot fathom that. Mental health is not inefficiency.

The Northern Ireland Prison Service has the highest rate of absence than any other Department in the Civil Service, sitting at between 8% and 10% per day. We have argued many times in the Ulster Unionist Party that our Prison Service needs resilience to be able to absorb that because their job is by far the most stressful.

Many will say that the civil servants have stress all the time, but not like the Prison Service. Their job is like no other in the Civil Service. Not every day civil servants are threatened, not every day civil servants have urine thrown on them, not every day civil servants are assaulted, not every day civil servants encounter self-harm, not every day civil servants face abuse and threats of sexual violence, not every day civil servants face suicide, not every day civil servants go home with a personal protection weapon because they are fearful of terrorists and they are under threat — but our Prison Service do. That adds to the stress. That adds to the mental anguish. Yet, when they finally tip over the edge with a mental health illness, and they reach out for support, what do we say? “That is inefficiency”. It is a scandal. I think that we can stop it. I ask people to stop it.

So, for anyone to say to me that they are just civil servants and they should be treated the same as any other civil servants, I think that is pretty dismissive. Prison officers face greater mental health strains than any other Civil Service Department, yet there is no allowance for them within the inefficiency sickness absence policy that uses a written warning to stop them presenting with mental health illness lest they lose their jobs. Let me tell you that that is what is happening. Prison officers are scared to go sick with mental health illness because they are afraid of losing their jobs, and we, in this Assembly, allow it.

I applaud the Health Minister who has pledged to bring forward a mental health champion. I applaud my colleague Mike Nesbitt who asked for a mental health champion a number of years ago. The then Health Minister said that she was the mental health champion. I also applaud Claire Sugden, who tried to sort it out when she was Justice Minister.

What am I asking you to do today? I am asking you to support the motion and our civil servants in the Prison Service. I am asking you to say that having a mental health illness is not an inefficiency. I am asking you to support a change in a policy where a written warning is not an appropriate management tool for those suffering from a mental health illness. I am asking you to say, “Mental health illness is not inefficiency”. If I am saying that for the Prison Service, the reality is that I am saying it for all civil servants. Mental health illness is not inefficiency.

**Mr Givan (The Chairperson of the Committee for Justice):** I thank the Member for tabling the motion, and I commend him for his efforts and for the eloquent and passionate way in which he has spoken. I agree with everything that he has said.

The Prison Service is often the hidden service, because of the nature of the job. It is not as it is for police officers, who are visible, highly respected and commended by members of the public. Neither is it as it is for teachers, who are highly commended by parents and receive end-of-term gifts, and so on. Prison officers are not seen, because they work behind a wall. That is why we need to give them even more support than other Civil Service sectors. Their

families cannot say, “My daddy’s a prison officer”. They have to keep it secret, because they live under threat. Others can be proud and tell their friends what their family does, but not the Prison Service family. They say, “My daddy works in an insurance company”, or “Mummy works as a secretary”. They have to keep it quiet for fear of the attack that comes.

Prison officers face incredible challenges outside the walls, but they also face incredible challenges inside the walls. What other public servant has to deal with such a disruptive environment at times? They want to help others, but, in return, get threatened by prisoners and told, at times in the most obscene way, what they are going to do to their partner or wife if they ever get out, or what they are going to do to their children if they ever get out. What other public servant has to put up with that type of abuse?

**Mr Frew:** I thank the Member for giving way. Does the Member agree that the built form — the environment — in which they work, comprising blocks, small quarters and doors opening outwards, poses danger and risk?

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

**Mr Givan:** The physical environment in our prisons is outdated and does not lend itself to safety. We have seen improvements and a step forward with Davis House, but you are right: the environment is challenging.

The type of environment that our prison officers are living with today is the same as they lived with in the past. I know what it was like from my family circumstances. My father served for 33 years. He worked in the Provisional IRA wing and the loyalist wing, and both regarded him as a screw. Neither of them was respectful to him for the job that he carried out. We know too well what it is like to be in the Prison Service family. Other Members have served and will speak shortly.

When the support, or lack of it, gets put in place for prison officers, it is right that the Member brings forward the debate to the House. We look at the procedures that are being followed. The generic way in which the Civil Service code applies is not appropriate for prison officers. That was identified at UK-wide level. A review was carried out which identified that:

*“some public sector roles, such as those in the Armed Forces, emergency services, social workers and prison officers carry a significant degree of risk of developing or exacerbating mental health problems.”*

The review recommended that:

*“public sector employers should identify employees at higher risk of stress or trauma and produce a national framework which coordinates support for these employees and establishes clear accountability for their mental health.”*

Where is that framework? Where is it when it comes to prison officers? The generic approach that has been taken has led to a much higher level of written warnings and disciplinary action than any other part of the Civil Service. Why is that? What is being done to address that?

In the past, I have sponsored numerous complaints to the ombudsman that have led to investigations of the processes being followed. Unfortunately, in a high level

of cases, it was found that the Prison Service did not even follow their own guidance, and that is a very serious matter. What is even more serious is that the ability to refer cases to the Northern Ireland Ombudsman, for scrutiny of the processes followed by the Prison Service, no longer exists. So, we cannot tell those officers to go and get an independent decision from the ombudsman because they are not allowed to. In fact, when I raised issues on behalf of prison officers it was a breach of their employment contract to have asked an MLA to make representation on their behalf about their complaint. I know that because I got sight of private advice to the Minister. The Minister could have instructed that further discipline should be taken. Thankfully, the then Minister, David Ford, did not do that. He was much more reasonable than the advice offered to him by his advisers.

We need to have a system in place that recognises the stress and pressures that exist, and that has been flagged up by the Northern Ireland Audit Office, which produced a report into injuries on duty for police officers and prison officers that identified a lack of data for PTSD and stress. When a medical retirement takes place no record is made if it has been the result of stress. If we are not collecting the data, how are we going to address the problem? We do need to have a much better system in place that recognises the unique circumstances that our prison officers have to deal with and what they have to face.

I commend our prison officers, their families and the commitment that they give to the job because they go the extra mile to help people who need help. They are a uniformed organisation, but they are civil servants. They respect those in authority. However, the rank and file expect those who lead them to go the extra mile to protect and defend them. Very serious questions are being asked about what representation is being made at the highest levels to fight their corner. It should not just be Doug Beattie and Paul Givan. It should be those who are leading this Executive. It should be the Minister for Justice, and I hope that the Minister for Finance also hears the impassioned pleas made by Members in this Assembly today.

**Ms Dillon:** I support the intent of the motion and much of what has already been said. However, I do have some concerns. Specifically, the motion is narrow as it is only about prison officers and, potentially, has equality issues. I do not take away from what Mr Givan has just said about the fact that it needs to be looked at, and maybe it does, but that is not what the motion is asking us to do. We have to look at the motion that is in front of us, and, unfortunately, its wording makes it very difficult to support.

I have some concerns about whether the motion is actually compliant with employment law. In that vein, I find it difficult to support this motion. However, I want to outline the reasons why I support the intent of the motion and also the things that I think we should be doing.

First, I accept that there is a real issue with prison staff. I accept that the circumstances in which they work are very difficult and that the challenges in their workplace are very difficult. They are working with some of the most challenging people that we have living here in some of the most challenging circumstances. They are expected to care for those people and rehabilitate them, and that is where we need to focus.

We need to focus on how we support prison staff to care for those in prison and to rehabilitate them. I know that might not be a popular thing to say because people want prisoners to be punished and that is OK because it is one element of this. However, if we put people into prison and treat them badly or do not put in place good mechanisms for them, what are we getting on the other side? Those people will come out of prison, and we have to deal with them when they do. Therefore, we need to ensure that we have proper processes in place for the prisoners.

However, this is about the staff. If the prisoners have proper processes, then life will be easier for the staff. We have a responsibility to look after prison officers. I accept that responsibility, and I am sure that the Minister also accepts that, as should the Minister for Justice. We need to ensure that we put in place a proper, robust regime that looks after prison officers. We need an overarching strategy that involves the Department of Justice, the Prison Service, the Department of Finance and the Department of Health. We all have to work together to put something in place.

We cannot do by this working in silos, as has been done so often in the past. We have talked about this around mental health: the need for cross-departmental working. That has to happen in this instance also.

#### 4.45 pm

We need to look after prison officers and support them. If there is an issue that they are being treated in a harsher way than others in the Civil Service, it needs to be reviewed. I absolutely accept that other parts of the Civil Service and people working in this Building are not facing the issues that prison officers do. Those people are going into work and potentially dealing with really serious issues of self-harm. We have to ensure that, when things like that happen, they get proper support and are not expected to go home, deal with it and go back into work the next day and just get on with it as though nothing has happened.

This is the beginning of a conversation. We may not be able to support the motion, but it is absolutely only the beginning of a conversation about how we look after our prison staff, change the processes and circumstances under which they work and how we change things for prisoners. In all that, there needs to be a proper strategy, and we all need to work together. Doug is on the Committee with me, and Paul Givan is the Chair. We need to work together on the Committee to see what we can do, together with the other Departments — the Department of Finance and the Department of Health — and the Prison Service. What can we put in place that will make a real difference to these people's lives? It is not just about, "Don't give them a letter telling them that they are inefficient": we need to help them and fix the problem. We will need prison officers in the future. Will we ask people to join a Prison Service where we tell them, "We know that your mental health will suffer massively, but we will put nothing in place to deal with that strategically. We are just not going to send you a letter"? That is not good enough. It is not the way to move forward.

I cannot support the motion, but I absolutely support the intent of it. I support the prison staff in looking after their mental health and in trying to do the best job they can. We need to ensure that people who come into that role are carers and rehabilitators. It is the prison governor's job to look after security. The prison staff's job is to care for and

rehabilitate those in prison, and we need to give them the tools with which to do that. In that, we will help them with their mental health.

**Mr Principal Deputy Speaker:** As this is the maiden speech of Cara Hunter, Member for East Londonderry, I remind Members that maiden speeches are heard without interruption.

**Ms Hunter:** Before I speak on the motion, I first acknowledge the loss of a giant in our party and to the people of East Derry. I speak, of course, of my predecessor, the honourable John Dallat. John was a man who steadfastly served the constituency of East Derry for over 40 years. Living in East Derry, you know that John's legacy is as evident as it is poignant. He left an indelible mark on his constituency. We remember him, and, though we are grieved by his loss, we take comfort in his immense achievements. He was always the champion of the underdog. From becoming the first nationalist mayor of Coleraine to his unwavering commitment to the heartbreaking Inga Maria Hauser case, John always demonstrated the depth of his conviction and care. In a time of great political upheaval and distress, when it was far from easy to be an SDLP representative, John served with bravery, tenacity, dignity and diligence. I can only hope that I too might serve East Derry with the courage and conviction that guided him. We shall never see his like again.

I stand here as a proud Irish nationalist, and I am extremely proud to be a member of the SDLP, a party with a legacy of fighting for civil rights and built by peacemakers such as John Hume and Seamus Mallon. I was three years old when the Good Friday Agreement was signed. Therefore, it would be untrue to suggest that I recall the sense of hope that it created. However, I know that that sense of hope has begun to fade for the ceasefire generation: my generation. As Brexit looms ever closer, we live in a time of great economic, social and political uncertainty. Every day, I am contacted by concerned constituents regarding the impact that Brexit will have on their farms and our local tourism. To add to that, we are in the middle of a global pandemic. COVID-19 has added greatly to that economic uncertainty. We must do everything in our power to ensure that our communities remain protected. I know the depths of East Derry's issues and worries and the obstacles facing its youth, but I also know of its hopes and its kind and welcoming people, its best qualities and the ambition of its youth for a better future.

Many have lost faith in all of us in Stormont. There are many challenges, but what I see is a generation of young people crying out for opportunity. We must work diligently to stop the exodus of our talented young people to other shores. We need investment in skills and education. We need apprenticeship opportunities, faster rural broadband and stronger transport links. Rural areas can no longer go isolated and underfunded. The forgotten communities in the north-west have been neglected for too long. Many feel that there is an undeniable regional imbalance, a postcode lottery. A child from Park or Drumsurn will not always have the same opportunities as a child from Belfast, owing to the continued lack of investment in the north-west. That must change. It is my obligation, along with everyone else in the Chamber, to build a place that our people can not only survive in but thrive in, a place of opportunity, of understanding and of growth.

Like many, I believe that your story is your power. I would not be standing here today if I were not one of many

who have lost a dear friend to suicide. Like so many in Northern Ireland, I feel that mental health is an issue that rises above politics, for, as we all know, mental illness recognises not race, colour or creed. It is blind to income and deaf to religion. Growing up, I looked at the Assembly with everything ranging from disappointment to dire disillusionment. It was only when I lost my best friend at the start of its collapse in 2017 that I realised that I had to do something, and that is why I am here today.

I now move to the motion in hand and thank the Members who brought it forward. As the new MLA, I look forward to working with colleagues right across the House on mental health support. Historically, stress and psychological disorders have consistently been the main cause of long-term sickness absence in the Northern Ireland Prison Service. Statistics reveal that, in the past three years, there has been an increase in prison officers taking time off work because of stress, anxiety and depression. Of course, that reflects the extremely difficult environment in which they work. With Magilligan prison being in my constituency, I know that prison officers face many challenges. We must strive to support them and their emotional well-being. Today, we support the spirit of the motion and the good intent behind it. We have serious reservations, however, about the mechanism proposed to be deployed, as it could raise serious unintended inequalities for employees across the system. I hope that we can work together to find a resolution that supports all our citizens facing mental ill health in Northern Ireland.

**Mr Principal Deputy Speaker:** Thank you. May I be the first to congratulate the Member on her maiden speech in the Chamber? I am sure that we will hear plenty more from her in the coming days and weeks.

**Mr Lyttle:** As a member of the Alliance Party, a party that has stood for the rule of law, peace and justice since its foundation, I welcome the opportunity to speak in support of our prison officers today. There are few roles in society of which we ask more. Prison officers play a vital role, and we say, "Thank you", to them for it. As the Prison Officers' Association has stated, prison officers have risen to the challenge of COVID-19. They are key workers who demonstrate their professional qualities by attending work in dangerous circumstances, and we recognise the work that they carry out on our behalf. They are brave men and women, rising not only to the challenges of COVID-19 but to all other challenges that we see in our prisons daily. I have met prison officers who have been harassed and threatened in the line of duty; intimidated with information gathered through terrorist surveillance of their loved ones; required to be first responders to serious self-harm, attempted suicide and actual suicide; assaulted; and trapped at knifepoint in cells. Today, I remember the prison officers who have been murdered in cowardly and brutal ways in Northern Ireland. None of what they do is in vain, and all of what they do is to keep us safe.

I have sat with serving and former male and female prison officers who are physically and mentally injured as a result of the trauma that they have endured on our behalf. They deserve our utmost respect and gratitude and the best, safest and most secure health and well-being provision that we can offer them. I welcome the work that the Justice Minister is undertaking to achieve that aim. Improved sickness absence procedures and, in particular, sickness absence communications are part of a wide range of



matters that I have raised with the Department of Finance and the Department of Justice on behalf of prison officers. I do not believe, however, that ceasing issuing written warnings as part of sickness management procedures without having an alternative mechanism in place to manage sickness is a comprehensive or appropriate response to the matter at this stage.

Whilst improved sickness absence procedures are important, many other measures are needed to prevent prison officers experiencing physical and mental ill health in the first place. I welcome the Prisons WELL and Inspire health and well-being programmes. I look forward to meeting the Prison Service to seek an update on progress on a wide range of issues and reports such as that of the former Prison Service head of psychology, Dr Jackie Bates-Gaston, which made constructive recommendations on prison officer well-being provision.

It has been my privilege to work with prison officers towards improved health and well-being support over a number of years. I pay tribute to the prison officers who have been involved in that campaign. I worked for and particularly welcomed the extension of the excellent Rehabilitation and Retraining Trust's services to serving prison officers. I hope that the referral pathway and timescale for access to that safe, secure and bespoke service can be improved and eligibility for it extended to former prison officers. I am grateful for Justice Minister Naomi Long's decisive action to commission a review of support services for former prison officers. I ask that the UK Government and Northern Ireland Executive consider the acute Troubles-related trauma experienced by many former prison officers and their families and find a way to deliver funded access to the Rehabilitation and Retraining Trust for former prison officers as well as current prison officers as soon as possible.

It is right that we work to improve the health and well-being of prisoners. A healthier prison population will assist prison officers. However, we must do all that we can to protect the mental health and well-being of our prison officers in their performance of this challenging and vital role for our society.

**Mr Frew:** I support the motion very much. It is great that we have Private Members' Business back in the House. It should never have been left off the agenda in the first place. Private Members' Business is vital to get Members' points of view across. This debate illustrates why it is so important to have private Members' motions, and I commend Doug on it. I sit with him on the Justice Committee and respect him for the job that he does. It is great to see an individual MLA picking up an issue and really running with it and forcing it into the mindset of every other MLA. I commend him on this. I am sure that he will reciprocate and support me in my fight to try to get independence for the System Operator for Northern Ireland (SONI). These and all the other issues that we fight for on an individual basis are very important. Not every Member can fight on every issue, so it is important that MLAs pick something up and run with it and make a real difference. If every MLA does that, the world can be a better place.

Doug is absolutely right to bring the issue in the motion to our attention. He is absolutely right about the need for Prison Service staff to be treated with respect and dignity and to be treated differently from other Civil Service staff

for the simple reason that they do a completely different and specific role. There is nowhere else in the Civil Service, albeit that there are some other very difficult roles and jobs, where, in the course of your day's work, you interface and interact with people who have massive issues, massive problems and are highly dangerous and then go home and still face the spectre of threats and intimidation. No other job in the Civil Service contains that. Not only that, when they go to work, as I said earlier, the built environment there is not conducive to safety, good mental health and well-being. We have made great strides, but let us face it: it is not.

#### 5.00 pm

I commend the Prison Service's leadership. Since I became an MLA 10 years ago, I have seen a vast improvement in the leadership of the Prison Service to get us to the point that we are at now. Much more can be done, but we have to give credit where credit is due.

The Member raised issues about the procedures that the Civil Service goes through to bring somebody back to work. If you are experiencing mental health problems or stress, are being told that you are not efficient and have received a warning that can stay on your record for two years, that is so impactful that it actually reinforces the mental illness. It will only make conditions worse; it will not make them any better. The stress and strains for that individual and the heap and weight that is being placed on them by colleagues and by their leadership is immense. Surely, that is wrong. Where is the strong arm of comfort here? Where is the wrap-around service? Where is the protection? Those people risk their lives for us.

**Mr Givan:** I appreciate the Member giving way. Does he agree that it will be viewed by many prison officers that people oppose the motion on the basis of technicalities and that that will send out a counterproductive message?

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

**Mr Frew:** Yes, I agree. If it is OK to protest and to fight for one sector of the world or a community, surely it is OK to be here today talking about a specific sector of our Civil Service. Absolutely. We see so much difference in the staff and what they have to endure and work through daily. I have been in the prisons and have seen the psychological effect that some prisoners place on Prison Service officials. I have seen the games played. I walked into the separated wings and, just because I was a suit that nobody knew, they wanted to know who I was and who gave the Prison Service the permission for me to be there. That is ridiculous.

The charade and the game that some prisoners play is ridiculous, but it is a very dangerous game, and it comes with so many risks for our Prison Service staff that they cannot rest when they are at home. It affects not only them as prison officers but their families. How many families and how many members of those families have been intimidated, physically and psychologically? How many have been seriously injured because a parent happens to work as a prison officer? What those families go through is horrendous, and the pressure that they go through is undeniable. Something needs to change, and we need to fix this for those people.

**Ms Dolan:** For the Prison Service to fulfil its aims in relation to the management and rehabilitation of offenders, we must provide appropriate care and support for the staff who carry out that challenging work. However, I am concerned that to cease the issuing of written warnings to members of the Prison Service who are suffering from diagnosed mental health conditions, as the motion suggests, may not be the most appropriate way to do that.

The mental health crisis that we find ourselves in is wider than the Prison Service. As the Sinn Féin spokesperson on workers' rights, I cannot support this for just one section of the public service. It would create a number of equality issues because Prison Service members would be treated differently from others in the public service, not to mention those in the private sector.

I am very sympathetic to the thrust of the motion, because, as we know, prison settings, as alluded to, can be highly stressful for prisoners, prison officers and other prison staff. For the prison officers, in particular, it can be a highly challenging environment to work in, with a lot of stressful responsibilities and pressures. I am under no illusion about them facing pressures and responsibilities that are unique to the Prison Service and that demands can leave a mental toll. It is imperative that adequate support mechanisms are in place to assist prison officers who may be struggling. That must be done by showing empathy and compassion. However, to cease the practice of issuing written warnings may have unintended consequences, far beyond the motion's intentions.

It is for those reasons that Sinn Féin submitted an amendment to broadly capture and support the motion's main thrust and sentiments but to target more specific and appropriate actions than those in the motion as it stands, but unfortunately the amendment was not accepted.

Every one of us, as an elected representative, has a role to play in breaking the stigma that is attached to mental health. One way to do that is to ensure that the Civil Service sickness absence policy is up to date and treats all public-sector workers, not just those in the Prison Service, with compassion and respect, and that positive engagement is used that focuses on their individual needs.

**Mr Catney:** I congratulate Cara Hunter; I thought that her speech was great. I am so proud that we have so many young people right across the Floor able to make such great speeches.

**Mr Principal Deputy Speaker:** Thanks very much.

**Mr Catney:** I did not mean it that way; I meant it this way. You know who you are yourselves, anyway.

I welcome the opportunity to speak in this debate. The impact of this pandemic on mental health will be felt for many years to come. People of all ages will have been impacted by the fear and stress, and there is still the predicted recession, which will bring its own challenges. Whilst there will be few people left unscathed by the effects of the pandemic, I think we will all agree that front-line workers, especially those working on the COVID wards, will need support for their mental health and well-being.

This motion concentrates solely on the stress levels experienced by prison staff. As a Member privileged to serve the Lagan Valley constituency, which, as Members know, includes many people who work in Maghaberry prison, I am keen to see recognition of the unique

challenges faced by prison officers and support staff. I myself am from Moira, and my wife is from Maghaberry. I remember the old aerodrome on which the prison was built, and I remember the building of it and how people's fortunes changed there.

The point I am making is that, while working in a small bar in Moira, and even though I am from the nationalist community, I also got to know quite a lot of prison officers of all ranks, all ages and both sexes. Living under stress and threat is not anything new to the staff there. Indeed, some have paid the ultimate price, and our thoughts today should also reflect the recent murders of David Black and Adrian Ismay. I take this opportunity to call for all threats against prison staff to be removed.

Any human resources policy on the management of sickness and absenteeism must include help and support for those suffering from mental ill health, but must also allow managers to take formal disciplinary action as and when necessary, in keeping with best practice and employment law and the needs of the service as a whole. Unfortunately, the latter part of this motion calls on the Finance Minister to cease the issuing of written warnings to members of the Northern Ireland Prison Service who are suffering from diagnosed mental health conditions and, instead, to manage the needs of those individuals through positive engagement and compassionate management that focuses on their needs. This represents a significant divergence from common practice, not only in the public sector but also in the private sector.

**Mr Beattie:** I thank the Member for giving way, and ask him a very pointed question. If a person is off sick with COVID-19, does he think it is right that, when they return to work, they are issued a written warning citing inefficiency? If he says that it is not right, then why is it right for mental health?

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

**Mr Catney:** Thank you, Mr Principal Deputy Speaker, and thank you, Doug, for your intervention. On a lot of what we are discussing here, we are in parallel. I am trying to be in agreement with you, but it is about the management of this and it is about best practice in work. It is for all of that and embracing civil servants, prison staff and anyone else who finds themselves under stress — and that related to COVID-19. There should be a mechanism, and that is what we are trying to do. We are trying to develop that, and that is the point I am trying to make. However, I am not sure that your motion fulfils that or gets us to where we want to be.

This represents a significant divergence from common practice, not only in the public sector but in the private sector. On reading the motion, it seems that, if accepted, it would create special treatment for Prison Service staff. I ask the proposers of the motion to clarify their intentions on that point. If it were to be agreed, what would be the repercussions for other public-sector workers suffering stress and mental ill health? Where would such a policy begin and end? In a way, that is me answering your question and putting it back to you.

**Mr Butler:** How could you follow that? I will try my best. I want to be the third Member to welcome our newest Member and her speech. I thought that she did exceptionally well.

I would also like to make the House aware, at the earliest point, of the passing of Billy Bell, a former Assembly Member. He passed away earlier this day. On behalf of my party, I pass on my condolences, and I look forward to the moment when we can pay our respects to his family.

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

**Mr Butler:** Absolutely.

**Mr Catney:** That is the first I have heard that Billy passed away, and I want to send my condolences to his family. I want to take you back 25 years, to when my house was petrol bombed one night with my children inside. First at my door was Billy Bell. May God bless him and may God rest him.

**Mr Principal Deputy Speaker:** The Member will have additional time, and I will be a bit more flexible. Mike Nesbitt is looking at me sideways because I said I would be flexible. *[Laughter.]*

**Mr Butler:** Thank you Mr Principal Deputy Speaker. Thank you for your words, Mr Catney. I am sure the family will be warmed by those words at this very difficult time.

I listened to the debate. I have no notes; I do not need notes for this, guys, because this will be one from the heart. There will probably be some stories, but they will not be told out of school because they pertain to the people whom I served with for a number of years.

I listened to some Members give reasons why, in essence, they might support this but, today, they cannot. Let us look at the report commissioned by the Prison Service a number of years ago, produced by Jackie Bates-Gaston, a Northern Ireland Prison Service psychologist. That report was shelved and hidden in the Library. It was not put into action because, do you know what, it recognised the very things that we are talking about today as problems from years ago. These problems have existed for decades in this country. I do not want to rehearse the old politics of blame and who was at fault for the stress that prison officers face.

Much has been made of the inequality that this policy might create. That does not stand, because prison officers are not civil servants. No matter what it says on the paper, they are not civil servants. They cannot be treated like ordinary civil servants. Civil servants give a great service to this country, but the threats, trouble and pain that operational prison officers go through is absolutely unique.

I joined the Prison Service in 1996, which was pre-cessation. There was talk of talks and much was going on, but at that time, when I signed up, I signed up knowing that my life was probably going to be under threat. In 2020, is it any different?

What does the daily routine of a prison officer look like? I will tell you what it looks and feels like. You wake up and go to work, concerned about your day. One of the first things that you have to do is check under your car. If you are taking a member of your family or putting a child in the car — in my day, I took my one-year-old daughter to a childminder — you understand that your family also carries the burden of risk that you took when you decided that you were going to serve. You journey to work. Unfortunately, as we have heard, officer Black, after checking under his car, did not make it to his place of employment. That was only

a number of years ago. Do normal, everyday civil servants face that same threat? No. Absolutely not.

So, you get to work, and what are you thinking about your day? I will tell you what you are thinking about your day. You are wondering what is coming next. I can tell you that working in a prison is to be in a state of hyper-vigilance. It is not a normal routine. I worked in the Fire Service. I have worked in situations where you have to make life or death decisions for yourself, your crew, your teams and the people you are trying to rescue. I can tell you that that stress is not the same as the stress faced by prison officers.

I went from being a butcher, when I enjoyed being the chatty man across the counter who was not under threat, to being in a really obscene environment.

### 5.15 pm

Mr Frew talked about going into the prison in a suit. If you ever get the chance to be an undercover prison officer, that is the only way that you will experience what it is like. The management and the officers are on their best behaviour when you are there and you are safe. Even the prisoners watch their P's and Q's to a certain extent. It is worth doing.

You are in an environment where you are not only concerned with your own safety and that of the prisoners — not all prisoners are bad or naughty; some are there because of circumstances — but the safety of your team. Over the years, the Prison Service has been faced with cuts. I am disappointed that the Justice Minister is not with us. I applaud the Finance Minister for being here and I thank him for that, but I would have liked the Justice Minister to hear about the staff who work under her tutelage. You are concerned about your safety and the safety of the members of your team. You are hyper-vigilant.

**Mr Lyttle:** I thank the Member for giving way. It has been a privilege to work with him on prison officers' health and well-being. Perhaps he would care to reflect that, obviously, while the Justice Minister is not here given that the matter pertains directly to the Department of Finance, she has already, early in her tenure, engaged with and visited prison officers?

**Mr Butler:** I absolutely would. The former Justice Minister, Claire Sugden, made that her priority, and I hope that, after today's debate, the Justice Minister makes it her number-one priority. As I said, prison officers are not civil servants; they are operational prison officers. I operated an attendance management policy in the Fire Service. It was not a Civil Service policy. It was for the Fire Service. We need a bespoke policy that goes further than the intention of the motion. What is being put forward by my colleague Doug Beattie is reasonable.

What happens when that heightened sense of hyper-vigilance manifests itself? It is about the impact that it has on your mental health. We talk about PTSD and we know what a trauma or a physical assault looks like. Some officers talked about urine being poured over them. Do you know what has changed? It used to be that if you had urine thrown over you, you could report it and the police were brought in and it was investigated. Not now. They have adopted a new standard and that is not even an assault any more. It is scandalous how our Prison Service staff have been treated.

What are the implications for the future, Mr Principal Deputy Speaker, if you will indulge me for 30 seconds? We are storing up a real problem for the Prison Service when it comes to retention. We have devalued the job as regards pay and the ridiculous attendance policy and its focus on inefficiency. It is scandalous. My solidarity is with many of my former colleagues who have had to leave the job early. We are storing up a problem with retention and valuing our Prison Service operational staff. I ask Members to take on board that there is no intention behind the motion other than to do the very best for prison officers.

**Mr Principal Deputy Speaker:** I wish to put on record my deepest sympathies to the family of Billy Bell. As well as being an Assembly Member, he was, I think, without fear of contradiction, the only person who was Mayor of Belfast and Mayor of Lisburn. That was quite a record to have.

**Mr Blair:** Before I speak on the motion, Mr Principal Deputy Speaker, I will take a moment on behalf of my party to add to your comments about Billy Bell. I knew Billy a little bit in my early days in local government and I know that he was a very highly regarded man throughout local government and across all political parties. I will also take an additional brief moment on behalf of the Alliance Party to welcome Cara Hunter to the House and congratulate her on an excellent maiden speech. Those of us on these Benches wish her all the best for the future.

It has become clear that there is probably no one here who disagrees with the sentiment that is expressed in the motion, which, very appropriately, reflects the huge pressure that is placed on those who are involved in the Northern Ireland Prison Service in the course of their duties and also when off duty. There are pressures right across our public services, and, sometimes, the most challenging and stressful working circumstances are thrust upon those who are involved in public-facing roles. However, I will sound a note of caution. None of those stresses should ever be compared, favourably or unfavourably, with another. All of them are stresses, problems or threats that are placed upon an individual who has feelings and family and who suffers just the same as anyone else.

It is no surprise, therefore, that there are business areas of public service delivery where levels of illness, including mental health illness, are historically higher than average. It follows, then, that attention will be paid to those levels of sickness and that procedures to deal with and manage them will be reviewed or refreshed. Many of us who worked in other jobs before we came to this place have undergone those changes in process.

**Mr Frew:** I appreciate the Member giving way. Does he realise, though, that whilst we recognise that mental health goes right across the spectrum of society, we are really talking about the warning procedures that are in place in the Civil Service that disproportionately affect the Prison Service to the tune of 60%? If you take a panoramic view of the Civil Service, you might ask why 60% of those warnings are going to the Prison Service. There is something wrong.

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

**Mr Blair:** Thank you very much, Mr Principal Deputy Speaker. I am not averse to having a closer look at this in other fora, such as the Justice Committee, but I am mindful

that those who work for the Northern Ireland Prison Service are subject to the Northern Ireland Civil Service handbook rules the same as everyone else in that service. However, I stress that I am not averse to a wider and separate review of those processes in other appropriate places.

As I was saying, whilst recognising the excellent work that prison officers do in unique circumstances, we need to remain mindful that HR processes and leave management in the Northern Ireland Civil Service have undergone extensive change, and that has been done to ensure, as far as is possible, best practice and consistency of approach. It is perfectly reasonable to expect maximum and sympathetic consideration, of course, when dealing with mental health-related absence. It is also reasonable to assume that each case is considered on an individual basis and on its merits, and we are told — I guess that we have to accept — that this is, in fact, the current practice. The difficulty with the motion is that it seems to seek a separate process for Northern Ireland prison officers to that which is available to others in a similar role and to every other employee in the Northern Ireland Civil Service.

**Mr Butler:** I thank the Member for giving way. Does he agree that it was a change to the conditions of service for the Prison Service that led to this? It did, at one time, have its own conditions and sickness procedures. There was a change a number of years ago, which the Minister might refer to. It has been a retrograde step to change that, and if that is the case, why can we not change back and why should the Prison Service, when it is faced with so many pressures every day that lead to these conditions, not seek that change through the motion?

**Mr Blair:** I imagine, Mr Principal Deputy Speaker, if I could reflect briefly, that not changing it back is related directly to the consistency in approach for all the employees in that service and that I reflected on a moment ago. I will not give way again, as I am coming to the end now.

The motion seeks that which I referred to, by the way, where the backdrop is that more working days are lost in the Northern Ireland Prison Service than in the PSNI, for example, or in other comparable services across these islands. It is not unusual or unreasonable, therefore, that this matter is being examined and dealt with. That does not mean that that process cannot be reviewed as it goes along.

Yes, we must seek to do more for mental health and well-being in that service in a real, effective and joined-up way, but we also need to address a number of factors when doing that. Those are best practice and value, as well as consistency of approach and provision that will, across the public service, sometimes include warnings where appropriate. Lastly, we need to consider that absences place additional pressure on those who remain in work. Regrettably, the motion, although honourable in sentiment and aspiration, neither addresses nor delivers on that detail. I am obliged, therefore, to oppose the motion.

**Mr Carroll:** Let me say first that I take the mental health crisis in our society extremely seriously. I raise it repeatedly in the Health Committee, which I sit on. It is one of the biggest health crises that faces us, and it needs to be addressed in a systematic and radical way, with an expansion of funding across society and real and proper mental health provision in place.

The mental health crisis impacts all elements of society, as Members have said, although the poor are more marginalised in a more disproportionate way. There is no doubt that the stats, which Members referred to, show that prison officers make up the many people who need increased mental health support and services to be in place.

It would be remiss, Mr Deputy Speaker, to not mention that it is unfortunate that we have a motion on mental health problems in prisons that does not mention the deep and painful mental health crisis faced by prisoners too. I think Ms Linda Dillon might have mentioned it previously, though I missed the start of her comments.

**Mr Butler:** Thank you for giving way. There were debates in the previous session around 2016 about in-custody deaths of prisoners. It is a very sad thing when any prisoner loses their life. At the time, I got the chance to speak on it, and I know from Prison Service staff who deal with prisoners that there is a high prevalence of mental ill health in prisons. Would the Member accept that, for prison officers dealing with people with a high prevalence of mental ill health — the very fact that they have criminal sentences — and high levels of addiction, that is a further trauma and that the build-up of the traumas that prison officers face is exponential in comparison with any other profession? They care about the mental health of prisoners and put themselves at risk to protect the mental health of the prisoners that you talk about.

**Mr Principal Deputy Speaker:** OK, before I call Mr Carroll, can I say that he is entitled to another minute, but Mr Butler took a minute off him in getting him his entitlement to another minute? Interventions should be brief, please.

**Mr Carroll:** Thank you. In fairness to Mr Butler, he raised a number of questions, but I think that the point about whether prison officers face mental health problems stands. Of course. Are they dealing with people who face mental health problems? Of course, but the point remains that there is nothing in the motion that mentions the mental health of prisoners.

I think that there was a BBC report a number of years ago that indicated that the figure for mental health problems in prisons was very high. I cannot remember the exact figure offhand, but it was astronomically high. For me, mental health problems in prisons must be dealt with in a way that does not leave the door open to other problems, as other Members have indicated. My concern with the motion is that it could have problematic consequences in granting preferential treatment to prison officers over prisoners. What happens if problems arise in prisons, as they can arise in any institution, with prisoners often being at the receiving end of them and examples of prison officers maybe not acting the best or with appropriate behaviour. I am concerned that that behaviour will not be dealt with appropriately, and the motion allows for that to be the case?

I am also concerned about the motion leading to situations where some prison officers are absolved from facing disciplinary proceedings, such as written warnings, if serious issues emerge in prisons, as they often do. It is disappointing that some Members tried to amend the motion, I understand, to reflect those concerns, but the amendment was not selected. If it had been, I probably would have supported the motion. The problem with the motion is that it disregards normal due process for prison

officers, regardless of what they might have done or are alleged to have done.

It is welcome that the issue should be considered for Civil Service workers more generally, but I cannot help pointing out that, often, when the issue of mental health and absence in the Civil Service is discussed on media outlets, some parties in this Chamber bang on about high levels of absence and sickness and do not really understand the mental health problems that other Civil Service workers face.

I will leave my comments there.

**Miss Woods:** I thank the Members for bringing the matter forward. I, too, welcome Cara to the Chamber today for her maiden speech. It was only a couple of months ago that I was making mine. Welcome.

Mental health issues in prisons do not affect just those who are in the care of the Prison Service. As we know and as other Members have discussed today, mental health issues can affect everyone, including prison officers. There have been studies that have investigated the working lives of prison officers across the world as well as in the UK. Some have shown that psychological engagement with offenders and the mental demands of the job can lead to high levels of workplace stress; others have suggested that the prison environment and the rules governing daily life inside a prison can be seriously detrimental to mental health. Prisons are often difficult and demanding working environments for all levels of staff. Dealing with prisoners with unrecognised and untreated mental disorders can further affect the environment and place even greater demands on staff.

### 5.30 pm

A prison that is responsive to and promotes the mental health of prisoners is more likely to be a workplace that promotes the overall morale and mental health of prison staff and should, therefore, be one of the central objectives of good prison management. I know that the Northern Ireland Prison Service has taken steps to address mental health through programmes and having support systems in place for prisoners. Of course, more can and should be done on that, but, today, we are discussing the experiences of the staff.

The Civil Service HR policy is used by every person who is employed by the Civil Service. The problem that has been raised today seems to be with the way in which staff, particularly Prison Service front-line staff, are treated under the so-called inefficiency part of the policy and how much pressure is put on people who are off sick. I have heard of times when prison staff have been pressurised to return to work despite being off receiving cancer treatment. Others have spoken of being assessed as unfit for work and referred to counselling, assistance and other therapies, which are often subject to delay. I know of an instance where a staff member who was signed off and waiting for therapy to start was receiving letters asking them when they were returning to the very workplace that they had just been signed off from. They were threatened that, if they did not return, they would receive a warning. They found themselves caught up in the inefficiency policy despite their GP letters confirming their health status. It would seem that, as soon as trigger points are breached, letters are sent out. I would welcome some further information on how that process is set up. If someone who

is off sick breaches trigger points in their contract or in the HR policy, are letters automatically sent out, and are they automatically under investigation? Could that process not be done a lot better?

Last week, at the Justice Committee, I questioned officials on the mental health support that people may need when returning to work in the new normal, as well as adapting to the changes that COVID has brought to work, home lives, family and friends for all ages and for years to come. I was told that the Inspire service is available for all staff in the Department, which, of course, is welcome, and I know that the Prisons WELL programme is also in place for prison officers. Having processes in a workplace is key, as is all staff knowing that they have a support line there if they need to reach out, but support must be made available —.

**Ms Dillon:** Will the Member give way?

**Miss Woods:** I will.

**Ms Dillon:** Does the Member agree that we should not offer services after a mental health issue has arisen and that protections should be put in place prior to that? If we know that there is a prevalence and an issue, why are we not putting a strategy in place to deal with it in advance?

**Miss Woods:** I thank the Member for her intervention.

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

**Miss Woods:** Thank you. I completely agree. That brings up the wider point of how we deal with mental health in our society and workplaces. Support services should absolutely be there for anybody who needs them.

Having processes in workplaces is key, and staff must know that they have a support line, if they need to reach out. Support must be made available and must be expanded.

I know that the motion in no way says that people who work in different workplaces do not suffer mental health issues, and we know that anyone and everyone is affected by mental health. It is, of course, a fundamental part of human health and one that needs much more consideration, awareness and action to be taken in all workplaces. For the purposes of the motion, where we have people working on the front line in our prisons who are dealing with people who are in prison and have addiction issues, are self-harming or have attempted suicide, there must be a sensitive system in place that recognises that and does not unduly or unfairly mean that people are subject to disciplinary action for being off ill with mental health issues.

I am glad that the Minister is here today. I hope that he will outline the processes by which staff are treated when they return to work. Are debriefs used in the Civil Service, particularly in the Prison Service, to see if staff are feeling OK or to offer support? Is management fully equipped to recognise when there are issues? Are HR policies sensitive, or do we need a bit of a rethink, not just in the Prison Service but across the Civil Service? Can we use this as a means to independently review sickness absence across the Northern Ireland Prison Service, as has been called for by the Community union? As Mr Frew mentioned, could we look at the physical buildings of our prisons and how they contribute to the mental health of prisoners and staff and look at making prisons structures

safer for staff? Can we look at offering more mental health assistance to those who are affected?

Like others, I have some issue with the wording of the motion with regard to the written warnings systems and their use. That could pose problems for employment law, but I hope that that could be addressed by moving forward with the Departments involved. Stopping the issuing of written warnings may prove to be inoperable in one section of the Civil Service if not for all, so I would like to hear from the Minister on that. However, I do not think that that is enough to stop the motion being passed. It is an important issue that needs to be looked at, and we need to look at what actions can be taken. I hope that, through the motion, there will be a greater awareness of mental health across the Northern Ireland Civil Service and that not one civil servant will be treated unfairly or feel that they have been on the basis of their mental health.

We have to take this opportunity to assess where we are, and how we deal with mental health in society, the home, community and workplace. We must recognise, although there are differences in jobs, where the structure of the policy has control.

**Mr Principal Deputy Speaker:** That is the last Member who has indicated that they wish to speak. I therefore call the Finance Minister, Mr Conor Murphy, to respond to the debate. The Minister will have 15 minutes.

**Mr Murphy (The Minister of Finance):** I thank the Members for bringing the debate.

I add my condolences, to those of his party colleagues, to Billy Bell's family on his sad passing. I was here in 1998 with Billy Bell when he was first elected. I got to know him over the years and he was a gentleman. I am very saddened to hear of his loss. Being one of the shrinking club — looking around, I might be the only one who was elected to here in 1998 — it filled me with dread when our newest Member referenced her age, which was when the Good Friday Agreement was struck. I welcome her to the Assembly, wish her well and look forward to working with her.

The motion starts by noting:

*“the stress experienced by members of the ... Prison Service in the course of their duties”.*

Prison officers perform a difficult role, and I have no hesitation in recommending that the Assembly recognises that it is a stressful job. The motion further calls for the policy on inefficiency sickness absence management to take that stress into account, and for “compassionate management” of mental health issues.

The inefficiency sickness absence management policy aims to minimise sickness absence and support people so that they can regularly attend work. It applies to all civil servants, including prison officers. The policy was implemented in 2010 in consultation with the recognised trade unions, which continue to work within the defined processes for managing all sickness absence.

Under the policy, if an individual's absence is thought to be due to illness, people can be referred to a range of support services, including an internal welfare support service, specialist confidential counselling services provided by Inspire, and the occupational health service. In addition, the Prison Service has worked with the Police Rehabilitation and Retraining Trust to provide bespoke

support for prison officers who suffer from mental health issues or who require physiotherapy treatment.

That external professional level of treatment is not provided to the wider Civil Service. The support available for staff who are absent is set out in the meetings undertaken and the letters issued by employee relations staff as part of the absence management procedures. In 2019, there was a fundamental review of the letters used for absence management. The employee relations team works closely with the behavioural science unit and the Department of Finance, the recognised trade unions and departmental stakeholders to develop a suite of letters that focus on the individual who is absent, offering support, and clearly outlining each step of the process and who to contact in encouraging staff back to work.

All prisons have an on-site HR team to provide a face-to-face service, giving staff direct access to professional HR specialists, who can provide support, confidential stress intervention meetings and advice on a wide range of personnel matters. There is also a dedicated team of experienced employee relations staff within the NICS HR that directly supports the Department of Justice and takes decisions on absence management.

The existing policy does take into account and provide support for stress and other health issues. However, if there are ways of improving it, I am more than happy to do so. I have written to Mr Beattie to offer a meeting with my officials responsible for that policy.

I do think that the terminology in the policy should change. The language of "inefficiency" is not a compassionate way to approach a situation in which an individual is absent from work due to illness. I understand that the use of the word "inefficiency" refers to the impact on the organisation when it cannot maintain the required staffing level, not to the individual involved. However, my officials accept that it is not appropriate, and are reviewing as a matter of urgency the use of the word "inefficiency" in the policy document.

I have asked the HR team to work with prison services across these islands to see if we can learn any lessons from them, including where line managers are more directly involved in the process.

The motion calls for an end to written warnings to members of the Prison Service who are diagnosed with a mental health condition. A written warning is a letter that sets out the implications if attendance at work does not improve. Those can include a final written warning, and, ultimately, dismissal. A staff member can appeal the decision to issue a warning. The appeal is heard by an individual previously unconnected with the decision to issue the warning.

Removing the ability to issue a written warning could have a profound unintended consequences. It would mean that a member of the Prison Service who had a mental health condition could never attend work, and no action could be taken. That is not a tenable position for any employer.

If I may make a correction, there was perhaps some overlap in Mr Carroll's contribution between this being a health issue and a disciplinary issue. Written warnings in relation to disciplinary matters are a separate matter entirely. The motion relates specifically to health.

It is also likely that an exemption from written warnings that applied only to certain civil servants and certain illnesses would breach equality laws. Let me make this very clear to Members: the potential implication of the motion is that all civil servants with an illness will be able to absent themselves from work without consequence. I therefore ask Members to think very carefully before endorsing it.

Given the equality, policy, HR, employment contract and fairness implications, I cannot accept that specific recommendation. It is unfortunate, given the tenor of the debate, that the exchange between Mr Givan and Mr Frew included a reference to people opposing the motion on a technicality. It is much more than a technicality; it is a serious implication. The tenor of the debate was very supportive of the sentiment of the motion. However, the fact that one of its proposed solutions is not correct and would cause further complications takes it beyond a mere technicality. I feel that I cannot support it, and I note that others expressed the same sentiment.

Setting that aside, I agree with the rest of the motion, and I am happy to work with my officials, the motion's proposers and everyone concerned to ensure that people who are absent from work due to mental health issues receive the support that they need.

**Mr Principal Deputy Speaker:** Thank you, Minister. Mr Nesbitt has 10 minutes to wind on the motion

**Mr Nesbitt:** I begin in the traditional sense by thanking the mover of the motion, Mr Beattie. I acknowledge that mental health and well-being has moved way up the political agenda during my time in this Building. It was on a Saturday in 2012 or 2013 that I first made a speech on the subject. That was at a party conference, so it was televised. When I came here on the Monday, an MLA stopped me in the corridor to say that he had heard a bit of my speech. He asked, "Mental health? What's that all about?", and he walked off. I do not think that any one of the 90 no longer gets it. Indeed, the draft Programme for Government begins by stating that our purpose is:

*"improving the wellbeing of all citizens".*

I pay tribute, of course, to our Health Minister, who is prioritising mental health in his time in office.

Today, we have an example of the two actions that we need to take to tackle mental health and well-being. The first is awareness, and I think that, largely, we are there. The second, however, is action points: how will we deliver actions that will improve the mental health and well-being of our citizens?

Opening the debate, Mr Beattie made clear that prison officers are affected disproportionately by written warnings that stay on their record for two years. He also made clear that it was wrong and inappropriate — I acknowledge the Minister's saying that his Department will look at this — to use the word "inefficiency" when talking about a medical condition. It suggests that the Department and the Civil Service do not understand that thousands of our fellow citizens woke up this morning with no sense of purpose in their life — the sense of purpose that motivated us to get here today — and will go to bed feeling no sense of achievement or feeling frustrated; or perhaps a mixture of both. They have none of the motivation that we have to get up and try harder. Many of these people are on benefits, not because they want to be but because they do not have

the mental capacity that we enjoy. That is why they are stuck in a rut, and that is why they need help.

I am disappointed and shocked to hear that the House might divide on the motion and, certainly, that it is not fully supported. Linda Dillon said that talking just about prison officers made the debate too narrow, and she got some support from around the House. Mr Catney talked about divergence and offering special treatment to prison staff. Mr Blair talked about a separate process. Indeed, many Members felt that this was wrong, including Jemma Dolan, who acts as workers' rights spokesperson for Sinn Féin. She complained about different treatment.

However, I say to her, are you actually just confusing equality with equity? There is no point in giving everybody the same thing if they are not starting from the same place. You have got to get everybody onto a level playing field; you have got to have equity before you can start delivering equality. I will give way.

#### 5.45 pm

**Ms Dillon:** Thank you, I appreciate it. To make a quick point, I think that I did address that in that I think that you are right; prison officers are not starting from the same point and that is why we need to have a proper process in place in order to support them.

**Mr Nesbitt:** I thank the Member for her intervention, but you did say that it was too narrow. You also speculated that it might not be compliant with employment law. However, the motion was passed, it was accepted for debate and it is not legislation. Is it a coincidence that the Minister responding is a member of your party? I just ask the question.

Is it about equality or is it about equity? Are prison officers a special case? Mr Givan, who is the Chair of the Committee for Justice, was very eloquent in saying that prison officers work in special and very challenging circumstances. He speaks as the son of a prison officer of 33 years standing, and he produced an evidence base from the Northern Ireland Audit Office and a UK-wide analysis, which identified that, among the categories of civil servants, prison officers are particularly prone to mental health and well-being issues.

His colleague Mr Frew expanded on that when he said that prison officers have to interact with people who have massive mental health and well-being issues and many of whom, or some of whom, are very dangerous people. How right you are. As a Victims' Commissioner 10 years ago, I learned very early on that, when you are in that environment, dealing with people who have severe mental health and well-being issues, you absorb it. It gets transmitted to you. I am not ashamed to say that, very quickly into my tenure, I started taking what they call "Supervision", which to anybody else is counselling, so that I was able to offload what I absorbed. Therefore, prison officers are a special case and they are working in a different, special and incredibly challenging environment.

My Givan also made the point that although we are post-conflict, potentially, the same issues apply. You are not like a civil servant who is leaving this Building, or some other departmental building, and going home at night with no cares in the world. You might be under threat and you are taking home all the previous issues that I have mentioned.

I am glad that the Minister agrees that they are going to look at inefficiency, but I am very disturbed that the House cannot row in behind the motion. It is narrow, but why not? Why should we not debate narrow issues in the Chamber from time to time?

Other Members who spoke included Mr Lyttle, who was talking about sickness absence procedures, and Rachel Woods, who also wants to question the process by which warning letters are issued. As for Cara Hunter, I join with others in welcoming her through her maiden speech. However, the next time that you mention that you were three years old when the agreement was signed, you will get an intervention. *[Laughter.]* As for the Minister, I thank him for coming along today. I was listening to him and I was actually reminded of the time that the England rugby team came to play a Five Nations rugby match in Dublin in 1973. That was when other nations would not travel because of their fear of a terrorist attack. Ireland tanked England — absolutely thrashed them on that day. At the banquet that night, John Pullin, who was the captain of the England team, stood up and uttered the famous words, "We might not be any good but at least we turned up". So, Minister, thank you for turning up. *[Laughter.]* This will be my final thought, Mr Principal Deputy Speaker. Linda Dillon made the point that we must look after our prisoners; Gerry Carroll made the same point. I agree, of course we want to rehabilitate them — there is an element of punishment, but, when they come out, we want them to be better citizens. I agree with you, but listen to this: earlier, Robin Swann, the Health Minister, came here to talk about rebuilding health and social care services post-COVID-19. Later, I opened an email from the South Eastern Health and Social Care Trust, which covers my patch, Strangford, with its action plan for June and its specific action plan for prisoner health. It stated that it would continue face-to-face appointments for prisoners with mental health issues and increase its phone and video call options for all prisoners where that is beneficial. Therefore, we are looking after prisoners, but we are doing so at a time when some prison officers are self-harming and some are going to the WAVE Trauma Centre to get help.

Some years ago, I brought forward a motion calling for a mental health champion. Sinn Féin would not support it. I was disappointed, but I did not divide the House over it. I ask that anybody who does not like the motion does not divide the House, because they will send the worst possible message to everyone in this country who suffers from poor mental health and well-being. The motion may not be perfect to them. It may be too narrow for them. However, I think that we have made the argument successfully that prison officers are a special category. It is about equity, not equality. I ask that those Members, please, do not divide the House and that they support the motion.

*Question put.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Principal Deputy Speaker:** Clear the Lobbies. The Question will be put in three minutes. I remind Members that they should continue to uphold social distancing and that Members who have proxy voting arrangements in place should not come to the Chamber.



Order. Members, resume your seats, please. Before I put the Question, I again remind Members that, if possible, it would be preferable if we could avoid a Division.

*Question put a second time.*

**Mr Principal Deputy Speaker:** Before the Assembly divides, I remind you that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies.

It is important that, during any Division, social distancing in the Chamber continues to be observed. To facilitate that, I ask the following: any Members in the Chamber who are not due to vote in person should consider leaving the Chamber until the Division has concluded. Those Members who wish to vote in the Lobbies on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant lobby via the rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first. Any Member who has voted may then wish to leave the Chamber until the Division has concluded. However, any Member who needs to vote in both Lobbies should remain in the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing.

*The Assembly divided:*

*Ayes 37; Noes 46.*

#### **AYES**

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

*Tellers for the Ayes: Mr Beattie and Mr Givan.*

#### **NOES**

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

*Tellers for the Noes: Mr Catney and Ms Dillon.*

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan [Teller, Ayes], Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Swann.*

*Mr O'Toole voted for Ms S Bradley, Mr Catney [Teller, Noes], Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin and Mr McNulty.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon [Teller, Noes], Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ni Chuilin, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly negatived.*

**Mr Principal Deputy Speaker:** I remind Members that the next plenary sitting of the Assembly is on Tuesday 16 June.

*Adjourned at 6.10 pm.*



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# Northern Ireland Assembly

**Tuesday 16 June 2020**

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

*Members observed two minutes' silence.*

## Assembly Business

### **Ministerial Resignation: Ms Hargey**

**Mr Deputy Speaker (Mr Beggs):** The Speaker has received notification from the First Minister and the deputy First Minister that Deirdre Hargey has resigned the office of Minister for Communities, effective from 14 June 2020.

### **Ministerial Appointment: Ms Ní Chuilín**

**Mr Deputy Speaker (Mr Beggs):** The Speaker has also been informed by the nominating officer for Sinn Féin that Ms Carál Ní Chuilín has been nominated as Minister for Communities. Ms Ní Chuilín accepted the nomination and affirmed the pledge of office in the presence of the Speaker, who participated remotely, and the Clerk/Chief Executive on Monday 15 June 2020.

## **Committee on Procedures**

**Mr Deputy Speaker (Mr Beggs):** Yesterday, the Speaker also received notification of the resignation of Ms Ní Chuilín as Chairperson of the Procedures Committee with immediate effect. The Speaker is satisfied that the requirements of the relevant Standing Order have been met.

I would like to take this opportunity to wish our colleague Ms Deirdre Hargey a speedy recovery and, indeed, to wish the same for our Principal Deputy Speaker, Christopher Stalford, who is currently not well and is receiving medical support.

## The Late Mr Billy Bell

**Mr Deputy Speaker (Mr Beggs):** Members will have been saddened to learn of the passing of Mr Billy Bell, a former Assembly Member for Lagan Valley. Before he joined the Assembly, Billy had already given significant public service. He was elected to the constitutional convention in 1975 and to the Assembly in 1982 and was also a long-serving member of Belfast City Council and, then, Lisburn Borough Council. He served as Lord Mayor of Belfast and Mayor of Lisburn. He also served on the boards of a number of public bodies, including the Northern Ireland Housing Executive. It was that wealth of experience that left him particularly well-placed to serve as Chair of the Public Accounts Committee in the first term of the new Assembly.

The Speaker has asked me to record that he was a member, alongside Billy, of Belfast City Council from 1983 and, then, in the Assembly. He recalls that, in both places, Billy was a man who could always be open in telling you where he stood, but was always courteous and with a focus on being constructive.

I served with Billy as a member of the Ulster Unionist Party Assembly Group from 1998 and had the privilege of calling him my friend and colleague. Billy was very friendly and affable; he always had time for a chat. I view his nature as having played a significant contribution to the re-establishment of the Public Accounts Committee, which he led. It drew a cross-party group of members together to act, not in party interest but public interest. He established that principle, once again, in Northern Ireland so that there would be scrutiny of public expenditure and to ensure that members would act together in the interests of the public. We have to thank Billy for the re-establishment of that Committee and the way in which it worked.

On behalf of the Assembly, I express condolences to Billy's wife, Leona, and his children, grandchildren and great-grandchildren. I invite Members to make their contributions.

**Mr Butler:** It is an honour to pay my respects, even briefly, and the respects of the Ulster Unionist Party and the Assembly to the late William Bradshaw Bell, or Billy Bell as he was affectionately known and called. Billy, sadly, left us on 9 June 2020. He will be forever missed by his wife, Leona; his children Julie-Anne, Leona, Willie and Kathryn; his grandchildren Stuart, Charlotte, Rebecca, Anna, Leona, Debbie, Stephen and Amy; and great-grandchildren Ava and Kealan.

Billy was readily recognisable to me, and people like me, as a proud champion of Lisburn and Lagan Valley, but he was born in Belfast, in 1935. He attended Fane Street Primary School, which, I learned only over the past few days, my dad attended, albeit in a different decade. Billy's first foray into politics was not in Lisburn; it was, as the Deputy Speaker said, in Belfast City Council. There, he quickly established a reputation for being a politician of great character — one who wanted to do business on behalf of the entire community. Perhaps some of that was down to Billy's previous work in public relations, a field in which he ran a company, Billy Bell Promotions. I do not think that any of us will give him too much credit for the thought that went into the name, but, Billy, we are eternally grateful for your contribution to politics.

As the Deputy Speaker outlined, Billy has, perhaps singularly, the accolade of being Northern Ireland's first mayor of two

cities, albeit Lisburn developed city status latterly. He was Mayor of Belfast in 1979 and Mayor of Lisburn in 2003.

Billy had the honour of representing the people of Lagan Valley in the Assembly, as do I. I have often heard his name mentioned by constituents, always in the same manner. He was one of those people who was held in high esteem by friend and foe alike. Although he was a proud unionist to the core, Billy wanted to make politics work for all the communities of Northern Ireland. He wanted to make this a better, peaceful and more prosperous place for future generations. Throughout the decades, Billy made friends more readily than he made enemies. The word I have heard spoken, more than others, to describe Billy is "gentleman". He will be fondly remembered not only by fellow unionists but by people across the House and across Northern Ireland.

Billy's political career spread across some 30 years, which is no mean feat. Moreover, I do not think that anyone will disagree that navigating Northern Ireland politics from the mid-'70s, through the '80s, '90s and into the new millennium was an easy task by any stretch of the imagination.

In recent months, we have seen the passing of a number of former Members, including Lagan Valley's Ivan Davis and Seamus Close, and, more recently, our friend and colleague John Dallat. In remembering them, we can see that the class of 1998 was a special bunch of politicians. Whilst the media may have focused on the party leaders, leading up to and beyond the signing of the Good Friday Agreement, I, for one, am sure that the foundations and relationships that were laid by Billy over previous years in council and, more laterally, in the Assembly paved the way for the peace that was delivered that year.

As was said to me, recently, by the Speaker, Billy Bell was a gentleman of the highest order. I will go one step further and say that without the Billy Bells of this world, politics in Northern Ireland would be a poorer place. Thank you.

**Mr Deputy Speaker (Mr Beggs):** I omitted to advise Members that we have 30 minutes for this discussion and that Members have about three minutes each for their contribution.

**Mr Givan:** Deputy Speaker, I join you in wishing Deirdre Hargey a speedy recovery and, of course, my colleague Christopher Stalford likewise.

In his comments about Billy Bell, my colleague from Lagan Valley Robbie Butler has articulated very well the kind of man that he was. I met him when I was 15 years of age, walking round this Building. Being the very youthful and zealous character that I was then, as a member of the DUP in my youth and with Billy Bell as an Ulster Unionist, I tried to provoke him. Billy and Ivan took a question session from our school, but you could not get Billy to rise. He would not take the bait. Ivan, on the other hand, did, but Billy just would not take the bait, such was the kind of man that he was. He was a man of integrity and a great man of character, and that phrase "a true gentleman" is one that I have heard many people speak to describe the way that he interacted with people. Long after he retired from politics, Billy kept in touch. He visited people who were not well, people who he had built up that relationship with. People whom I have spoken to have spoken fondly of him.

I often pay tribute to those who served in the 1970s and the 1980s, particularly as councillors, at a time when it was certainly not attractive to be a councillor. It was not financially

rewarding at all to be a councillor, and you were the subject, of course, of a lot of targeting and so on. Billy served on Belfast council, known as the bear pit of councils at the time, and he was able to be the mayor of that city. Of course, he was the mayor of the greatest city, Lisburn, later in his career. He represented the Dunmurry Cross ward, which has moved between Lisburn and Belfast council areas. Billy carried off the role as first citizen of Lisburn in my constituency with distinction. He was recognised for his service to the public when Her Majesty the Queen granted him the OBE.

I want to pay my respects to Billy's family. I know his daughter Julie-Ann well through her work with young people in Lisburn. I send my sincere condolences to his wife, Leona, his children, his grandchildren, his great-grandchildren and his friends here in the Ulster Unionist Party.

**Mr G Kelly:** I add my voice to the good wishes to Deirdre Hargey and Christopher Stalford, and congratulations to Carál Ní Chuilín on coming back as a Minister, again.

Somebody mentioned 1998, and I was elected at the same time as Billy Bell. I always remember him with a big mop of white hair. I am there now with the white hair, but I do not think that there are too many who are now left in the Assembly who were elected in 1998. I think that the numbers are dwindling. Robbie Butler has said a lot about him, as has Paul. Without going through his history, his history goes well before 1998. He became a political rep in 1975, so he served for a long time and, of course, became mayor of both Belfast and Lisburn. He retired in 2007, but I do not think that he really retired. I am not sure that politicians are able to retire. I notice from some of your remarks, Robbie, in the papers that he was your mentor and mentor to a number of people. There is always a place for that.

Personally and from the party, I send condolences to his wife, his son, his daughters, his grandchildren and his great-grandchildren. I think that you went through the list earlier, a LeasCheann Comhairle, and it shows how fulfilled a life he had. I am glad for him that he got a chance for a fairly long retirement.

He was a nice man. I suppose the best way to say it is that, clearly, we disagreed politically, but, in his disagreement, I never remember him being disagreeable. That is not an easy place to have been through 30 years of being a politician. My condolences to the family. I think that that is the measure of the man.

#### 10.45 am

**Mr Catney:** To Leona, Billy's wife, to his children, to my Ulster Unionist colleagues, to the DUP and to all in the House, I say that we will miss Billy's contribution. He laid the foundation stone for where we are in Lisburn.

I am very sorry to hear about the passing of our colleague and friend, and my mentor, Billy Bell. I knew him when I was a publican but not very well. I first came to know Billy back in 1995 when he supported me and my family through a horrific ordeal, one that, sadly, happened to too many families in Northern Ireland. Such ordeals are hopefully now consigned to the history books, but it taught me the importance of community.

It was late at night. My wife and children were sleeping. I was about to doze when I heard a large explosion. I remember seeing flashing and flickering lights outside the windows. There had been five petrol bombs thrown at our

home: three onto the roof, one at the back door and one at the front door. It took the fire brigade around half an hour to get the fire under control. I thought for sure that we would leave the house, but, next morning, first to my door was my local MLA Billy Bell. I am not sure whether he was an MLA then. I think that he was, but Billy, from the Ulster Unionist Party, was the first politician to my house, offering help and support and trying to help me in any way in which he could to ensure that I stayed and was not forced out. All of the Churches in the area — all of them — sent messages of support. The whole community rallied to support me.

That was the start of my friendship with Billy Bell. I saw him most Tuesdays, when he came into town to go to the market, and our friendship grew. He was always happy to offer advice when I myself became an MLA. I know that many of you here knew Billy, but some did not. Hopefully, you do not remember the ordeals that many of us in Northern Ireland had to endure, but I can tell you that he was a good man and a good friend. When I think of Billy, even though our friendship started because of an act aimed at tearing our community apart, I will always remember how he reached out and rallied the local community to help make me and family feel included and safe again. He was an inspiration and a true gentleman.

I pass on to his wife and family my condolences and those of all my SDLP colleagues. I also wish both Deirdre and the Principal Deputy Speaker a speedy recovery, and I wish the new Minister every success in her new role.

**Ms Armstrong:** On behalf of the Alliance Party, I pass on our condolences to Mr Bell's family and to all his Ulster Unionist colleagues. I did not know him, but I wish that I had, hearing the wonderful words that are being spoken about him today.

I acknowledge the fact that he was of the new Assembly back in 1998. Changing times. We are here today on the shoulders of those people, who took a courageous step at a time that came after a couple of decades that were not so nice for this place. I know from all the tributes that have been paid that Mr Bell was the first person to be mayor of both Lisburn and Belfast.

Not too many people who leave political life are thought of as being a gentleman and an inspiration and recognised for the positions that they held and the service that they gave. To all our friends here in the Ulster Unionist Party, I say that I am really sorry for your loss. Unfortunately, so many of our friends from that new Assembly are leaving us. I think in particular of Lagan Valley, which has lost so many.

**Mr Allister:** My memories of Billy Bell go back quite a long time, though over the succeeding years they were quite sporadic. However, the one abiding characteristic that always struck me about Billy Bell was how affable an individual he was, and that betokened the character of the man. The strength of character, empathy and humanity of the man is quite clear from Pat Catney's tribute. To lose people of that character is a considerable loss.

I very much want to associate myself with the remarks that have been made about Billy Bell, and to express my condolences to his wife, children, grandchildren and his great-grandchildren, and to his party, which has lost something of a father figure, particularly in the Lagan valley area.

**Mr Deputy Speaker (Mr Beggs):** If anyone else wants to make a contribution, please indicate. That concludes tributes to Mr Billy Bell.

## Assembly Business

### Committee Membership

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

*Resolved:*

*That Mr Jim Allister be appointed as a member of the Audit Committee. — [Ms Armstrong.]*

## Executive Committee Business

### Housing (Amendment) Bill: Consideration Stage

**Mr Deputy Speaker (Mr Beggs):** The next item of business on the Order Paper is the Consideration Stage of the Housing (Amendment) Bill. I call the Minister for Communities, Ms Carál Ní Chuilín, to move the Bill.

*Moved. — [Ms Ní Chuilín (The Minister for Communities).]*

**Mr Deputy Speaker (Mr Beggs):** Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There is a single group of amendments, amendment Nos 1 to 3, which deal with right-to-buy schemes, and we will debate the amendments in turn. I remind Members intending to speak that during the debate on the single group they should address all the amendments on which they wish to comment. They will have that one opportunity.

Once the group debate is completed, the other amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

*Clauses 1 to 6 ordered to stand part of the Bill.*

#### **Clause 7 (Abolition of right-to-buy scheme)**

**Mr Deputy Speaker (Mr Beggs):** We now come to the single group of amendments for debate. With amendment No 1, it will be convenient to debate amendments Nos 2 and 3. Members should note that amendment No 3 is consequential to amendment No 1. Therefore, if amendment No 1 is not made, I will not call amendment No 3.

**Mr Durkan:** I beg to move amendment No 1. In page 6, line 34, leave out subsection (1) and insert:

*‘(1) Article 3 and Article 3A of the Housing (Northern Ireland) Order 1983 are repealed (and,*

*accordingly, the schemes under those Articles cease to have effect); but this is subject to subsection (2).’*

*The following amendments stood on the Marshalled List:*

No 2: In page 6, line 38, leave out “the scheme” and insert: “a scheme detailed in subsection (1)”.— *[Mr Durkan.]*

No 3: In the long title, after “associations;” insert “right-to-buy schemes;”.— *[Mr Durkan.]*

Before we commence the debate, I want to take the opportunity to offer my best wishes, and those of the SDLP, to Deirdre Hargey. We wish her a speedy recovery and hope that she is back behind her desk, in the Department, before too long. We also send get-well wishes to the Principal Deputy Speaker. On the other hand, I want to welcome Minister Ní Chuilín and congratulate her on her appointment. I am sure that she hopes that it is a short one. Having worked with Carál as a Minister in the Executive, I know only too well the attributes that she will

bring to this extremely challenging role and I look forward to working with her to deliver for people.

The aim of this Bill is to facilitate the reversal of the Office of National Statistics (ONS) decision in 2016 to reclassify registered housing associations from the private sector to the public sector. Ultimately, the reason that we have to pass this Bill, in Minister Hargey's words, is to protect the supply of new and existing social and affordable homes. Perhaps the most significant change will be an end to the compulsory need for registered housing associations to operate a house sales scheme.

The amendments tabled today in essence seek to extend this change to the Northern Ireland Housing Executive, our largest social housing landlord. Since the inception of the scheme in 1979, the Housing Executive has sold over 120,000 properties; it has 85,000 left. We all know people and families who have availed themselves of this scheme. It has enabled people to enter the homeownership market and many will speak of the pride, empowerment and security that has come from doing so. Nobody would, or could, take issue with the tens of thousands of families who have benefited from the scheme's existence. However, as legislators, we have to ask ourselves some serious questions.

The housing waiting list currently stands at a staggering 38,000 households, with around 20,000 considered to be in housing stress and around 10,000 categorised as being homeless, each and every year. Given the huge detrimental impact of housing stress and homelessness on families and individuals, for example, people living in temporary accommodation, crammed into overcrowded conditions with their extended families, sleeping on sofas and families having to separate, can we, as a society, really afford to reduce our stock of social housing? When we are failing to build anywhere near enough homes to get beyond the tip of the housing crisis iceberg, should we really be selling off in the region of 500 homes a year? Is the right to own your own home not trumped by the basic human right to have a home?

During Second Stage a fortnight ago, much of the debate centred on clause 7. Some Members — Andy Allen from the UUP and Jonathan Buckley from the DUP — indicated their support for the retention of the right-to-buy scheme; that is the policy of their respective parties and I respect that.

However, that means that it is incumbent on the rest of us, because all other parties that spoke on that day expressed either outright opposition to the right-to-buy policy or, in the case of Alliance's Kellie Armstrong, recognised the need to align the right-to-buy policies in housing associations with those in the Housing Executive.

**11.00 am**

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

**Mr Durkan:** Certainly.

**Mr Allister:** I struggle to follow the logic of the Member's position. He says that, because we have so many people homeless, which truly is a shame, we cannot afford to sell any housing stock. However, is the reality not that any stock that is sold is occupied by those who have been long-term tenants, who have no notion of giving up their tenancy but are intent on staying in that house? Therefore, whether they occupy the house as an owner-occupier or

as a long-term staying tenant, nothing will be freed up in the market for the homeless. Is that not the logical reality?

**Mr Durkan:** I appreciate and had anticipated the point that Mr Allister has made, and I will address it in my speech. If I do not do so, he can come back to me when I make my winding-up speech.

Clause 7 creates inequality in access to social housing and homeownership. Tenants of Housing Executive properties will have the opportunity one day to purchase the property — their own home — but the same opportunity will not exist for housing association tenants.

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

**Mr Durkan:** OK.

**Mr Allen:** The Member points out an inequality, but does he accept that the Minister said that she wanted to decouple the two issues and intended to come back to the right-to-buy scheme in the Housing Executive at a later date? Does he also accept that there is a two-year period within the right-to-buy scheme for housing associations? His argument does not stack up.

**Mr Durkan:** I thank the Member for his intervention. I am not quite sure what point he makes. I recall the Minister expressing her desire to address the issue. My point is this: why not address it now, when the Bill is in front of us?

The clause will also, in the view of Housing Rights, create potential difficulty in administering the social housing allocation system, which may allow some tenants a route to homeownership but not others. That, in turn, could contribute to some would-be tenants turning down reasonable offers of accommodation, which would compound the huge difficulties that we already face in trying to address housing stress.

Those are points that Members must consider, but what we really must consider — I would like to know whether Minister Hargey considered it before tabling the Bill — is the 'Joint Consultation Response Report on Proposals to Seek Reversal of the Reclassification of Registered Housing Associations in Northern Ireland'. Consultation 1, on proposals to reverse the reclassification, ran between December 2016 and February 2017. The level of responses that it generated on the house sales scheme was such that it led the Department to consult further; hence, consultation 2 was specifically on the issue of the house sales scheme, both for housing associations and the Housing Executive, and was carried out from 3 July 2018 to 24 September 2018. Remarkably, however, analysis of the consultation responses was published by the Department for Communities only on Friday past, nearly two years after the completion of that second consultation. The Committee was told nothing about the report.

I am not sure why there was such a delay in the publication of the analysis of the responses, particularly given the importance of the Bill and the importance that the majority in the House attached to it getting accelerated passage through the Assembly. I opposed accelerated passage — do not worry: I will not rehash that whole argument — but how are we, as elected Members of a legislative Assembly, expected to make legislation and shape policy like this? I am loath to land all this at your door, Minister Ni Chuilín, but I am fairly sure that, having heard you speak many times of the importance of transparency, accountability and access to information, you will share my concern and

confusion that the consultation analysis has appeared only now, somewhere between the eleventh and twelfth hours, as the legislation it relates to is halfway through the legislative process. In policy-making, that is absolutely appalling. One has to wonder whether, had I and other Members not asked about the findings of the consultation, it would ever have seen the light of day. I recommend that Members familiarise themselves with the consultation and its responses. It can now be found on the Department for Communities website, but you will not find it in any information pack related to this debate.

I should point out that, according to the consultation responses, there is overwhelming recognition of the need to end the mandatory house sales scheme in the Housing Executive and registered housing associations, just as my amendment would do. Some Members ask why we should end a scheme that has been so popular. It was the subject of a debate in the House in 2016, when Fra McCann tabled a private Member's motion calling for the immediate suspension of the right to buy. A quick read through Hansard from that debate spells out clearly why. If we needed to do it in 2016, we most definitely need to do it now. In every year since and including 2016, the Housing Executive has sold over 400 homes. That is where we haemorrhage housing stock.

I spoke about the number of households on the social housing waiting list. According to the 'Housing Statistics' bulletin, since 2002, that number has increased by a shocking 11,600 households. In the same period, the Housing Executive house sales scheme accounted for more than 10,000 social properties being taken out of stock. That is Housing Executive properties alone. That is astonishing and is well worth remembering the next time a desperate constituent contacts you for help with housing.

More and more families have to run the gauntlet of the private rental sector. How much would those families love to have a secure home? Now weigh that against the importance of owning a home. Defenders of the right to buy will highlight the opportunity it gives people to own their own home and lament the lack of other affordable housing options. I do not disagree with them and will work with any Minister to ensure that we have more affordable housing options. However, even with the discount, many sadly struggle to afford a mortgage, not to mention the costs that come with it. We are all familiar with the sorry sight of boarded-up former social housing units across our constituencies — bought, lost, repossessed and now lying as empty eyesores in the possession of the banks, while the families that were in them are back to square one, on a housing waiting list with a lot more snakes than ladders.

**Mr Buckley:** I thank the Member for giving way and for outlining my position from the beginning in support of that right-to-buy scheme and of allowing people the fundamental right to get on the housing ladder and, should we say, get off benefit in housing from the state. It is a good method. Does the Member know and does he agree with me that clause 8 outlines the potential for grants to be supported by the Department to allow non-statutory right-to-buy schemes? Therefore, potentially, what he suggests is premature. He has rightly outlined the lack of scrutiny that the Committee has been able to have of the Bill. We have had no representations from the housing sectors to the Committee. It is premature for us to make

the amendment that you suggest, because we have to first of all see what grants can be available via clause 8.

**Mr Durkan:** I thank the Member for his intervention. I do not think that I have an issue here with prematurity. Had Members listened to my appeal against giving the Bill accelerated passage, we could have had much more time to scrutinise it. I said at the time that it was not my intention or desire to unpick the legislation; it is my desire to improve it. I believe and reiterate that we all need to work together to explore any options that are out there to ensure that there are more affordable homes as well as more social housing units for those who will never, sadly, be able to afford their own home.

Homeownership is not without its pitfalls. There is the liability for repairs and insurances and being at the mercy of banks and interest rates, and, now, owners of former social properties in a number of schemes — I know of at least two in my constituency — are getting hit by huge bills for general maintenance. One man who has been in with me is getting a bill of £4,000 because the stairs on the outside of his apartment block are getting painted. There are vultures out there — we were warned about them by a number of speakers in the previous debate — who are happy to swoop in and take people's former social homes off their hands. Sometimes, the lure of a quick profit is a bit too much to resist for owner-occupiers, who sell their houses on to those professional private landlords who just rent them out again and line their pockets with housing benefit, costing even more to the public purse.

At Second Stage, Ms Anderson said that the right-to-buy-policy:

*"was never really about homeownership on its own. It was an attempt to turn some aspects of social housing into what I would describe as something like the wild west of unbridled capitalism".*

She said that she was:

*"glad that the Bill will put an end to two policies that threaten the provision of social housing." —[Official Report (Hansard), Bound Volume 128, p255, col 1].*

The Bill will not do that unless the amendment is made. The policy has been completely scrapped in Scotland and Wales for local authorities and housing associations. The main reason for doing that was that much-needed social housing stock was being lost, with the better stock being sold off. At present, with almost 40,000 households on the waiting list and the inevitable negative impact that social housing new build will have suffered as a consequence of COVID-19, we cannot continue to sell off stock and not replace it. I have already stated that many previous right-to-buy properties have ended up in the private rented sector, which charges much higher rents than the Northern Ireland Housing Executive does. Housing benefit underpins a lot of that. The policy has also caused the fragmentation of settled communities as the private rental sector, by its nature, has much more transient tenants.

I will wrap it up for now but look forward to listening to the rest of the debate. I should also explain that amendment No 2 is virtually a technical extension of amendment No 1 and would extend the two-year transition period to which Mr Allen referred to the Housing Executive, as is already proposed for housing associations. That means that all existing social housing tenants would have two years from



the passage of the Bill to commence the purchase of their home, should they desire to so do. It creates equality. It should also serve as a reminder to Members who have reservations about supporting my amendments that the right to buy will not vanish overnight. Amendment No 3 is a consequential amendment that will change the long title of the Bill after Members have all voted in favour of amendment Nos 1 and 2. I implore Members to support the amendments.

**Ms P Bradley:** Before I comment on Mr Durkan's amendments, I want to put on record and pass on my best wishes for a speedy recovery to Deirdre Hargey, the Minister, and to my party colleague Christopher Stalford. Of course, I welcome Carál Ní Chuilín back to the role of Minister. I am sure that she is delighted about that. We will miss her in Committee, but we hope that she is back with us in Committee sooner rather than later.

I thank Mr Durkan. Before I came into the Chamber, I said to him, "Mark, please explain your rationale when you open the debate". He certainly did explain it. I agree with a great deal of it. I agree with him about the inequality. When I last spoke in the Chamber on the issue, as Committee Chairperson at that time, I said that it could lead to inequality between those who live in housing association properties and those who live in Housing Executive properties.

#### 11.15 am

The right-to-buy issue was well rehearsed in our last debate. As a girl, I grew up in a housing estate in Mossley, and my parents had the opportunity to buy their own house in the early 1980s, before moving out of Mossley. I was very glad that that opportunity was available for us. Of course, I have regrets about losing the right-to-buy scheme, but I hope that another scheme will be brought forward to enable people to buy their own homes, and the Minister said that the last time she was here.

People do not move into our social housing sector with the attitude, "Here, I can buy my own house"; they move into our social housing sector with the attitude, "I need somewhere to live, and this is where I am going to live", or, "This is where I grew up", or, "This is where I want to live". It is not necessarily, "Oh great, I will move into one of these homes, and, in five years' time, I will be able to buy it at a reduced price". I do not think that that is the attitude of many people. Many move into their homes and discover, after a few years, "OK. I have the ability to buy this. This is great. I can do this". I do not think that because we will have two separate systems in place, we will see a massive increase in people wanting to move into Housing Executive properties. Most Housing Executive properties are older properties, while most housing association properties are newer properties, and people want newer properties.

I absolutely get where Mr Durkan is coming from. I do think that there is an inequality. However, the Housing Executive needs a complete and utter overhaul. We spoke about it during the talks last year, it was spoken about in the agreement when we came back here, and it was spoken about in our Committee. If it was not for COVID-19, we would be dealing with those issues now. We would have time to scrutinise and time to look at the issues. Sadly, however, that has not happened. We are not here to debate accelerated passage for the Bill again, but it needs to happen, and it needs to happen sooner rather than later.

We need housing associations to be able to borrow and to build much-needed homes.

I am sure that it will come as no great shock to Mr Durkan to hear that the DUP will not be supporting his amendments. However, I absolutely understand where he is coming from. I have a worry about the inequality, so I ask the Minister to make it more of a priority when she looks at the Housing Executive. We need to do that anyway.

I know that the Minister has deep issues and concerns with the Housing Executive and how we go forward with it. Mr Durkan mentioned the analysis of the responses, and, speaking as a member of the Committee for Communities, it is extremely disappointing that we did not get to see that information. I am sure that Mr Durkan will bring that issue up in the Committee this week, and, hopefully, we will be able to write to ask why that information was not presented to the Committee, and to Members of the House, in considering the Bill.

**Ms Ennis:** I, too, send my best wishes to Deirdre Hargey and to Christopher Stalford for their speedy return.

I place on record my thanks to the Minister for her fast and decisive action in providing the utmost support for our housing providers and for those struggling to obtain a home through home ownership or social housing. If classified as public bodies, housing associations would lose their ability to borrow financial transactions capital, as all borrowing would have to count as public-sector borrowing. In real terms, that would reduce the number of social homes by approximately 50% each year and would dramatically reduce funding for the co-ownership scheme. I ask Members to consider the impact that that would have on supporting economic recovery in the aftermath of COVID-19. How many families are already struggling to obtain their own home in unfair conditions of overcrowding, with young families still being penalised for the housing crash of more than a decade ago?

The Bill will ensure that housing associations have the financial freedom to access much-needed funding for social housing, new builds, and to continue the co-ownership scheme. Importantly, it will not come from the increasingly pressurised Executive Budget. If this reclassification was implemented, housing association borrowing would be treated as public debt and deducted from the Executive's capital Budget. It is important to understand that the Bill, and its accelerated passage, was supported by all members of the Committee for Communities, with no issues or concerns being raised.

Turning to the amendments, what we have here from Mr Durkan is a doubling down of his bizarre misunderstanding of what the Bill is actually about. I say "bizarre" because he sat in the Committee and did not raise any of these concerns. Despite what he says now, he agreed to the need for accelerated passage. These amendments, which are entirely unrelated to the Bill, would, as he knows, fundamentally change its very nature to the point that ONS would reject it completely out of hand. That tells me that, despite his warm words, he is prepared to lose 50% of the social and affordable housing stock and is prepared to put the extra £3 million per month financial pressure on the Department, and for what? To make a few ill-thought-out political points. I believe wholeheartedly that we need to completely revitalise the Housing Executive. We should have a Housing Executive that is properly governed and

fit for purpose and that deals with all the inequalities in housing, and Minister Hargey has agreed to tackle those. Damaging and jeopardising the Bill is not the way to do that.

The Committee for Communities, of which Mr Durkan is a member, and the Executive have given consent for the Bill to proceed by accelerated passage. In his opening comments, Mark mentioned Housing Rights. ONS and Housing Rights are telling us that this needs to get done, so I suggest that he listen to them and that we all listen to them. The amendments risk adding serious delay and therefore would have serious financial implications if they are supported. Therefore, I ask Members to not support them and to allow the necessary passage of the Bill.

**Mr Allen:** The Member who moved the amendments outlined his rationale for tabling them as the haemorrhaging of housing stock from the social rented sector. I do not think that there is a Member in the Chamber who can seriously say that they have not dealt with constituents who are in need of social housing and who have been on the housing waiting list for years on end and that those Members have not been frustrated as they have navigated the housing selection scheme to try to get those constituents a roof over their head.

There has been a systemic failure in government by not delivering enough social and affordable houses, and that is part of the key problem. Mr Allister made a fundamental point. I do not believe that the majority of those individuals who go on to purchase those homes have any intention of moving on from them, so that will not address the issue in the medium to long term. Most of those residents who go on to purchase their home intend to stay there, and their family intends to stay there. They are part of the community, they have been brought up in the community and they are part of the fabric of that community. They have no intention of moving on, and, indeed, that has been articulated to me by a number of individuals who have gone on to purchase their home.

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

**Mr Allen:** Yes.

**Mr Catney:** Can the Member tell me why, when I go for a walk where I live, which is not too far away, I can see “for sale” signs on pensioners’ bungalows, if what he is saying is the case? They come on the market at some time, and that robs them of the chance to ever go out socially again.

**Mr Allen:** I am not saying that it does not happen. I am saying that, in the majority of cases, those individuals have no intention of moving on. I cannot speak about those particular properties. I do not know them, and I am not familiar with them. Of course it happens, but, in the majority of cases, that is not the intent of the individuals in purchasing those homes.

Of course the right-to-buy scheme is not perfect. It needs to be amended. It could be a much better scheme. We do not support the Member’s amendments. We feel that they are unhelpful at this stage. As I pointed out in my intervention, the Minister made very clear to the Committee when she presented to us on 13 May that the intention behind the Bill, which she is bringing forward, is to deal with the ONS reclassification. She has also made very clear that she intends to deal with the wider Housing Executive and, indeed, the Housing Executive right-to-buy scheme at another stage. We have the transition period in

the housing associations, and I take on board and accept the Member’s and my colleagues’ concerns about the inequality that that raises, but I hope that we will see — I see that the Minister is across the way — consideration being given to or legislation on the Housing Executive right-to-buy scheme. My party will give it an absolute fair wind. As the Member for Upper Bann also pointed out, we need more detail. In our Committee packs just last week, we found that the Department had come back to say that there was no additional detail on the voluntary grant scheme, so we need to see more detail. We need to see more detail on what would replace the Housing Executive right-to-buy scheme should we abolish it also. We will not support the amendments.

It was perhaps remiss of me not to put on record at the outset my and my party’s best wishes for the Minister, Deirdre Hargey, and the Principal Deputy Speaker, Christopher Stalford, and to welcome the new Minister to her place. I am sure that she will join with me in welcoming Deirdre back when she is fit and ready.

**Ms Armstrong:** Just as I start off, I reiterate what my colleagues have said and wish former Minister Deirdre Hargey back to full health very soon. We will welcome her back to the Chamber. I welcome Minister Ní Chuilín to the post; we will miss her in Committee, because there is a font of knowledge there. I also acknowledge Christopher Stalford, the Principal Deputy Speaker. Mr Deputy Speaker, I recognise that we are whittling through Speakers rightly at the moment, so I wish you good health for the next wee while.

On this matter, I am unfortunately unable, on behalf of the Alliance Party, to support the amendments today. Like others, I am absolutely sympathetic. I believe that the right-to-buy scheme has haemorrhaged houses out of our housing market, leaving housing stress and the waiting lists in the situation that they are in. If the Member had stood up and said that his amendment was on the back of absolute clarification that he had received from ONS that it would take forward the legislation with his amendment and accept that, then I would have supported it. However, I do not believe that the Office of National Statistics will accept that amendment and take this through, and the result of that will be that social housing will lose money. It will not be able to borrow, it will not be able to build houses, and we will see an end to the co-ownership scheme, because we will not be able to fund that either.

This is a piece of legislation that needs to go through quickly, because we are under pressure. This place was not here for three years, and, as a result, we are left with a situation where a crisis is looming. If we do not sort out the classification or reclassification of social housing, there will be no new builds in social housing. The impact that that will have on our community includes the construction industry and the fact that people will not have houses that they can move into. It is a larger economic issue.

The Minister has said that she will deal with the Housing Executive in the future, and I welcome that completely, because the Housing Executive is sitting in a state at the moment where it is going to face an enormous bill for corporation tax in this financial year, because it cannot buy things to mitigate that cost. What impact will that have? That will have the impact that the Housing Executive may face huge difficulties in doing its own maintenance work. We have to review the Housing Executive, and I will be

fighting at that time for a review of the right-to-buy scheme within the Housing Executive. If we are going to have a voluntary scheme, both social housing and the Housing Executive need to be similar so that there is no differential. Under the legislation that is in front of us, the right to buy will continue for two years after it receives Royal Assent. When will that be? It could be a month from now, two months, three months or six months, so there is time to look at the Housing Executive and to consider.

I am very disappointed that the Department did not share all the information with the Committee prior to the Minister's bringing this to the House so that the Committee had time to discuss it. I appreciate that we are going through a speedy resolution on this Bill because of the nature of what is contained within it, but the Committee does have to have its time and its place, and I hope that we will have that when we review the Housing Executive.

Unfortunately, at this stage, I cannot support the amendments. I completely understand the rationale behind them. If the Member had said, "ONS has said, 'Yes, absolutely, bring the Housing Executive into this and we will accept the Bill as it is'", then there would have been no problem, but that is not here. I just do not believe, given the discussions that I have had with people within the Department regarding the ONS, that that is a possibility at this stage. We do this now and then we deal with the Housing Executive, and we can align the two going forward. We need to have a commitment to getting back to building houses and to take away those delays. We need this legislation for housing associations and, depending on how the review of the Housing Executive goes, it may well be brought into this legislation anyway.

**Ms Anderson:** Ba mhaith liom labhairt i bhfabhar an Bhille seo. I want to speak in favour of the Bill but, before doing so, I send my best wishes to Deirdre Hargey and wish her a speedy recovery, and I send best wishes to Christopher Stalford, too.

### 11.30 am

I speak in favour of the Bill because, as we know, across the island, we are in the midst of a housing crisis. Whether you live in the Bogside or Ballymun, the New Lodge or New Buildings, no child should be brought up believing that they should call a hotel or a hostel home. I think that that is something that, across the Chamber, we all would agree with.

I think back to 2002, when there were over 13,000 in housing stress: 17 years later, there are 26,000 people in housing stress. We know the challenge that is ahead of us. This Bill is about maintaining the support and supply of new homes necessary to help struggling families, along with the most vulnerable, to access housing and have security and dignity. I firmly believe that the constituency that I come from would understand the Bill and why we are taking the measures and maybe giving support to it today. Despite the Member coming from the same constituency as me, I do not think that there would be widespread support for an amendment that could jeopardise the Bill, and that is what we are talking about.

Derry has one of the highest rates of people declared as homeless in the entire North, and it has one of the lowest rates of new plans approved to build additional social housing. In fact, even when we have plans approved, they

do not go ahead, for instance because of Tory austerity and the slashing of bodies such as NI Water. I will refer to the Seán Dolan social housing scheme in Creggan, for instance. That scheme is stalled, and among the many reasons why those social houses are not being built is the fact that we do not have the sewage capacity. I know that that is an issue in other areas.

As has been said, the Bill will address the decision of the Office for National Statistics to classify housing associations as public bodies. That decision, if not addressed, as has been stated by other Members, would put the ability to borrow in jeopardy, as well as impacting on the Executive's capital spend programme, I believe, to the tune of up to £3 million every month or something to that effect. Ensuring the private status of the housing associations allows them to borrow without scoring against public debt. That is a good thing at any time, but it is particularly good as we face all the challenges that the Executive face with COVID-19. Therefore, it is only right that they continue their historical classification as private bodies. That was discussed among the parties in 'New Decade, New Approach', and it finds expression in that.

The Assembly must ensure that there is maximum delivery of social and affordable houses for all citizens. We have to do that as we face into what will be a tough time as and when we come out of this terrible pandemic. One of the ways that we can do that for social and affordable housing is through the successful passage of the Bill. Without this legislation, the reclassification of the registered housing associations by the British Government would deepen the housing crisis, as has been said, and could halve the annual number of council houses that could be built in the North. Again, we were dealing with all of that when we were leading into the 'New Decade, New Approach' document. If the reclassification is implemented, the Executive would have to entirely fund the new building programme, potentially reducing the number of new-build starts from 1,850 to 900 — less than half.

We all know why the Bill is so important. In the current housing crisis, with an ever-increasing waiting list, it is just unacceptable for the Member to propose the amendment. He may put in jeopardy all that has been said. I understand that there are approximately 60 housing association houses and 300 Housing Executive homes sold each year. That stock needs to be replenished; those homes need to be replaced. We are all saying the same thing. In one way, it might be understood why the Member has tabled the amendment, but the Office for National Statistics is focusing on housing associations only. We heard Minister Deirdre Hargey tell the Chamber, the last time we debated this, that she intended to bring forward proposals to deal with the Housing Executive. She has already committed to bringing forward those proposals, which, I think, will support tenants and protect the housing stock. Much has already been said about the right-to-buy scheme and how popular it is. There is a need for that housing stock to be replenished, and all of that needs to be discussed when the Minister brings forward her Bill or the proposal for the Housing Executive.

The 'New Decade, New Approach' document puts the focus on building houses in locations where there is objective need. That is crucial, as we all know where the need and the pressure is for social houses. For instance,

it is about focusing on areas such as the north-west and north and west Belfast — north-west by north-west.

**Mr Buckley:** I thank the Member for giving way. I accept the point in relation to replenishing the housing stock; indeed, I think it is widely accepted across the House. However, will she acknowledge my bewilderment at the continual criticism of the right to buy in the House, given, first, how popular it is with social housing tenants and, secondly, that the right-to-buy scheme has enhanced the social fabric of many communities across Northern Ireland? Does she accept those points?

**Ms Anderson:** Without doubt, the right-to-buy scheme has been very popular. You only have to look at the number of people. My mother bought her home under the right to buy scheme, and I live in that home. There are thousands of people across Derry and all our constituencies who have bought their home under the right-to-buy. The problem is that those homes have not been replaced; the stock has not been replenished. If you cut down a tree, you want to plant 10 more. What need to ensure that the housing stock is capable of addressing the need. That is where we are, and that is why it is important that objective need, as identified in 'New Decade, New Approach', deals with areas where there are pressures. We know where there are pressures on social housing; indeed, Minister, your constituency of North Belfast is one area. As I said, it is north-west by north-west. I acknowledge that there are other areas of need, before other Members intervene.

I am the spokesperson for regional inequalities for Sinn Féin, and I will work with the Department for Communities on advancing social housing in Derry on the basis of what 'New Decade, New Approach' said about objective need. Sinn Féin believes, as do many advocates and, I am sure, many in the House, that adequate housing is a human right, and we will continue to promote that across the island.

The legislation is a good step forward to ensure that the social housing stock is maintained, but it is clear, as I said, that we need to address housing shortages, particularly in areas such as Derry and north Belfast that have suffered persistent and chronic housing inequality. As 'New Decade, New Approach' says — I cannot say it enough — we have to allocate resources on the basis of objective need, wherever that objective need takes us. I will fight for people in the Shankill as much as I will fight for people in the Falls. I will fight for people across the North, wherever the need is.

In many ways, it is shameful that previous Ministers who had a policy of targeting social housing on the basis of need abolished that policy. That was done by not one but two SDLP Ministers and adversely affected the very constituency whose Member is proposing the amendment. In Derry and Belfast —

**Mr Deputy Speaker (Mr Beggs):** Can I draw the Member back to the Bill, please?

**Ms Anderson:** Yes. Minister Hargey has done a good job. She has worked hard in allocating resources to where they are needed. I very much believe in Minister Ní Chuilín's approach to tackling need and addressing the need for more social housing. I am sure that Minister Hargey will be pleased, as am I and many others, to see that the Bill is being taken forward by Minister Ní Chuilín, because she comes from the same mindset and approach as Minister Hargey.

I wish you well in the time that you spend looking after the Department. I am sure that, like us all, you will be glad to see Deirdre return, but I know she will be delighted that her Department is in safe hands.

**Miss Woods:** Like other Members, I wish Deirdre Hargey and Mr Stalford speedy recoveries and welcome Carál to the Chamber.

Last time, I spoke in support of the principle of the Bill, appreciating the need for the reclassification of housing associations as private bodies and what that means for the future of social housing in Northern Ireland. Whilst recognising the importance of that, I, like many others, raised concerns, especially about the right-to-buy scheme, that are again being discussed at Consideration Stage through the amendments.

There is still an issue with the potential to create more inequality in access to social housing and homeownership. Many tenants in social homes aspire to homeownership, and the right-to-buy scheme is often their only hope of fulfilling that aspiration. Will that contribute to some tenants consciously turning down a reasonable offer of accommodation where there is no possibility of future homeownership? I await more detail on that.

We welcome the amendments to include the Northern Ireland Housing Executive in the ending of the right-to-buy scheme. The Housing Executive housing sales scheme has accounted for more than 10,000 social properties being taken out of stock since 2002. In its 2018-19 annual report, it stated that it had sold 449 properties through the scheme, which was up from 436 in the previous year. We are losing much more social housing through that sale scheme than that of the housing associations. I would like clarification of the exact number of properties that have been sold by the Housing Executive and the housing associations since the housing scheme started and how many homes were built in that time.

We have consulted on this. Two years ago, a consultation was launched by the Department for Communities, when we had no Assembly sitting. The 'Joint Consultation Response Report on Proposals to Seek Reversal of the Reclassification of Registered Housing Associations' was published a few days ago. There was agreement from respondents on repealing the amendments to the right to buy, with some 18 in favour of ending housing sales schemes for all social tenants. I ask the Minister whether that can be done through the Bill, given the two years' lead-in time for a change in the policy in the Housing Executive. Has there been any advice issued on that?

We need to remove the right-to-buy scheme and build more housing in order to provide housing security and stability. If the opportunity exists through this to amend the right-to-buy scheme in the Housing Executive and put an end to it over the next two years, we should use it.

**Mr Carroll:** I wish Minister Hargey and Principal Deputy Speaker Stalford well.

I support the amendment. There seems to be a pattern in the House that Members who table amendments are castigated for daring to do so. I thank Mr Durkan for tabling the amendment.

There is a concern that there has been a concerted strategy to whittle down the Housing Executive. We have

heard of attempts to transfer stock. Thankfully, they were defeated through public ballots.

However, there has been a general approach to say that, "public is bad, private knows better and private will better deliver". I will address that as I continue through my comments.

#### 11.45 am

I think that the amendment is important and I support and speak in favour of it. However, it is concerning to see the extent of Bills and legislation coming through the House without the time for proper scrutiny. Members on the Committee have said that and there are still serious questions that have been left unanswered. Only a few weeks ago, we had the situation where we were asked to endorse the Budget Bill when a lot of detail was not there and when a lot of scrutiny was not taking place, never mind details about efficiency savings and cuts. Even today, we are being asked to endorse an LCM, yet the Department of Health is unable to answer fundamental questions despite I, and others on the Committee for Health, twice raising questions about a serious piece of legislation.

Today, in the middle of a health pandemic, we have a scenario in which we are rushing through legislation that will have big ramifications for housing and public services generally across our society. There is nothing wrong with doing things quickly, provided that they are done correctly with information gathered and evidence heard. We have heard from multiple people, today and previously, that that has not been done and that the full extent of it has not been completed. Many people will be asking why the urgency, especially as there is no evidence that the passing of this Bill, with the reprivatisation of housing associations, will lead to the tackling of our housing crisis or lead to the figures that the housing associations have indicated that they may build. That is important to emphasise. I think that there are some fundamental concerns about the nature of the Bill.

As Miss Woods said, the Department consulted in 2018 about the proposed changes, but there were only 30 responses. This is a big piece of legislation and a big Bill with big changes. Only 30 responses does not indicate a wide and deep consultation process in which a large number of people were engaged. There has been an element of a shock-doctrine approach throughout the crisis by rushing through changes and legislation in the hope that scrutiny will come at some magical date in the future, but that point is likely to never materialise.

People are correctly focusing on the coronavirus crisis and tackling it. I think that there is a thought process, perhaps, that this is a good time to push through bad legislation and I believe the main tenets of this Bill are bad. It is worth remembering that the reclassification was initially proposed by the Tories and Sajid Javid. At the very least we should be suspicious of this in terms of the merits and the reasons for the proposals. I am concerned that we are following another reckless Tory path by endorsing this Bill.

As people will know, whether they are for or against it, the right-to-buy scheme was designed by Thatcher and it is disappointing that people have bought into it. From my experience of speaking to people about right to buy or successions, they want to see that the house kept as a family home. Therefore, I think that we need to have a

conversation that recognises that we need to defend the Housing Executive as a public institution and looks at how we can extend and enhance the right to successions so that homes can be kept in families for a bit longer than they currently are, especially with regard to housing associations.

As I said previously, we oppose the main tenets of the Bill because it seeks to privatise and deregulate housing associations, whilst at the same time maintaining, if not possibly increasing, the public money that they receive. Clauses 1, 3, 4, 5 and 6 restrict the powers of the Department around the disposal of land, the merging of housing associations and with the housing associations merely having to notify the Department of their actions. I have a very serious concern about the lack of scrutiny of what is at the heart of the Bill.

Clause 7, as has been said, abolishes the right-to-buy scheme for housing associations, but the amendment extends that to the Housing Executive and I support that.

I think that the fundamental ideology that public is bad and private is good, is at the heart of this and that needs to be challenged. We need to avoid buying into the free market claptrap which says that they know better and they know best. We saw people, quite rightly, clapping for the NHS throughout the coronavirus crisis, and there is a renewed desire to see public services delivered by public bodies and institutions and not housing associations being privatised.

The Housing Rights organisation said in relation to the first change, I think it was in 2016, around housing associations gaining public status that:

*"they could potentially be subject to a broader range of human rights law in exercising their duties".*

Surely, that is a good thing. Obviously, with the reclassification of the housing associations, it will have the opposite effect, potentially raising big human rights concerns. So, at the very least, that should be a warning sign for people. We know the long history of privatisation, with rents being increased, service delivery worsening and the increased possibility of eviction. I do not normally quote PwC, but, in 2011, it stated that the Housing Executive was one of the success stories of the past 40 years and:

*"It is rightly regarded nationally and internationally as a leading authority on 'best practice' on both housing management and community building."*

We need to strengthen that generally but especially today with this amendment.

I am concerned that we are hearing that there may be measures brought in the future. If they are good, we will look at them and support them if they are what is needed, but for how long have parties needed to strengthen, enhance and protect the Housing Executive? There has been a failure by Executive after Executive.

Throughout this debate today and previous stages of the Bill, nothing has been said about the additional positive benefits of public scrutiny in respect of stock conditions, maintenance repairs, rent controls, maintenance fees and such issues. That is very concerning indeed.

To conclude, public accountability is a good thing. We should seek to enhance and protect it. This Bill does

the complete opposite of that. It should not be up to the ONS to determine our housing policy. This House should determine its own housing policy and what is best for the public at large and our constituents.

There is no evidence that this Bill, if passed, will tackle the housing crisis. There is no evidence that the housing association new start targets will be met. They have been failed year on year. The best way to deliver social housing is through enhancing, protecting and allowing the Housing Executive to borrow and build.

**Mr Deputy Speaker (Mr Beggs):** I call the Minister for Communities, Ms Carál Ní Chuilín, to respond to the debate.

**Ms Ní Chuilín (The Minister for Communities):** I join others in wishing Deirdre Hargey all the best. I do not know what the craic is with Christopher, but I wish him the best as well and I thank people for their generous comments about me stepping in, hopefully, for a very short time.

I will start with the points that Gerry has just made. I want to make it clear that there is absolutely no issue with anybody bringing forward any amendment on any bit of legislation. That is what this place is for. You may agree or disagree with it. People may be hot and heavy in their agreement or disagreement, but that is fundamentally their right. This is a legislative Assembly to bring forward legislation either amended or not amended. So, to that end, I do not recognise what he is saying, and it will not be the case here.

Mark Durkan raised concerns about accelerated passage, but, in fairness to him, I do not think that he voted against it. However, it is his prerogative, as it is with every one of us, to bring forward amendments if we so wish.

I completely accept the points that the Member is making in his amendment that there needs to be a read-across in going through to the Housing Executive because you do not want to cause a gap or inequality. However, that amendment does not meet the criteria for this to go through. That is where we part company. That is basically it.

I want to say on the record that I, too, got the report on Friday. On first look, I thought that it was part of the Assembly materials in preparation for this debate. I then discovered that it was something completely different. I know that the departmental officials are listening. I am going to bring that back because I do not think that it is acceptable, to be quite honest. I know that, if Deirdre Hargey was standing here, she would say the same thing. It is not acceptable. I will get you an explanation of what happened. Even if I do not like it and you do not like it, you will get it; we will be consistent on that.

This is in New Decade, New Approach and accelerated passage is needed. The deadline runs out on 31 March 2021. We are here to get legislative competence and also to stop £3 million a month from the public purse being used. That £3 million a month is equivalent to 45 social houses. I do not know anybody in the House who would be happy with that. Some of us more than others come from a background where we appreciate this. For many of us, our first home or our current home is from a public housing authority or the Housing Executive.

We had debates here and, Mark, you and others will remember — I am going to say Fra McCann and passion in the same breath — Fra McCann's passionate plea around

ending the right-to-buy scheme is still our position. This is something that, I think, we all agree on fundamentally but not many people spoke about it. Once those houses, be they housing association or Housing Executive houses, are sold under the right-to-buy scheme, they are never replaced. That is the problem. Andy, you are right that most people who buy their home under the right-to-buy scheme stay there. However, I think that it was Mark who spoke about the antics of some developers who are akin to vultures. They encourage older people to buy their house and give them a couple of pounds. Those older people think that they will pass it on to their children and grandchildren and then, all of a sudden, they are homeless. They are sometimes allowed to stay and then you are paying housing benefit, which is twice the cost to the public purse and then some.

We all agree and have all said that the Housing Executive needs to be addressed in what we do next. Paula Bradley, the Committee Chair, also pointed out that there are concerns around potential inequalities. I will just remind people that Deirdre Hargey said at the Committee and as part of the debate on this that her next route would be to take forward legislation to close the gap for the Housing Executive and take the same phased approach to this scheme so that there is not a sudden shock for people who may want to buy their homes. You need to give people a lead-in period; that is compliant with good practice and guidance.

My other concern with your amendments, Mark — I am only here so you can roll your eyes if you want. I looked at the Bill and, instinctively, I thought that there is potential for legal challenge if your amendments to clause 7 are made. It would go outside the competence of the ONS criteria, and that would hold things back. When people talk about holding back, for me, that is what it looks like. I do not think that anybody wants to hold things back. While Mark's concerns are right and it is right that they are raised, this is the wrong vehicle and the wrong avenue. It is something that we need to bring back.

Kellie Armstrong and other Members pointed out the concern about any potential knock-on. The Housing Executive's exemption should be from paying corporation tax. That was part of the negotiations; we all had concerns about that and raised it. I stand to be corrected but, from memory, it is around £13 million a year; that is quite a lot of money. We talk about the revitalisation or improvement of the Housing Executive, so we will have to look at that.

Reducing the expenditure to the public purse is one thing that we need to look at. That is why the Bill is so important. With £3 million a year and 45 houses a month, look at how many houses you could have at the end. That is the realm that we are talking about.

#### 12.00 noon

Rachel Woods raised a question that I also want to know the answer to. I will try to find out exactly how many homes have been sold and how many have been built under the Housing Executive and housing associations. I will go further than that: I will try to find out which areas they have been built in. From memory, I know that they are not always built in areas with the highest demand, and that is the problem.

Andy Allen talked about systemic inequality, as did Martina Anderson and Sinéad Ennis. Everybody did. We

are all coming at this with the view that we want to look after constituents. Let us be honest: while they are in housing stress, they are miserable. In my constituency, my neighbours on the New Lodge Road have three generations living under the one roof. It is a problem for people's mental health. Teenagers are growing up with no privacy. It is just horrible. None of us wants that on our watch.

**Mr Allen:** Will the Minister give way?

**Ms Ní Chuilín:** I will, surely.

**Mr Allen:** Minister, you have undertaken to clarify a number of points for our information. Another area that you could perhaps clarify has to do with the systemic failure of right to buy and how that scheme has been implemented. As I highlighted, it has not been perfect. How much revenue has been generated through the house sales scheme? Secondly, how much of that revenue has been reinvested in new social housing builds?

**Ms Ní Chuilín:** I will, surely. The concern was not only about how it was reinvested. You may remember that, at some stage, there was discussion about investing in the maintenance programme for Housing Executive homes, because a lot of them are quite old. If you look at the Savills report, which we will deal with at Committee, you see that the bill for that is huge. I will say this to rural colleagues, even though they may think that I have a brass neck as I live on the New Lodge Road: I know that there is more fuel poverty in rural communities at times because houses are older, they are harder to heat and the efficiency is not what it would be with a new housing association house. Those families do not want to live in poverty. None of us wants that.

Mark, it will come as no surprise that I do not support the amendments. However, I absolutely defend your right, and that of anybody else, to table them.

I have no doubt that we will come back to this point. Let me be clear to Gerry, who raised it. I do not think that anybody could describe anyone as supporting a Thatcherite policy in the right to buy and leaving people. I want to be clear. It was probably a political dig, and he has a right to do that, but I think that it is a bit churlish. Also churlish is the lack of knowledge about and experience of the fact that housing association and Housing Executive tenants have the same rights when it comes to allocation: it has to be done on the basis of objective need. That will not go away. That is in law and has to happen. I think that the Member is right to raise it. Those tenants, regardless of whether they are with a housing association or the Housing Executive, need to have the same protections as well. That is steadfast. I want to make that completely clear. If the legislation passes and there is any evidence that that is not the case, I will join him and others in ensuring that whoever is standing in this position is made aware of it and, what is more, does something about it.

For us as an Assembly, would we like to have dealt with this differently? Absolutely. I think that we can all agree on that. Would we like to have had an opportunity to scrutinise more? Absolutely. That was accentuated when we all got the report last week. People were rightly annoyed. We need to deal with that.

I thank everybody for their contributions. I am sure that Christopher and Deirdre will have heard the best wishes, which are genuine, and I wish them both well. I ask

Members not to support the amendments that Mark has moved.

**Mr Deputy Speaker (Mr Beggs):** I remind Members that, when they are addressing the House, they should make their remarks through the Chair. The way that the microphones are positioned helps Hansard to pick up all the comments.

**Mr Durkan:** [*Inaudible*] ask the Minister to repeat that. I want to thank Members for their contributions and I will attempt to address some, if not all, of the issues that have been raised.

The first contribution was from Paula Bradley, the Chair of the Communities Committee. I agree entirely with her about the need to overhaul — I think that that was the word that she used; I might use the word “reinvigorate” — the Northern Ireland Housing Executive. She made the point that, generally, housing association properties are a wee bit swankier than the older Housing Executive stock and are, therefore, more attractive. What she did not mention, however, is the fact that that is reflected in the rents for those properties, which are, sometimes, nearly twice the cost, and which does not make them that attractive after all.

Ms Ennis commenced by extolling the virtues of the Bill. Let me reiterate that I support the Bill. I raised concerns in the Committee, although she said that I did not. I know that it was over the phone; maybe the Member missed it. I explained it again in the last debate and I apologised for it then; maybe she missed it again.

The amendments, in my view — it is just my view; I have not sought legal opinion and I do not know whether anyone else has — would not risk the passage of the Bill. I am not sure how they would do that. So, when the Member accuses me of making ill-thought-out political points, she might want to read over her own contributions and reflect on them.

Andy Allen made an impassioned defence of the right-to-buy scheme. He mentioned the Minister's pledge to bring forward legislation to deal with the Housing Executive and the right to buy, but I have to ask: when? The clock is ticking on this mandate. Will the Member support any such proposals if the Minister brings something forward to address the right-to-buy scheme?

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

**Mr Durkan:** Certainly.

**Mr Allen:** The Member may have noted that towards the end of my remarks, I said that I and my party will give any proposals from the Minister a fair wind in that respect.

**Mr Durkan:** OK. Andy also asserted that most families who purchase a social home remain in it. That is borne out by a recently completed piece of Housing Executive research — it is a broad analysis — which demonstrates that of the 120,500 Housing Executive properties that have been sold since 1979, almost half are still owned and occupied by the original purchaser. Just over a quarter were owned by someone other than the original purchaser and just over a quarter were rented privately, the majority by private landlords and a small proportion by housing associations, which have started to buy some back.

Kellie Armstrong seemed to be of the view — I entirely accept her position — that ONS will not accept the

amendment. However, I have yet to hear a compelling reason why it would not do so. It is imperative that we pursue that. She said that ONS was concerned about the reclassification or classification of housing associations. The Bill addresses that as it stands and it will still address that, if amended. She said that if the Minister stood up and said that the Department had had it from ONS that it would not jeopardise the Bill, she would have no bother supporting the amendment. I will just remind her that the same Department sat on the consultation on the matter for two years before it saw the light of day.

Martina Anderson spoke for Sinn Féin and said that there was a housing crisis across the island. That is true and it is lamentable. Her party has been extremely vociferous about the issue in the South. I wonder what Eoin Ó Broin would think of Sinn Féin's opposition to my amendments today. She spoke of widespread support for the Bill. I conducted a wee consultation of my own at the weekend — nothing too scientific, just through the power of Facebook — and I got over 50 responses from people in our shared constituency. It was a fairly mixed bag; people saw the merits and the drawbacks of the policy, but all of them lamented the lack of social housing. When I read through the Hansard report of the 2016 debate, when her party called for the immediate suspension of the scheme, I saw that a number of Sinn Féin and DUP Members had waxed lyrical about the 10,000 new social homes that were going to be built in that mandate. As we know, that mandate did not last wild long. Where have those homes gone? How many of that 10,000 have been delivered? Is it half? In the same time, we have lost, maybe, 1,800 homes through the right-to-buy schemes. It has been over 400 homes for each of the past five years, not 300, as the Member said.

It is important that we work with all parties to deliver more social housing, as the Member pledged to do, and we look to all parties to do what is required to ensure that we deliver more social housing. We will need Executive support for resources for Northern Ireland Water to ensure appropriate water and waste infrastructure to enable new builds. When DFC is not building enough houses, it is down to Tory austerity, but when Northern Ireland Water cannot afford to put in infrastructure, it is all Nichola Mallon's fault. That is something that we need to look at as an Executive, and we need to stop this petty point-scoring.

The Member proceeded to make points about party colleagues of mine that bore no relevance to the amendments and little semblance to reality. It was seen from Ms Anderson that attack is still the best form of defence.

I appreciated support and sympathy from the Green Party and People Before Profit. I want to go back to a point, which, I think, Rachel Woods asked: have we anything definitive from ONS? Has the Department even sought an opinion from ONS on the validity or competence of the amendments?

I will also address the point that was made by Mr Allister, and echoed by Andy Allen, that homes sold do not equate to homes lost, because they still house people. They are lost to social housing stock. That would be grand if we had lots of surplus stock, but we do not. Is it not government's primary obligation to provide homes for those most in need? People who are homeless have greater need than those in secure accommodation. If we did not have a huge

backlog of unaddressed housing need, this would not be an issue, but we do, and it is.

Minister Ní Chuilín slipped back into the role with ease. It is like riding a bike, Carál. Do you have it in writing that ONS would not accept the amendments? If you do, can we see it? We were reminded that failure to pass the Bill will cost £3 million a month that would be used on new builds. Can we expect that when it passes — I will be supporting its passage — every penny of that money will be ring-fenced for that purpose? I made the point previously, and I make it again, that the cost of us not having government for three years was over £40 million and 700 new social homes for struggling families. I will not, therefore, take lectures from Sinn Féin on me jeopardising budgets. To be fair, that criticism did not come from the Minister, who was measured in her approach and explanation, but from her party colleagues.

I am disappointed: it is obvious that my amendments will not pass. I genuinely thought that this was a great opportunity to ensure full protection of our social housing stock. I reiterate my commitment to work with the Minister to deliver more social housing for the thousands of families and individuals who are in severe housing stress.

*Question put, That amendment No 1 be made.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** I think the Noes have it.

**Some Members:** Aye.

**Mr Deputy Speaker (Mr Beggs):** I think the Noes have it.

**Some Members:** Aye.

**Mr Deputy Speaker (Mr Beggs):** Clear the Lobbies. The Question will be put again in three minutes. I remind Members that we should continue to uphold social distancing and that Members who have proxy voting arrangements in place should not come into the Chamber.

**12.15 pm**

Before I put the Question again, I remind Members that, if it is possible, it would be preferable if we could avoid a Division.

*Question, that amendment No 1 be made, put a second time.*

**Mr Deputy Speaker (Mr Beggs):** Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that, during any Division, social distancing in the Chamber continues to be observed. In order to facilitate that, I ask Members to do the following: any Members in the Chamber who are not due to vote in person should leave the Chamber until the Division has concluded. Those Members who wish to vote in the Lobbies on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first, and any Member who has voted may then wish to leave the Chamber until the Division has concluded. If a Member



needs to vote in both Lobbies, however, he or she should not leave the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing.

*The Assembly divided:*

*Ayes 14; Noes 70.*

#### **AYES**

*Ms Bailey, Ms S Bradley, Mr Carroll, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, Mr McNulty, Mr O'Toole, Miss Woods.*

*Tellers for the Ayes: Mr Carroll and Mr Catney.*

#### **NOES**

*Dr Aiken, Mr Allen, Mr Allister, Ms Anderson, Dr Archibald, Ms Armstrong, Mrs Barton, Mr Beattie, Mr Blair, Mr Boylan, Mr M Bradley, Ms P Bradley, Ms Bradshaw, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Miss McIlveen, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Stewart, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Ms Ennis and Ms Flynn.*

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Swann.*

*Mr O'Toole voted for Ms S Bradley, Mr Catney [Teller, Ayes], Mr Durkan, Ms Hunter, Mrs D Kelly, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, and Mr McNulty.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Noes], Ms Flynn [Teller, Noes], Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly negatived.*

**Mr Deputy Speaker (Mr Beggs):** I will pause for a moment in case any Member wishes to return to the Chamber.

*Amendment No 2 not moved.*

*Clause 7 ordered to stand part of the Bill.*

*Clauses 8 to 11 ordered to stand part of the Bill.*

*Schedule agreed to.*

#### **Long Title**

**Mr Deputy Speaker (Mr Beggs):** I will not call amendment No 3, as it is consequential to amendment No 1, which has not been made.

*Long title agreed to.*

**Mr Deputy Speaker (Mr Beggs):** That concludes the Consideration Stage of the Housing (Amendment) Bill. The Bill stands referred to the Speaker. I remind Members that the deadline for tabling amendments for the Further Consideration Stage is tomorrow at 9.30 am. Members may take their ease for a few moments.

## Social Security Benefits Up-rating Order (Northern Ireland) 2020

**Mr Deputy Speaker (Mr Beggs):** The next two motions are to approve statutory rules relating to social security benefits. There will be a single debate on both motions. I will ask the Clerk to read the first motion and then call the Minister to move it. The Minister will then commence the debate on both motions. When all who have wished to speak have done so, I will 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. If that is clear, we will proceed.

**Ms Ní Chuilín (The Minister for Communities):** I beg to move:

*That the Social Security Benefits Up-rating Order (Northern Ireland) 2020 be approved.*

*The following motion stood in the Order Paper:*

*That the Social Security Benefits Up-rating Regulations (Northern Ireland) 2020 be approved.*

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

**Ms Ní Chuilín:** The two rules form the main part of the annual up-rating package that increases the rate of social security benefits, pensions and lump sum payments. Up-rating usually occurs each year around the beginning of the tax year, and the two rules came into operation from April 2020.

In relation to the annual up-rating of benefits, the British Secretary of State for Work and Pensions is required to undertake a review each year of the benefits in relation to the general levels of prices. That is measured by the consumer price index (CPI), which determines the amount by which various rates of benefit should be increased, thereby allowing benefit levels to maintain their value against inflation. The percentage increase is determined by the change in CPI in the 12 months up to the previous September, and CPI indicated as a positive growth of 1.7% for the period up to the end of September 2019. Therefore, the price index benefits have increased by 1.7%, and I am able to say that that includes working-age benefits, which had been frozen for four years as a result of welfare reform.

In addition to an increase in certain benefits in line with the increase in prices, commitment to the triple lock continues to apply to the basic and the new state pension. Those pension payments are increased in line with the highest growth of earnings, the growth in prices or at 2.5%.

The growth in earnings is measured by the increase in average weekly earnings for the quarter that ended in the previous July. For this year's up-rating, the relevant figure displayed an increase of 3.9%. Therefore, the basic state pension and the new state pension have been increased from April by 3.9%. The pension credit standard minimum guarantee has also been increased in line with average earnings at 3.9%.

12.45 pm

My Department has no power to increase the amounts of benefits either by different or greater amounts in annual up-rating. The annual up-rating order is the main statutory rule to provide for the increase in benefits rates. However, some technical provisions in relation to annual up-rating are required to be made by regulations and, therefore, cannot be included in the order.

The debate encompasses the Social Security Benefits Up-rating Regulations (Northern Ireland) 2020, which make some technical provisions that are required for the accurate implementation of the increased rates. The regulations are made as a consequence of the up-rating order and also include an increase to the earnings limit for carers' allowance and an increase to the personal expenses allowance for residents in care homes. As a result of the 2020 up-rating package, in the region of an additional £171 million will be paid out by my Department to people here who are on social security benefits and pensions. That does not take into account the additional temporary increases and easements that were introduced in response to the coronavirus pandemic, about which Deirdre Hargey wrote to Members recently. I understand that we might want to do more for recipients of social security benefits and pensions, particularly in these unprecedented times. However, in relation to the annual up-rating order, all that I can do is simply reiterate that my Department does not have the power to amend or adjust that up-rating.

Therefore, I welcome Members' support for the up-rating order and the consequential up-rating regulations so that people here can continue to receive their increased rates.

**Ms P Bradley (The Chairperson of the Committee for Communities):** The Committee considered SR 2020/40 at its meeting on 6 April. The Committee acknowledged that the order is part of a series of statutory rules that relate to the annual up-rating of certain social security benefits, pensions and allowances from April 2020. The rule makes provision that corresponds to provision made by the Secretary of State for Work and Pensions in Great Britain. The Committee noted that the implementation of the proposals for the up-rating of benefits is expected to increase the Department's annually managed expenditure by approximately £171 million during 2020-21. The Committee was, therefore, content to recommend that the Assembly affirms that statutory rule.

On 6 April, the Committee also considered SR 2020/41. The Committee acknowledged that the regulations contain only consequential provisions of the Social Security Benefits Up-rating Order (Northern Ireland) 2020, and are part of a series of statutory rules that relate to the annual up-rating of social security benefits and pensions. The Committee noted that the provision also amended the earnings limit on carers' allowance from £123 to £128 net per week. That limit defines the amount that a person can earn without their earnings extinguishing their entitlement to the benefit or preventing an entitlement being established. The Committee was, therefore, content to recommend that the Assembly affirms those regulations.

**Mr Deputy Speaker (Mr Beggs):** I call the Minister for Communities to conclude and make her winding-up speech on the motions.

**Ms Ní Chuilín:** I thank Members for their support at the Committee and in the debate. Like everybody, I look forward to passing the uprating order and regulations to ensure that those increases can be in people's purses and pockets.

*Question put and agreed to.*

*Resolved:*

*That the Social Security Benefits Up-rating Order (Northern Ireland) 2020 be approved.*

## **Social Security Benefits Up-rating Regulations (Northern Ireland) 2020**

*Question put and agreed to.*

*Resolved:*

*That the Social Security Benefits Up-rating Regulations (Northern Ireland) 2020 be approved. — [Ms Ní Chuilín (The Minister for Communities).]*

## **Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2020**

**Ms Ní Chuilín (The Minister for Communities):** I beg to move

*That the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2020 be approved.*

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

**Ms Ní Chuilín:** The regulations are part of the annual uprating package, and they increase the compensation payable in the scheme under the Mesothelioma, etc., Act (Northern Ireland) 2008. Unlike the main benefit uprating order, there is no explicit requirement to review the level of payments under this scheme each year. However, the regulations have increased the amounts payable under the scheme in line with the rate of inflation. The amounts payable under the scheme have been increased for 2020-21 by 1.7%, which mirrors the percentage increase of industrial injuries benefits and in the main uprating order.

Under the scheme, those who have been exposed to asbestos can claim a lump sum payment if they are not entitled to a payment under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979, known as the 1979 scheme, and who do not otherwise have a civil claim. The scheme provides financial help to persons diagnosed with diffuse mesothelioma or, if the person has died, to their dependants within a matter of [*Inaudible*] of diagnosis and without the need to establish an occupational link or, indeed, any causative link. Therefore, provided that they have not already received a compensation payment from another source, people who suffer from this terrible disease are eligible for a payment, regardless of whether they were employees, self-employed, or, indeed, have never worked, as was the case with many family members who contracted the disease through cleaning asbestos-covered clothes.

For 2020-21, the amount payable, for example, to a person aged 37 or under at the time of diagnosis has increased from £92,259 to £93,827, the same maximum that can be paid under the 1979 scheme.

The regulations are to ensure that the compensation provided under the scheme maintains its value relative to inflation. I am sure that all Members will warmly welcome the provisions.

**Ms P Bradley (The Chairperson of the Committee for Communities):** The Committee considered the regulations at its meeting of the 6 April. The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2020 enable lump sum compensation payments to be made to people who have diffuse mesothelioma or to their dependants where sufferers did not claim in their lifetime. Payments are made without the need to prove negligent exposure to asbestos or that the exposure occurred during employment. The Act brings some financial assistance to sufferers at a time when many adjustments must be made to daily living arrangements as a result of the illness.

Unfortunately, loved ones will be lost to this cruel condition. Whilst nothing can replace the loss of a loved one, the Act ensures that dependants receive a lump sum payment to alleviate some of the financial burden associated with their loss. I welcome the regulations, as they will increase the amounts payable under the Act by 1.7%. That will ensure that payments remain in line with industrial injuries benefits.

The Committee recommends that the regulations be approved.

**Ms Ní Chuilín:** I thank the Chair and members of the Committee for the positive way in which they have dealt with the regulations. I appreciate the full support of the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2020 be approved.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has arranged to meet at 1.00 pm today. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

*The sitting was suspended at 12.54 pm.*

*On resuming —*

**2.00 pm**

## Oral Answers to Questions

**Mr Deputy Speaker (Mr Beggs):** Order. The sitting is resumed. Members will be aware that, as part of the phased resumption of Question Time, only listed questions will be asked of Ministers at this stage. Topical questions will be suspended until 4 July. During consultations, the Business Committee indicated its preference for all Members who are initially listed to have the opportunity to ask their question if there is time in the period and for only the Members listed to have the opportunity to ask a supplementary question. I will proceed on that basis.

This is the first Question Time under these arrangements and with social distancing in the Chamber, which may necessitate some movement of Members. However, we will keep that under review. I hope that it will work out for everyone's benefit. If it is apparent that there will be time remaining as we come close to the end of the 45-minute period, I may ask for other supplementary questions.

## The Executive Office

### COVID-19: Public Communications

1. **Ms Sugden** asked the First Minister and deputy First Minister for their assessment of the Executive's public communications relating to COVID-19. (AQO 437/17-22)

**Mrs Foster (The First Minister):** The Executive launched a high-impact public information campaign in March to help to prevent the spread of the coronavirus and save lives. That included a leaflet drop to every home in Northern Ireland. The first phase of the campaign encouraged citizens to stay at home, keep their distance and wash their hands, and the Executive recently launched the second phase of the campaign, which urges citizens to "Stay Safe; Save Lives" and "Work Safe; Save Lives". Advertising has appeared in local daily, weekly and Sunday newspapers and on television, radio, outdoor and digital.

**Ms Sugden:** I really want to be generous because I recognise the unprecedented situation that the last number of months have brought; however, I will say that Executive communications have been limited in that they have failed to understand the needs of the audience and what they can comprehend. Each new announcement has brought so much confusion and anxiety and, in some cases, disregard for the restrictions being announced. We can remove that by improving our communications. As a learning experience, moving forward, not just for communications related to COVID-19 but for communications from government generally, will the First Minister commit to a review of the communications strategy with the aim of trying to improve our communications so that they reach and get the message across to the intended audience?

**Mrs Foster:** I know that the Member has a background in marketing and some expertise in the area. We carried out a point-in-time review of the entirety of the COVID-19 strategy. That was on 4 June, and it looked at all the issues in the strategy. I hear what she says about

communications, but we have committed to a daily press conference. That has now become something of a staple for a lot of our journalists, where they have the opportunity to directly ask questions and supplementary questions of whichever Minister is there at the time. The deputy First Minister and I are now committing to two of those per week, and other Ministers appear at the rest of the press conferences. Really, it is about speaking directly to the public to seek the partnership that, we think, is necessary to continue compliance on COVID-19.

We recognise that there are many who want to move faster in lifting lockdown. There are some who have contacted us who want to go more slowly in lifting lockdown. We have to balance all the risks that are put in front of us and try to move appropriately. We use the press conferences and, indeed, all the other methods of communication to try to get across to people why we are taking the decisions and what the impact of those decisions is and that they should then go to nirect, which is the government website, where there is guidance that has been put out by the various Departments.

I hear what the Member says. We will, of course, look at an overall review of the issue as well as our comms strategy, but I thank her for her interest in the matter.

## Victims' Payment Scheme

2. **Miss Woods** asked the First Minister and deputy First Minister for an update on the implementation of the Troubles-related-incident victims' payment scheme. (AQO 438/17-22)

9. **Mr Buckley** asked the First Minister and deputy First Minister to outline the issues requiring resolution to allow victims to receive payment from the Troubles-related-incident victims' payment scheme. (AQO 445/17-22)

15. **Ms McLaughlin** asked the First Minister and deputy First Minister when they will nominate a Department to administer the Troubles-related-incident victims' payment scheme. (AQO 451/17-22)

**Mrs Foster:** Mr Deputy Speaker, with your permission I will answer questions 2, 9 and 15 together.

Significant work has been undertaken by officials to date on the delivery structures for the Troubles permanent disablement payment scheme. However, important issues remain to be resolved, including the designation of a Northern Ireland Department to exercise the administrative functions of the board on the board's behalf, the source of funding for the scheme and clarity on how exceptions are to be interpreted. A series of discussions have taken place with officials in relevant Northern Ireland Civil Service (NICS) Departments in relation to the administration of the scheme, and that work is ongoing. However, security of funding of the scheme has not yet been confirmed. Westminster has an obligation and must deliver on its responsibility to support funding for the scheme. Efforts to resolve the issue as swiftly as possible continue. The deputy First Minister and I have made it clear that we are committed to addressing all of the outstanding issues. The Westminster regulations came into force on 29 May. Further time is still required to deal with outstanding issues and establish the necessary arrangements for the operation of the scheme. We know that that is deeply disappointing for many victims and survivors who need the

support. We share that disappointment and will work to do all that we can to get the scheme delivered as soon as possible.

**Miss Woods:** As the First Minister will be aware, research has shown that an estimated 61% of the Northern Irish adult population have experienced a traumatic event at some point in their lifetime, so I ask for an update on the implementation of the regional trauma network.

**Mrs Foster:** The aim, as the Member will know, is to deliver a comprehensive regional trauma service through partnership working, building on existing resources and expertise in both the statutory and the voluntary and community service. The service will be based on internationally recognised psychological therapies and the stepped care model and will encompass services provided by the voluntary and community sector in relation to steps 1 to 3 and in the health and social care sector for the higher steps from 3 to 5. Phase one of the service is due to be launched soon; however, due to the COVID pandemic, that has been delayed. We are acutely aware of how the pandemic is affecting mental health in particular, and we are working with the Department of Health on how arrangements can be taken forward in relation to this important project.

**Mr Buckley:** I know that the First Minister will share my disgust and anger at the continued blockade by some Members of a victims' pension in Northern Ireland. While I accept that the Executive and the Assembly are the best route to deliver such a pension, in light of the delay, would the First Minister be opposed to looking at Westminster as potentially the best route to deliver the scheme to ensure that innocent victims and survivors receive the pension that they rightly deserve?

**Mrs Foster:** The office and I, in particular, are particularly upset that the scheme has not proceeded as it was meant to do. We do not have agreement on a designated Department yet. I certainly hope that that will change and that we can get agreement on a designated Department. As you know, the Department of Justice has offered to be that Department. Therefore, it is important that we proceed, because it is wrong that innocent victims are not receiving what they are legally entitled to receive. We should recognise the hurt that has been caused by this not coming into operation on the date when it was to do so, and we should work to make sure that we have agreement on the designated Department as soon as possible. However, if that is not possible and given that this came from Westminster through the Northern Ireland (Executive Formation etc) Act 2019 originally and then through the regulations of January this year, the Westminster Government have an obligation to look to other ways to deal with the issue.

**Ms McLaughlin:** Does the Minister agree that, 22 years on from the Good Friday Agreement, it is obscene that our citizens who have been brutally maimed by their fellow countrymen are still in a state of limbo regarding their pension payments? I am ashamed: are you?

**Mrs Foster:** I think that I have already said to the Member that we very much should recognise the hurt and pain that has been caused by the fact that the pension is not in place. We all have a duty to acknowledge that; I certainly acknowledge that. However, there is no point in acknowledgement unless we try to make sure that it

happens quickly, and I am certainly committed to trying to do that. It is legally in place now, and therefore there is an obligation on us to make sure that the pension payment comes forward as quickly as possible so that we can help those who were dreadfully injured during the period euphemistically called “the Troubles”.

### Ad Hoc Committee on a Bill of Rights

3. **Ms Kimmins** asked the First Minister and deputy First Minister for an update on the appointment of the panel of five experts to assist the work of the Ad Hoc Committee on a Bill of Rights, as set out in New Decade, New Approach. (AQO 439/17-22)

**Mrs Foster:** This will be answered by junior Minister Lyons.

**Mr Lyons (Junior Minister, The Executive Office):** The process to select the panel of experts is under way, and it is expected that the panel will be in place by July this year. Executive Office officials provided written briefing to the Ad Hoc Committee in late April in respect of the process and provided an update on progress at a meeting on 4 June.

**Ms Kimmins:** When is the process likely to be completed and the appointments made?

**Mr Lyons:** Unfortunately, given the current pandemic, it has not been possible to bring the work forward in as expedient a way as we might have initially planned. That said, significant progress has now been made. Potential members of the panel of experts have been identified, contacted by officials and invited to submit an expression-of-interest form by 15 June. The form allows the candidate to set out their relevant expertise. That information will then inform the selection of panel members, who are expected to be appointed in July. We know how important the issue is to many Members, and it is important that the panel is in place so that it can support the Ad Hoc Committee. In particular, as the Committee says, the panel of experts will be there to help with the particular circumstances that we face in Northern Ireland. Those should not be taken lightly, and that is why the New Decade, New Approach agreement states that the establishment of cross-party and cross-community support will be critical in advancing a bill of rights. That is why the panel needs to be in place to help with that work.

### COVID-19: Executive Response

4. **Mr Humphrey** asked the First Minister and deputy First Minister for an update on the Executive’s response to COVID-19. (AQO 440/17-22)

**Mrs Foster:** The management of the response to the COVID-19 pandemic has been the Executive’s number-one priority over recent months. Our objective has been to help keep people safe and to support those who have faced real hardship as a result of the pandemic. The extraordinary measures that we have introduced have drastically affected the way each of us lives our lives, and, whilst there is no room for complacency, I am pleased to say that the measures are working and, as a result, many lives have been saved.

I am pleased to say that, through our regular review of the restrictions, the scientific evidence has allowed us to relax some of them to restore some of our freedoms to work, visit and play. The Executive have also started the process of developing a recovery framework that will have

a particular focus on achieving effective health, economic and societal recovery.

**Mr Humphrey:** I thank the Executive for the mitigations that they have put in place to protect our people.

Throughout COVID-19, extra finance has been provided for families in some of our more deprived communities whose children qualify for free school meals. Obviously, that funding will end at the end of the academic year at the end of this month. Given that I represent some of the most deprived communities not just in Northern Ireland but in the United Kingdom, can I ask whether the Executive will look at putting in extra resource for those families, to address the issue of holiday hunger over the summer months?

**Mrs Foster:** I am very sympathetic to ensuring that our young people have the certainty of at least one good meal per day over the summer months. We know that that is a challenge for many families, and I know that the deputy First Minister also takes the issue very seriously. Having spoken to the Education Minister, I know that he is also very supportive.

The Department for Communities has been ensuring that young people in receipt of free school meals have continued to be supported when they have been off school during the COVID-19 crisis. Of course, doing well in education can depend on a range of home and personal factors, but we need to ensure that young people have the best possible opportunities to succeed when they return to school, hopefully in late August/September.

There are exceptional circumstances due to COVID-19. Therefore, I will propose to the Executive that meals continue to be provided to that cohort of children over the summer period this year if the necessary finances can be secured.

2.15 pm

### New Decade, New Approach: Cost Implications

5. **Mr Storey** asked the First Minister and deputy First Minister, in progressing decisions regarding New Decade, New Approach, whether they will ensure all due process and diligence has been carried out in relation to the cost implications for other budgets. (AQO 441/17-22)

**Mrs Foster:** The recovery from the COVID-19 crisis will require a whole-of-government approach, together with the collective prioritisation of resources to ensure the best outcome for our citizens. There are significant financial challenges arising from the pandemic, and all Departments are undertaking a reprioritisation exercise to ensure that available budgets are aligned with key priority areas. Cost implications of any expenditure proposals, including those outlined in New Decade, New Approach, that have not been specifically funded will be considered in that context and will include all relevant public-sector expenditure evaluation and assessment processes.

**Mr Storey:** I thank the First Minister for her answer. Given the obvious challenges that we face, which she referred to in her answer, I seek assurance that financial prudence and accountability are at the centre of the decisions that will be made. I say that on the back of an increasing number of reports coming from the Comptroller and Auditor General, not least the recent one regarding the LandWeb situation, about which he states:

*"I am alarmed that mechanisms were not put in place to secure better value for money".*

I appreciate the financial —

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

**Mr Storey:** — problems that we will face, but an assurance that things will be done in a way that is prudent and in the best interests of our citizens is vital.

**Mrs Foster:** I thank the Member for his comments. Of course, it is a key principle, when it comes to budgeting and public expenditure, that money is put to use in a way that delivers maximum benefit and that the Executive are accountable for all the spend. That is why every expenditure decision must be supported by a proportionate business case that is properly appraised and approved as well. To help us with that task and ensure that all decisions are properly taken on the basis of informed evidence, the Department of Finance has produced a comprehensive guide to expenditure appraisal and approval, and all the projects in New Decade, New Approach will go through such a procedure.

### Protocol on Ireland/Northern Ireland: Update

6. **Ms C Kelly** asked the First Minister and deputy First Minister for an update on the negotiations on the implementation of the Protocol on Ireland/Northern Ireland. (AQO 442/17-22)

**Mrs Foster:** The implementation of the protocol is a reserved matter for Her Majesty's Government. On 20 May, the Government published their proposals for the implementation of the protocol in a Command Paper, 'The UK's approach to the Northern Ireland Protocol'. Some elements of the delivery and implementation of the protocol, such as the agri-food requirements, fall within our devolved competence, and the Executive have committed to working with Her Majesty's Government to ensure the delivery of those elements by the end of the transition period.

**Ms C Kelly:** Minister, thank you for your answer. What stakeholder engagement has taken place to date?

**Mrs Foster:** Stakeholder engagement has already begun. Through the Northern Ireland Office, the Secretary of State set up a number of meetings with the business community, and junior Ministers Kearney and Lyons attended those. I think that those took place last Wednesday. The deputy First Minister and I intend to have more stakeholder engagement as we move through the implementation of the protocol. We think that it is very important to be able to communicate both ways in relation to what is needed in respect of the implementation of the protocol, and then for us to communicate as to the stage of the negotiations. Therefore, stakeholder engagement will continue, and we think that it is necessary as we move to implement the protocol.

**Mr Deputy Speaker (Mr Beggs):** The sound system was picking up interference from a mobile phone just then, so I ask Members to ensure that their phone does not interfere with their microphone.

### Tourism and Investment: COVID-19

7. **Mr Harvey** asked the First Minister and deputy First Minister how they plan to support the Minister for the Economy in promoting Northern Ireland as a region for investment and tourism in the aftermath of the COVID-19 pandemic. (AQO 443/17-22)

**Mrs Foster:** Economic recovery is a key priority for the Executive, and promoting Northern Ireland overseas will be a key aspect of that recovery process. The Executive's offices in Washington DC, Brussels and Beijing have an important role to play in representing our priorities in those countries and regions. They will influence and lobby other government decision-makers to help promote our economic priorities, including tourism, businesses and education. That includes lobbying for market access, engaging with Governments to get favourable relationships for our businesses and universities and promoting our agriculture and tourism offering. Each of our overseas offices will help to identify economic opportunities with other Governments, and work with Invest Northern Ireland, Tourism Ireland and other organisations as part of a corporate approach to developing those opportunities.

**Mr Harvey:** Thank you for your response, First Minister. Our tourism sector will be significantly impacted by the lack of international travel and the current quarantine regulations. Do you foresee the sector requiring additional assistance in the time ahead?

**Mrs Foster:** I think that the sector will be very pleased with the announcements that the Executive made yesterday in relation to bringing forward the dates for reopening hotels, restaurants, caravan and self-catering accommodation because that gives it the opportunity to market its destinations.

I very much hope that people living in Northern Ireland will take a look at Northern Ireland through new glasses this year and holiday at home, perhaps visit somewhere that they have not been to for some time or discover the delights of, one might be tempted to say, County Fermanagh, although other places are available, of course. *[Laughter.]* It is important that we send out a message that we want to support our tourism industry. We want people to look at the opportunities on their doorsteps, and, maybe, rediscover places where they have not been for some time. I hope that people will take that opportunity.

### Attorney General: Vacancy

8. **Mr Gildernew** asked the First Minister and deputy First Minister whether they plan to fill any vacancy for Attorney General through open competition. (AQO 444/17-22)

**Mrs Foster:** I thank the Member for his question. Before I proceed, I would like to take this opportunity to place on record the thanks of the Executive to Mr John Larkin QC, who has served as Attorney General for 10 years. The role of Attorney General is extremely important, and Mr Larkin fulfilled that role in an exemplary fashion.

As set out in our written statement yesterday, Mr Larkin's term of office — his second term of office, actually — ends on 30 June 2020. It is our intention to identify and appoint a successor through an open competition based on the principles that apply to public appointments. We have tasked officials to look into that process to take it forward. We have agreed that Ms Brenda King, First Legislative

Counsel, will discharge the functions of Attorney General in the interim.

**Mr Gildernew:** I welcome the fact that the recruitment process to replace the outgoing Attorney General will be through open competition, as is appropriate.

Ba mhaith liom fáilte mhór a chur roimh Brenda King. I sincerely welcome Brenda King as a interim Attorney General. She serves the Executive as chief legislative adviser, and has done for the past decade. She is an experienced and respected lawyer, including as a former president of the Commonwealth Association of Legislative Counsel. It is very welcome to increasingly see more women occupying positions at the highest levels of public life, alongside yourself, First Minister, and Michelle O'Neill, as joint heads of Government. If I may, I would like to say that I hope that Ms King does not experience a frosty reception as she must have done when she completed her work in the Arctic Circle. I also hope —

**Mr Deputy Speaker (Mr Beggs):** Have you a question?

**Mr Gildernew:** — that the cold winds of change continue to blow along the corridors of male power and privilege.

So, my question is this: do the Executive intend to review the remit of the future Attorney General given that it is a decade since the original Attorney General was appointed?

**Mrs Foster:** I thank the Member for his comments, in particular on behalf of Ms King. I think that she will provide a good service to us in the interim. She has been an excellent First Counsel, and I think that she will continue to do that and provide us with excellent advice.

Given that the Attorney General's office was established 10 years ago, and Mr Larkin served during those 10 years, it is now prudent to review the terms of reference of the office and the terms and conditions of the postholder. However, we do not want to unduly delay the process of appointing a new Attorney General. I advised the Advocate General for Northern Ireland today, as I should, that we are going to an open process and have appointed Ms King in the interim, because it is important that Ms Braverman is aware that we have made that appointment as well. This is an opportunity, as the Member said, to see what the terms of reference are for the office and look at the postholder's terms and conditions.

## Non-COVID-19 Healthcare

10. **Mr K Buchanan** asked the First Minister and deputy First Minister what discussions they have had with the Minister of Health in relation to improving non-COVID-19 healthcare services. (AQO 446/17-22)

**Mrs Foster:** The impact of the COVID-19 pandemic on the planning and delivery of health and social care services cannot be underestimated and it has compounded the challenges that those services were already facing. This has been a continuing concern of the Executive Committee and, following consultation with ministerial colleagues, the Minister of Health has published a strategic framework for rebuilding health and social care services in which he sets out his plans to rebuild and improve those services in what will remain a very difficult and uncertain environment for some time.

**Mr K Buchanan:** I thank the First Minister for her answer. Does she agree that with the COVID-19 response, albeit that it is very important from a medical point of view, other illnesses have possibly been left behind and that some people, including those who are suffering from heart disease and cancer etc, feel somewhat left out?

**Mrs Foster:** I know that the Minister of Health has been before the House and has published his strategic framework for rebuilding. However, it is very much a concern for the Executive that non-COVID-19 healthcare, because of the very reason of trying to protect citizens from COVID-19, had to take a back seat. We are very concerned about that and we want to make sure that we ramp-up those services again. The Minister of Health has set out how he intends to do that, and service activity plans and targets will be developed for each programme of care and speciality, with those updated every three months. Therefore, a series of actions, including for cancer care, adult social care, mental health services, ophthalmic and dental services and, indeed, all other allied health professions, will underpin his plans and it is very important that we move ahead on those issues.

## Tackling Paramilitary Activity, Criminality and Organised Crime — Executive Action Plan

11. **Mr G Kelly** asked the First Minister and deputy First Minister for an update on the work undertaken to implement recommendations B1, B2, B3 and B4 of the Tackling Paramilitary Activity, Criminality and Organised Crime — Executive Action Plan. (AQO 447/17-22)

**Mrs Foster:** The Executive Office has lead responsibility for delivering actions B1 to B4. Good progress has been made on actions B1, B2 and B3. This includes the Northern Ireland Civil Service adopting the employer's guidance on recruiting people with conflict-related convictions, while access to financial services and travel advice has also been improved.

On action B4, also known as the Communities in Transition project, delivery partners have been appointed to deliver 29 individual projects across the eight areas of focus for the project, which include the greater Ardoyne and New Lodge area in north Belfast.

**Mr G Kelly:** As you mentioned, B1, B2 and B3 have made fair progress, and I think that you also accepted that B4 has been through a series of delays. I congratulate the communities for persisting in that.

Will the First Minister ensure that the work under B4 will continue and that it will build safe, confident and resilient communities?

**Mrs Foster:** I think that the work in B4 has been successful. Obviously, we understand that there was a delay at the start of it but that was to allow communities to be a part of the co-design of what the interventions would be in their community. I think that that has been welcomed by the communities. It is important that stakeholders are involved in the design of any project that is there.

There will continue to be a cross-departmental plan in dealing with Communities in Transition. The deputy First Minister and I have been impressed with the way in which the programmes have been able to flex with regard to COVID-19. They still continue to deliver services despite the fact that they have had to deal with the pandemic.



Indeed, we were at the launch of a Communities in Transition project, albeit via Zoom, on 29 May up in Londonderry in the Creggan and Brandywell areas. Therefore, we have continued with the Communities in Transition programme, albeit that some of it has to be delivered remotely at this time.

### COVID-19: Programme for Government

12. **Ms P Bradley** asked the First Minister and deputy First Minister to outline the impact of COVID-19 on finalising the Programme for Government. (AQO 448/17-22)

**Mrs Foster:** It is clear that the changes that have been brought about by the COVID-19 crisis, with the emergency response measures that we had to put in place to keep people safe and to protect our magnificent health service, have been considerable. Our response is working well and we know how important it is to keep up our guard. We have reached an important point in the crisis where we are looking beyond the response phase towards the actions that will be needed to effect a robust and sustainable recovery, rebuild public services and to restore more normal ways of living.

That process has started, along with the ongoing review of the restrictions and relaxations that we have announced.

#### 2.30 pm

The Executive have also started the process of developing a comprehensive recovery framework, which will form an important element of the next Programme for Government.

**Ms P Bradley:** I thank the First Minister for her answer. We know that the Programme for Government underpins all the business that we do in this House. What lessons have been learned through COVID-19 around collective responsibility and cross-departmental working, which we know is imperative when it comes to the Programme for Government?

**Mrs Foster:** It is something that we have greatly benefited from. COVID-19 has brought many challenges, but it has also shown that we can work in a cross-departmental way and deliver outcomes in a fast fashion, which, sometimes, is a challenge for Departments, but we have been able to do that during this pandemic, and we should learn the lessons of that and try to move forward.

We were on target to deliver our new programme in April before the COVID-19 pandemic became a reality. Obviously, we are now in a very different environment from where we were at the beginning of March. So, it is clear that some of the planning assumptions that we were adhering to will have to be reviewed, but it is still our plan to deliver an outcomes-based Programme for Government. We think that that is the way forward, and the past three months have underlined the need for us to do that.

**Mr Deputy Speaker (Mr Beggs):** We are ahead of schedule, so I will take supplementary questions in the remaining two questions.

### 'The European Union (Withdrawal) Act and Common Frameworks: 26 December 2019 to 25 March 2020'

13. **Mr Nesbitt** asked the First Minister and deputy First Minister for their assessment of the Cabinet Office report,

'The European Union (Withdrawal) Act and Common Frameworks: 26 December 2019 to 25 March 2020', as it refers to input from the Northern Ireland Executive. (AQO 449/17-22)

**Mrs Foster:** I welcome the publication of the report. The Northern Ireland Executive have been working closely with the other devolved Administrations to develop policy and legislation in relation to the common frameworks. As a result of the good intergovernmental working arrangements, the UK Government have not needed to use the freezing powers provided for in the European Union (Withdrawal) Act.

The report references the principles for developing frameworks agreed in October 2017 at the Joint Ministerial Committee (European negotiations) and, in welcoming the restoration of the Executive, refers to our consideration of those principles. I am pleased to announce that those were endorsed at the Executive meeting yesterday.

**Mr Nesbitt:** I thank the First Minister. I think perhaps she has answered my supplementary question by yesterday's decision of the Executive, but I note that, in the report at paragraph 1.4, the principles governing the frameworks were agreed by the UK, Welsh and Scottish Governments in October 2017, and, in paragraph 1.32, the same three Governments have agreed to engage their legislatures in pre-legislative scrutiny. So, does yesterday's decision, which you have just mentioned to the Assembly, include all those actions?

**Mrs Foster:** We confirmed the principles yesterday at the Brexit subcommittee of the Executive. I have approved the correspondence to the Chancellor of the Duchy of Lancaster to inform him of that. We will now be looking at the legislative scrutiny of the different Bills that have to come to this place. Obviously, there are some that will be taken forward at Westminster. When that happens, I very much hope that the Committees and this House, by legislative consent motion, will have a mechanism in which to be involved in the legislation.

**Mr Allister:** Taking what the Minister said in her earlier answer about withdrawal from the EU, am I now to take it that the First Minister accepts the iniquitous protocol, which will create a border down the Irish Sea? Does she no longer fear or think that it will create constitutional and economic damage of a catastrophic nature? Is that why it seems that the Executive are now working to implement the protocol that was hitherto anathema?

**Mrs Foster:** I thank the Member for his question. First of all, there is not much point in standing and saying that we do not accept the protocol when the protocol is legislative reality. I may not like it — I do not like it, and let us be very clear about that — but my job now as First Minister is to try and make sure that we minimise any checks between Great Britain and Northern Ireland. Obviously, there are SPS checks at the moment between Great Britain and Northern Ireland, but we have to make sure that those are kept to a minimum. We must make sure that there is unfettered access, as it says in the UK Government Command Paper, between Northern Ireland and Great Britain.

We will very much want to see the Government standing up to their commitments in the Command Paper. I can say all the day long that I am against the protocol, but it is a legislative reality. Therefore, I have to deal with it.

**Mr McGrath:** Given the destructive impact that COVID has had on business in the North and the fact that all sectors do not want to see any further damage caused to their business, have the Executive given any consideration to extending the transition period to make sure that Brexit has a minimal impact on businesses here?

**Mrs Foster:** That is exactly what we are trying to achieve. We are working with Her Majesty's Government to make sure that we have a minimal amount of interference with our businesses, which continue to provide a great service to the people of Northern Ireland. It is important that we continue to do that.

Of course, it is a reserved matter for the United Kingdom Government and the Chancellor of the Duchy of Lancaster made it very clear at the Joint Committee, which the deputy First Minister and I attended last Friday, that the UK Government would not be asking for an extension to the Brexit transition period. That being the case, our focus should very much be on trying to get certainty and clarity for our businesses. They very much need that and we are very much committed to trying to achieve that.

## Magee Medical School

14. **Mr Durkan** asked the First Minister and deputy First Minister for an update on the progress of Magee medical school. (AQO 450/17-22)

**Mrs Foster:** The Executive have reaffirmed the commitments set out in 'New Decade, New Approach' to establish a graduate-entry medical school on the Magee campus. Their objective now is to progress the project to secure a sustainable outcome within the fastest feasible timetable. It is a complex project involving a number of Departments and external agencies. The Executive Office is working with the Department of Health, the Department for the Economy and the Department of Finance to prepare further advice to Executive on the issues that need to be addressed to secure that sustainability.

**Mr Durkan:** I thank the First Minister for her response. Given the announcement from the deputy First Minister on 7 May that the Executive Office would take forward the medical school project and her subsequent announcement that it had been approved, can the Executive Office give a cast-iron guarantee that, as announced, the Magee medical school will be ready for admissions by September next year? Will the Minister outline what specific dates and deadlines must be met to achieve that goal?

**Mrs Foster:** I thank the Member for his question. Just yesterday, at the Executive meeting, we received an update from the head of the Civil Service about the project. The Strategic Investment Board is involved to try to make sure that we minimise the risks to the delivery of the project. The head of the Civil Service was able to give us an update on the progress of the Magee medical school and, indeed, to talk us through the risk management issues.

We do not intend to make any announcements about the date of the first intake until all the necessary preparatory work has been completed, and we very much hope that that will continue at pace in the Executive Office. As I said, it is a cross-departmental issue involving a number of different Departments, which is why the Executive Office stepped in to try to assist in making sure that things move smoothly.

**Dr Aiken:** I thank the Minister for her comments so far. Minister, you will, of course, be aware that one of the key strategic partners for Magee is Ulster University. It has been involved in some very significant cost overruns on another one of its campuses. Indeed, I think that there are investigations ongoing into whether it is capable of managing projects. Therefore, what confidence does the Minister have in Ulster University being a suitable partner for delivering this vital project for Londonderry?

**Mrs Foster:** I note the Member's comments. Some of those matters are, of course, for the Minister for the Economy, and I am sure that he will take those up with her. Capacity and finance are clearly issues that will have to be examined in a wider look at risk management in the scheme. That was why the head of the Civil Service was able to give us an update yesterday. We have involved the Strategic Investment Board to look at all those issues so that, moving forward, we know where the risks are and can make sure that we are in a good place with the delivery of that commitment.

**Ms Sugden:** I understand that considerable capital moneys have been committed to the Magee project. Will it be necessary to provide additional moneys to the Department for the Economy for the running and day-to-day costs or will it have to find those from within its budget?

**Mrs Foster:** As I said, the financial and governance challenges facing UU will be overseen by the Strategic Investment Board. It is important that we have that body looking in at what we are trying to achieve to give us the confidence that any risks that are identified can be managed and mitigated. Those Ulster University matters will be taken forward by the Department for the Economy with oversight from the Executive Office.

**Mr Deputy Speaker (Mr Beggs):** Members, all 15 questions have been answered by the First Minister and the junior Minister. As such, we have come to the end of questions to the Executive Office. I invite Members to take their ease for a few moments until 2.45 pm, at which point Question Time will resume with questions to the Minister of Agriculture, Environment and Rural Affairs.

2.45 pm

## Agriculture, Environment and Rural Affairs

**Mr Deputy Speaker (Mr Beggs):** I say, for the benefit of Members who may not have been in the Chamber earlier, that the Member who listed the question will be offered a supplementary question. If we are ahead of schedule near the end of the list, other Members may have an opportunity for supplementary questions.

### COVID-19: Household Recycling

1. **Mr Durkan** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the impact the COVID-19 pandemic is having on household recycling rates. (AQO 452/17-22)

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** No official statistics have been

published yet for household recycling rates during the pandemic, and, therefore, I cannot definitively identify whether there has been a significant impact on the household recycling rate, compared with pre-COVID figures. Provisional information for household recycling during the quarter from April to June will not be available until 20 October. Unverified information from councils and private waste companies suggests an increase in recycling at the kerbside due to more people being at home. However, there has also been a corresponding reported increase in kerbside residual waste arisings.

Northern Ireland is already well positioned in terms of recycling. Prior to the COVID-19 crisis, the latest official statistics showed a provisional household recycling rate of 52.3% for the 12-month rolling period up to 31 December 2019. The EU 2020 target of 50% for waste from households recycling was also met during 2019. During the last decade, the household recycling rate has increased by 15 percentage points. In order to normalise recycling behaviours post COVID and build on the momentum for recycling observed in recent years, communications and capital funding initiatives are being delivered to assist with recovery.

**Mr Durkan:** I thank the Minister for his answer. One of my proudest achievements in my former role as Environment Minister was to get every school in Northern Ireland on the Eco-Schools programme: the only place in the world to achieve that. However, we have a bit of a problem in our schools with where their waste goes, with some schools having no recycling facility whatsoever. That is environmentally damaging and a drain on public finance. Will the Minister work with his counterpart and colleague in Education to ensure a better approach to waste disposal across our school estate?

**Mr Poots:** I am happy to do that. I will pass the Member's question to Minister Weir and will ask him for a response as well in following that up.

### **Islandmagee Gas Storage Project: Marine Licence**

2. **Mr Stewart** asked the Minister of Agriculture, Environment and Rural Affairs to outline when a decision will be made on the application for a marine licence for the Islandmagee gas storage project. (AQO 453/17-22)

**Mr Poots:** I anticipate that a decision on the application for a marine construction licence for the Islandmagee gas storage project could potentially be made in autumn 2020. It should be noted that there are wider aspects to the project to be considered by other organisations that, I understand, have still to be resolved.

**Mr Stewart:** I thank the Minister for his answer. The Minister will be aware that, in making the decision on the marine licence, there will be considerable public safety and environmental impact concerns about the proposal in the local area, particularly in Islandmagee and across east Antrim. Has additional environmental information been requested from the developer, InfraStrata, and will it be subject to further public consultation?

**Mr Poots:** Obviously, the planning side of it lies with the Department for Infrastructure, and it is for it to seek further information from the developer, as and when required. I assume that it will have been requesting information as issues arise.

My Department's role has to do with the environment and marine licensing. I have stayed back from it until all the information is available and a recommendation is made to me by the experts who are looking into it.

### **Brexit: Agri-food Sector**

3. **Mr Catney** asked the Minister of Agriculture, Environment and Rural Affairs what preparations he has made to protect the agri-food sector and local farmers from the impact of the exiting the European Union withdrawal transition period ending without an agreement. (AQO 454/17-22)

**Mr Poots:** At the end of the transition period, the Ireland/Northern Ireland protocol will come into effect, whereby Northern Ireland will remain aligned to the EU on certain rules. The challenge of having a fully operational regime agreed and in place by the end of this year remains significant.

From 1 January, the greater the deviation between the UK and the EU in terms of trading arrangements, tariffs and sanitary and phytosanitary (SPS) rules, the more difficult and intrusive the protocol becomes. Therefore, one of my key priorities is for the EU and UK to agree a zero tariff and zero quota limit deal and to have maximum alignment in SPS arrangements. There is still time to achieve that, and it is in everyone's interest that we do so. If there is no trade agreement between the UK and the EU, the implementation of the protocol becomes even more challenging.

It is my aim to ensure that the Northern Ireland protocol is implemented in a way that maximises the flow of trade and works for Northern Ireland businesses and citizens when it comes to agri-food. That means the continued importation of animal and plant products and live animals into Northern Ireland from GB and continued, unconstrained access for Northern Ireland's businesses to their key market in Great Britain. The Cabinet Office published a Command Paper on the UK's approach to the Northern Ireland protocol on 20 May. The paper sets out proposals on how UKG will operationalise the protocol and on how a four-point plan for the protocol will be delivered. I welcome the commitments that have been made in the Command Paper, and my Department will continue to work with UKG and cooperate on that basis.

**Mr Catney:** I thank the Minister for his answer. The agriculture sector was in a time of great difficulty and uncertainty even before the pandemic. Having listened to what he said, I feel that he must, surely, agree that we must extend the transition period to allow some stability in the sector before the impact of Brexit.

**Mr Poots:** A lot of stability would come about if Michel Barnier would lift the nonsense of an idea that we need export certificates to go from NI to GB. The UK Government have made it clear that that is not something that they need, wish for or desire. Every party in the Chamber needs to reject Mr Barnier's suggestion that those are required, because they will be damaging to every business that exports to GB and, consequently, to their employees. Every party needs to respect the well-being of businesses and employees in Northern Ireland and say to Mr Barnier, "Export health certificates are not required for the good food that is produced in Northern Ireland and exported to Great Britain. They have not been required

before, and the UK does not want them. We do not need them now, so why are you trying to force them on Northern Ireland and damage Northern Ireland as a consequence?". That would give businesses some surety.

**Mr Catney:** I did not vote for it.

**Mr Deputy Speaker (Mr Beggs):** Order.

### Sheep Industry: Financial Support

4. **Mr Harvey** asked the Minister of Agriculture, Environment and Rural Affairs whether he will provide financial support to the sheep industry, similar to that afforded to the beef and dairy industries, to mitigate the impact of the COVID-19 pandemic. (AQO 455/17-22)

**Mr Poots:** Since the start of the COVID-19 pandemic, I and my officials have been in regular contact with industry representatives and stakeholders to assess its impact. I have been concerned about the serious threat to farm incomes due to falling farmgate prices in some sectors as a result of the closure of markets in food service and hospitality and the significant risk that that could pose to the existence of otherwise viable farm businesses. From factual monitoring of market data and farmgate prices, I was aware that losses had already occurred in the beef, dairy, ornamental horticulture and spring lamb production sectors. I have since become aware of other issues in the sheep sector related to the market for wool.

The £25 million COVID support package will be targeted towards the businesses that have been hardest hit financially as a direct result of the pandemic. To that end, my officials continue to monitor the impact on all sectors, including the sheep sector, and are assessing the need for support as circumstances evolve.

It is also important to note that I am still concerned about the longer-term market for livestock and the knock-on effect that the pandemic might have on farmgate prices later in the season, when more lambs are marketed and store lambs are sold. If market developments over the coming weeks and months dictate that we need more funding, I will go back to the Executive to seek additional support.

**Mr Harvey:** I thank the Minister for his answer. A significant proportion is exported via markets to the Republic. Will the Department take market prices in the Republic into consideration when determining whether assistance is required?

**Mr Poots:** The period when lamb prices dipped quite badly was shorter than was the case for the beef and dairy industries. We are happy to look at all of the markets. Obviously, not all lambs that are going to slaughter are slaughtered in Northern Ireland; quite a lot are slaughtered in the Republic of Ireland and, consequently, are sold in live markets. That is an area that we will look at.

### COVID-19: Air Pollution

5. **Ms P Bradley** asked the Minister of Agriculture, Environment and Rural Affairs what impact the COVID-19 lockdown has had on air pollution. (AQO 456/17-22)

**Mr Poots:** My Department continually monitors the quality of air across Northern Ireland. That includes monitoring such pollutants as particulate matter and nitrogen dioxide. My Department has noted that, whilst levels of nitrogen dioxide have remained lower since lockdown in 2020 than

they were in previous years, the levels of particulate matter have varied considerably. On 9 April, for example, my Department issued an air pollution alert for the following day, due to the levels of particulate matter forecasted.

The primary sources of particulate matter in Northern Ireland are domestic wood and coal burning and industrial combustion. Nitrogen dioxide sources include domestic and industrial combustion and road transport.

Air pollution is affected by local topography and weather conditions, and concentrations of pollutants can vary in a relatively short period. Therefore continuous monitoring of air quality is needed to fully assess any real changes and their subsequent impacts. My officials will continue to monitor the data collected, and I encourage everyone to download the new Northern Ireland air app in order to receive the most up-to-date information on the quality of air across Northern Ireland.

**Ms P Bradley:** I thank the Minister for his answer. As a Belfast representative, I find it remarkable to see the difference not only in air quality but in the sights and sounds of nature around us. As we see lockdown easing and people returning to their normal way of life, especially travelling in and out of Belfast, have you had conversations with the Minister for Infrastructure about people using their own vehicle because they are afraid to use public transport because of fears around social distancing?

**Mr Poots:** Those issues have been discussed at Executive. Certainly, there is a significant problem with people not using public transport because of fears related to COVID-19, which is entirely understandable. The upside of all of this is that many people have demonstrated that working from home can happen and works extremely well. I welcome the fact that many people are working from home and doing so productively. I hope that, going forward, firms, businesses and, indeed, government and local government will look at how they can facilitate more people working from home. That may not mean that somebody works from home five days a week, but it may mean that they work from home two or three days a week. In instances where you have a good assessment of the volume and quality of work that people do and it works, why would you not use it? I hope that, going forward, there will be less pressure on transportation in general as a consequence of that, but I recognise that public transport has a significant problem, going forward, in that people will not feel as comfortable as they did to sit beside a stranger on a bus or train.

### Rural Amenity Sites: Antisocial Behaviour

6. **Mr Hilditch** asked the Minister of Agriculture, Environment and Rural Affairs, now they have reopened to the public, what measures have been put in place to prevent antisocial behaviour at rural amenity sites. (AQO 457/17-22)

**Mr Poots:** My Department has management oversight of over 190 forest parks, country parks and nature reserves, in addition to a large public angling estate across Northern Ireland. Rural amenity sites also comprise lands owned and managed by a number of other organisations, including councils, Northern Ireland Water and environmental organisations. My Department can put measures in place to prevent antisocial behaviour at sites under our direct management only.

Since the early stages of COVID-19 restrictions, my officials have engaged with the PSNI on an ongoing basis. Where antisocial behaviour becomes apparent at one of the sites that my Department manages, my officials will, where necessary, request the attendance of the PSNI. The PSNI has been very supportive and proactive to date, and I express my thanks for their service on that point.

The reopening of car parks at rural amenity sites coincided with a period of good weather and an easing of social restrictions. Unfortunately, antisocial behaviour occurred at a number of sites and beauty spots; in particular, there were large gatherings, consumption of alcohol and littering. Those issues were, unfortunately, not unique to one area. Issues were reported on a number of beaches, in the Mourne and at other scenic locations. I am disappointed by those who behaved in such an irresponsible manner through their lack of adherence to social responsibilities and their disregard for our environment. At this time, many people value the opportunity to get out and enjoy the peace and mental well-being offered by nature, and such selfish behaviour by some ruins the experience for others. The images and videos circulated on social media of antisocial behaviour at some sites, such as Crawfordsburn and Helen's Bay, were of great concern to me and, I am sure, my Executive colleagues.

Messaging was issued encouraging social and environmental responsibilities during these difficult times, but, unfortunately, some people are hard to get through to.

### 3.00 pm

With over 7.3 million visits per annum to the estate managed by my Department, it is, unfortunately, inevitable that some level of antisocial behaviour will occur periodically. To prevent antisocial behaviour from occurring, my staff monitor sites through regular routine patrols, which, in combination with visitor feedback and reports, allow for appropriate action to be taken where issues may be arising. Information is fed back to the PSNI as necessary to help to target problem sites. I would like to praise my officials for dealing with such issues in circumstances that are often difficult and challenging and, in particular, for dealing with the large volume of litter left behind in preparing those sites for public use.

**Mr Hilditch:** I concur with much of what the Minister has outlined on the activities that are going on. The sites have opened up, and, for good reasons of exercise and mental health, they are being well used by a potential new audience. Does the Minister see a way forward to working with other Departments to potentially further develop the amenity sites so that people coming into the area put them to good use rather than for anything else?

**Mr Poots:** Absolutely. We have been engaging with local authorities, and I was recently up in south Tyrone to open a park in that area. Excellent work has been done by the local council. Hillsborough Forest park, for example, is now the responsibility of the local authority there, and it has spent a lot of money ensuring that the paths are all suitable for people with disabilities and for families with children in prams and so forth. That is excellent work, and we want to do more of that. We want to continue to work with local authorities and others to develop our parks, to develop our great outdoors and to encourage people to go out and enjoy the wonderful facilities and assets that we have here in Northern Ireland. I suppose that people are probably

not going on holidays this year, so staycations will be all the more important. Therefore, properly monitoring and providing the appropriate facilities for the public to go and enjoy days out will be ever more important.

### Environmental NGOs: Funding

7. **Mr Lynch** asked the Minister of Agriculture, Environment and Rural Affairs whether he will change the arrangements for funding environmental non-governmental organisations, from funding in arrears to prime funding, with the aim of making funding more stable and beneficial for these organisations. (AQO 458/17-22)

**Mr Poots:** The environment fund multi-year strategic strand supports the delivery of priority environmental outcomes across Northern Ireland by environmental non-governmental organisations and councils. Funded organisations have always been able to request quarterly payment in advance where they have identified a need for this. To assist with the impacts of COVID-19, grant recipients were issued with emails in May, reminding them of this option and asking them whether they wish to seek any amendments to their current 2020-21 environment fund grant.

**Mr Lynch:** Like all groups, Minister, during COVID-19, NGOs have been struggling with cash flow. What other means has the Minister taken to assist environmental NGOs, not just in the current crisis but to make financial support more certain going forward?

**Mr Poots:** We have 23 organisations funded under the multi-year strategic strand, and they have been offered funding totalling just over £2.2 million in 2020-21. Additional in-year funding may be offered to these organisations if additional budget becomes available later in the year. We also have a capital environment challenge fund competition, and it is for £650,000. So, close to £3 million of support is being offered to these organisations, which is of great assistance to them in the work that they do.

### Environmental Protections

8. **Mr G Kelly** asked the Minister of Agriculture, Environment and Rural Affairs whether he is engaging with the Department for Environment, Food and Rural Affairs on inserting a clause into the Environment Bill 2019-21, to make clear that these provisions are temporary pending Assembly legislation setting out local environmental protections. (AQO 459/17-22)

**Mr Poots:** The Environment Bill, alongside existing environmental legislation, provides a basis for continued environmental protection and improvement in Northern Ireland. Making such protection temporary or contingent upon something that the Assembly may or may not agree at an unspecified point in the future in the challenging circumstances that we face at the moment is not, I believe, the best way to safeguard the environment. I appreciate that some people may have proposals that differ from what is in the Bill. If these are put forward, I will be happy to consider them in the future, and the Assembly will be free to make whatever changes it sees fit. However, if the Bill does not go forward, the result will be a loss of existing environmental safeguards.

**Mr G Kelly:** The Minister has gone into what I was going to ask him. Will he commit to bringing to the Assembly an

environment Bill that will build on existing environmental protections?

**Mr Poots:** The first issue is to get the current Environment Bill through and to secure environmental protections. Thereafter, it is for either me or another Member of the Assembly to bring forward further legislation, as and when required, that can enhance our support for having good environmental practice in Northern Ireland.

## Environmental Crime

9. **Mrs D Kelly** asked the Minister of Agriculture, Environment and Rural Affairs how many cases of environmental crime are under investigation by his Department. (AQO 460/17-22)

**Mr Poots:** My Department's Northern Ireland Environment Agency (NIEA) has 413 reportable active investigations into alleged environmental offending. The cases are all at various stages of consideration and cover purported waste, water and natural environment criminality.

**Mrs D Kelly:** Thank you, Minister. How many of those investigations will meet the test for prosecution? If and when people are prosecuted, do you believe that the punishment fits the crime and serves as an exemplar to others not to indulge in such behaviour?

**Mr Poots:** There is a series of means of dealing with cases. Some will involve the issuing of warning letters. Some will involve automatic fines from the NIEA. Some will involve seizing property, equipment and so on. Some cases will go to court. When the NIEA takes someone to court, it always seeks to recover costs. The fine is a matter for the judge sitting on the day. We encourage judges to implement fines that reflect the nature of the event. The public very often do not believe that that has been the case. It is a matter for the judiciary, however.

## Carbon Sequestration

10. **Mr Irwin** asked the Minister of Agriculture, Environment and Rural Affairs to outline the role of local farmers in carbon sequestration. (AQO 461/17-22)

**Mr Poots:** Although agricultural is currently the largest source of greenhouse gas (GHG) emissions in the Northern Ireland inventory, the farmed landscape also contains important sinks for carbon in soils, peatlands, forestry, hedgerows and farm trees. The ability of our farmed landscape to sequester carbon dioxide from the atmosphere and store carbon in soils and vegetation places farmers, as our primary land managers, at the forefront of efforts to offset local GHG emissions and contribute to the UK's net-zero-by-2050 ambition.

Alongside their vital role in producing nutritious food, farmers can play a crucial role in further enhancing carbon stocks by proactively adopting practices that conserve our pastures and increase farm woodland and hedgerows; by maintaining and restoring our peatlands; and by applying only nutrients that meet the crops' needs. My Department will continue to assist farmers to adopt low-carbon farming practices through scientific research, knowledge transfer and farm support schemes.

Among the body of scientific research is work to account more accurately for the amount of carbon stored and sequestered in our grassland soils. Emerging evidence

indicates that managed grasslands continue to sequester carbon after 47 years and that sequestration rates are enhanced where cattle slurry is applied, which is a common practice on farms in Northern Ireland.

The College of Agriculture, Food and Rural Enterprise (CAFRE) is delivering advice to farmers through various channels, including the new environmental business development groups programme, which focuses on sustainable farm systems and helps farmers identify carbon-reduction measures and how to increase their farm's carbon sequestration.

Forest Service is leading on the Forests for our Future programme, which aims to create 9,000 hectares of new woodland by 2030. It plans to open a new, stand-alone small woodland grant scheme to help farmers integrate woodland on their farms. Moreover, the environmental farming scheme supports carbon-friendly practices, including maintaining and establishing native woodland, hedgerows, agroforestry and peatland restoration. I am confident that farmers will continue to participate positively in those initiatives and help put sustainability at the heart of our living, working, active landscape.

**Mr Irwin:** I thank the Minister for his responses. I am sure that he will agree with me that farmers work tirelessly to improve our environment.

**Mr Poots:** There are many opportunities to which farmers are applying themselves. We need to work to ensure that we can continue to improve farm practices, which have changed dramatically over the last 40 years. I believe that there will be significant changes going forward. However, the farming community are up for those changes.

## Environment Fund

11. **Ms Mullan** asked the Minister of Agriculture, Environment and Rural Affairs whether he will expand the size and scope of awards from the Environment Fund to allow for more environmental non-governmental organisations and smaller environmental charities to benefit financially. (AQO 462/17-22)

**Mr Poots:** The Environment Fund strategic strand supports the delivery of priority environmental outcomes across Northern Ireland. The strategic strand is a three-to four-year programme that began in 2019-2020. Its scope cannot be widened. Additional Environment Fund challenge fund competitions may be operated throughout the year to support environmental priorities being delivered by not-for-profit organisations and councils.

**Ms Mullan:** Environmental NGOs have found it difficult to make ends meet during this period. Like other charities and NGOs, they have lost income from donations in other areas. Will the Minister tailor support to meet the needs of NGOs of different sizes and types?

**Mr Poots:** We have been engaging with the environmental NGO sector and recognise the challenges that it is facing as a consequence of COVID-19, such as loss of income and staff and volunteer shortages. We have engaged with other Departments and the UK Administrations to understand the wider impacts of COVID-19 on the environmental sector. The sector is making substantial use of general COVID funding provisions, especially the furlough arrangement. The Department has commented on the proposed charity fund. The Department is not

currently considering an additional COVID fund, but that will be kept under review throughout the year.

**Mr Deputy Speaker (Mr Beggs):** Members, we are ahead of schedule. It is my intention to allow supplementary questions following the remaining questions for oral answer if any Members wish to indicate.

### COVID-19: Agri-food Sector

12. **Mr Lyttle** asked the Minister of Agriculture, Environment and Rural Affairs what action he is taking to address spikes in COVID-19 infection rates in people working in the agri-food sector, particularly in meat processing and packaging. (AQO 463/17-22)

**Mr Poots:** At the outset, I can assure you that I share and appreciate your concerns at this difficult time. In response to, and from the outset of the crisis, my officials have coordinated and facilitated regular — often daily — meetings between the relevant representative industry bodies, individual food business operators (FBOs), the Health and Safety Executive Northern Ireland, the Food Standards Agency Northern Ireland and the Public Health Agency. The principal objective of these meetings and associated communications is to ensure that the industry as a whole, and individual FBOs in particular, are familiar with and implementing the latest PHA guidance, which is primarily aimed at ensuring a safe working environment for all personnel and minimising the risk of COVID transmission in the workplace.

**Mr Lyttle:** I am sure that the Minister will agree that the agri-food sector is an essential and proudly diverse workforce. Can the Minister assure the Assembly that COVID-19 infection prevention and control guidance is being made available to agri-food workplaces in multi-lingual formats and that all workplaces are being supported to provide adequate PPE to our agri-food sector key workers?

**Mr Poots:** The food business operators have been working with a wide range of people from various ethnic backgrounds, who have chosen to come and work here, and are expert in their communication with them. Actual communication is not so much of a problem: sometimes the attention paid to some of the communication can be more of a problem. Many people are sharing transport and are from the same households. Leaving aside what is happening in the workplace, there are consequences from where the people live and how they travel to and from their workplace. That said, the levels of absenteeism in the workforce are incredibly low. The public sector would be delighted if it could get to the levels of absenteeism that the private sector workforce has achieved in the midst of a pandemic.

**Ms Armstrong:** Is the Minister convinced that enough PPE will be made available to our agri-food producers to ensure that those staff members and our food chain will be kept safe?

3.15 pm

**Mr Poots:** Agri-food tends to be ahead of the game and routinely uses PPE. Obviously, agri-food businesses have had to introduce additional PPE, which is a challenge at this time for every organisation, but the businesses are quite versatile. I should say that they are complaining

about how much they have had to spend and would like some government support. It is not for my Department to do that; it comes under DFE and is a matter for DFE to consider.

Keeping those people safe is important; they account for 32% of our manufacturing output in Northern Ireland. They have kept food on the tables right across Northern Ireland and Great Britain. Their work has been key and we should be very proud of what has been achieved by them — the ordinary working people in the agri-food sector — and greatly appreciate all of them, wherever they have come from, on doing the work that, quite frankly, a lot of people in Northern Ireland turn their nose up at. I greatly appreciate the fact that they do that job.

**Mr O'Dowd:** With regard to the food production sector's response to COVID-19 and working people, will the Minister reconsider his decision not to assist Lough Neagh Fisheries, and those who work in the eel fisheries, in response to COVID-19? Many sectors have received financial support but this sector has not.

**Mr Poots:** It is going off from the original question but I am happy to answer. I have not made any such decision not to fund them. The eel fisheries only really get going in June, or from the end of May onwards, so we were waiting to assess their markets and we are beginning to get a better feel for it. The Member has requested a meeting with me. I am very happy to do that and hear all the arguments, but no decision has been made.

**Ms S Bradley:** I thank the Minister for his comments and the individuals in the food sector who have supplied food throughout the COVID-19 pandemic. Is the Minister aware, or concerned, that, at this late stage, many businesses and support businesses sit outside the business support scheme and are still struggling today?

**Mr Poots:** Again, the remit for that falls outside my Department. It is something that I, as a MLA, have received communication on. I recognise that it is extremely difficult to spread something which targets every group and every business in Northern Ireland. It is hugely unfortunate that some businesses have fallen outside. I should say that £410 million has been put into the business economies across Northern Ireland and that will make the difference between a lot of businesses going under and getting to the other side of COVID-19. Whilst I agree with the Member, I also recognise that a massive amount of work has been done in support of business across Northern Ireland.

### Sanitary and Phytosanitary Facilities

13. **Dr Aiken** asked the Minister of Agriculture, Environment and Rural Affairs what discussions he has had with relevant bodies regarding the building of additional sanitary and phytosanitary facilities, as required by the Protocol on Ireland/Northern Ireland. (AQO 464/17-22)

**Mr Poots:** My Department is scoping and implementing the following cross-cutting programme of work: understanding the processes required to reduce friction on trade, as far as is possible, while meeting the legal requirements of our statutory role, which is to carry out sanitary and phytosanitary checks at the point of entry; understanding the IT requirements that will facilitate

movement of trade while seeking to minimise the impact on traders; and understanding the minimum requirements for each of the designated, or potentially designated, points of entry to Northern Ireland that will meet EU specifications.

My officials have commenced engagement with a range of key stakeholders to ensure that appropriate measures are in place to facilitate the movement of goods and products between Great Britain and Northern Ireland whilst complying with the statutory requirements of the Northern Ireland protocol. To date, this has included engagement with Larne, Belfast and Warrenpoint ports and their key users, in conjunction with representatives from the relevant local councils, HMRC, Border Force, Food Standards Agency and other relevant Departments. Meetings are also being planned with Northern Ireland's airports and Foyle port. I have been clear that I wish to implement the Northern Ireland protocol in a way that maximises the flow of trade and works for Northern Ireland's businesses and citizens.

**Dr Aiken:** Can the Minister explain, in the absence of any detail on costs, an explanation of the declarations or any other information on article 5(2) of the protocol, which is, as he is well aware, about deciding and establishing the criteria under which goods moving into Northern Ireland from GB or from outside the EU would be considered:

*"at risk of subsequently being moved into the Union",*

how he can be, in his own words, so positive that:

*"The Brexit Deal could bring advantages to Northern Ireland, giving access to both the UK market and the EU single market",*

when everyone else cannot see it?

**Mr Poots:** Quite rightly, the Member quotes the relevant paragraph on goods that are "at risk" of entering the EU market. Many trucks bring in vital goods for our shops and supermarkets. Such goods should not be considered in any way, shape or form to be "at risk". Clearly, they are coming to stay in Northern Ireland. Consequently, we will deal with that.

Another series of goods can be easily identified as staying in Northern Ireland. The trusted trader scheme needs to kick in. We had made no progress on this issue for a number of months because the UK Government had not given us the required detail. They did so a number of weeks ago. Consequently, we have started to move forward on the back of that. That has given us a degree of latitude and a degree of confidence that we can better deal with goods coming from GB to Northern Ireland.

I do not like this protocol. Everybody knows that I do not like this protocol. Nonetheless, it is a binding international agreement, it was made by our Government and the European Union, and we are subservient to the Westminster Government on this issue. We have to take actions to ensure that, from 1 January next year, food imported to Northern Ireland is not imported through Dublin. Therefore, we are taking the steps that need to be taken.

Access to both the GB market and the EU single market, particularly unfettered access, will, I believe, be of clear benefit to any inward investor coming to Northern Ireland. Therefore, if this is to work well, any issue with

export health certificates needs to be obliterated in the negotiations.

**Mr Allister:** Since the protocol became law, the Minister is on the record of the House as saying unambiguously in answer to questions:

*"I have no intention of facilitating infrastructure at Northern Ireland ports."*

He said that he had "no intention". Is that still his position? If not, why has he moved from that position?

**Mr Poots:** How we can move forward is very clear. The protocol means that the absence of any infrastructure at the ports would lead to a situation where all Northern Ireland goods had to be imported through the Republic of Ireland. I am sure that the Member would not want that or find it desirable. I also point out to him the frailty of the position that he adopted from the outset, which was to put all his faith and all his trust in the Westminster Government as opposed to a devolved Administration that he constantly railed against. This is the consequence of not having a Northern Ireland Assembly and of Westminster dealing exclusively with these issues. Mr Allister should reflect on that. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Poots:** Whether on this issue, abortion or other issues that he shouts a lot about, he has put the power in the hands of those who care less than we do. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Lynch:** Does the Minister have any clarity from the British Treasury that it will cover the costs of the additional infrastructure required at our ports to carry out sanitary and phytosanitary checks?

**Mr Poots:** The answer is no, but the request has been made, and we will work very hard to ensure that we get funding to support this. This is not something that has come about as a consequence of anything that Northern Ireland has done. It is an imposition on Northern Ireland, and, therefore, we need to argue this case very strongly.

## Agri-food Market Intervention Fund

14. **Ms C Kelly** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the distribution of the £25 million agri-food sector market intervention fund. (AQO 465/17-22)

**Mr Poots:** Since the Northern Ireland Executive announced the allocation of the £25 million COVID-19 support package, I have invited views and sought input from a range of industry representatives and stakeholders. On 22 May, I spoke to the AERA Committee and invited members' views on how best to allocate funding to those most affected. I have received their views and independent analysis, reports and industry proposals, and I met representatives of the dairy sector, red meat sector and farming unions to hear their proposals for allocating that funding.

During those discussions, there was a clear acceptance of the need for support to be targeted at those farm businesses hardest hit financially as a result of the COVID-19 pandemic. In addition, I received numerous emails and letters from political representatives, farmers, businesses, rural groups and organisations representing



farmers' interests, requesting support for a range of sectors, including dairy, beef, ornamental horticulture, sheep, wool, hill farming, potatoes, poultry-breeding egg producers. I will carefully consider all those views and opinions, and will, in the near future, make a decision on how best to allocate this funding in a fair and equitable way, based on evidence.

**Ms C Kelly:** Many sectors have been affected by the COVID crisis, including sheep and beef primary producers. Can the Minister give an assurance that those sectors will be included in the allocation of the £25 million funding?

**Mr Poots:** I am happy to support any sector that can provide evidence of COVID-19 having a detrimental financial impact on their businesses. Some cases are clear-cut, some not, but I am very happy to look at all the evidence provided to me. I will arrive at a fair and equitable way to allocate it.

**Mrs Barton:** The Minister will be aware that the market for the wool harvest has collapsed since COVID-19, and that the cost of harvesting wool is greater than the farmers will get for it. Has he anything in mind to support that?

**Mr Poots:** I am aware of that. Fleeces, last year, were making around £2 each, which covered the cost of the clipping. There is not much money to be made by sheep farmers for wool any more, unfortunately. This year, there is not really a market for it. Some of the companies are taking wool on the basis that, if they get it sold at some margin, they will provide a payment to the farmer, but, at this stage, they do not have that. It is something I am reflecting on.

**Mr Wells:** It is accepted, Minister, that the beef and dairy sector are all-powerful within the farming lobby and the quickest to catch the Minister's ear. I draw his attention to the plight of the potato sector. Lots of the produce has been sold as animal feed, rather than to restaurants and supermarkets. Will he bear in mind the need of that sector when he comes to allocating his very welcome £25 million funding?

**Mr Poots:** It is good to hear the Member speak on behalf of farmers who grow vegetables. That is something close to his heart. Nonetheless, of course we will bear that in mind. In that area, a relatively small number of farmers have been caught out in that way. Potato farmers who have been packing potatoes for the retail outlets have been doing quite well, in the volumes that they have been getting out, and most of their potatoes are gone. However, obviously, those who were supplying that all-important 40% of food through the hospitality sector have been affected. It is an area that we will look at.

**Mr Deputy Speaker (Mr Beggs):** All listed questions have been asked, and our time is up.

**Mr Allister:** On a point of order, Mr Deputy Speaker. While I was fortunate enough to be called twice in the unscheduled supplementary questions, is it in order to place on record the observation that, apart from the last five minutes of each of these Question Times, they were largely ineffective because, whereas they may have been an exercise in shielding the Ministers and may have worked for them, as far as this House goes, in regard to sustained focused questioning, which often comes from a succession of questions on a particular topic, they were largely ineffective, and ill served the scrutiny function of the House?

Can you take that back to the Speaker's Office and the Business Committee? Why are we doing that when we have a proven system for Question Time with topical questions, which is far more effective?

**3.30 pm**

**Mr Deputy Speaker (Mr Beggs):** The Member has put his point on the record. I am sure that everyone will reflect on it. He was called twice on this particular occasion. I do not know whether he is criticising himself. As has been said, it is a new procedure and will be reviewed depending on how everyone feels about it. I ask everyone to feed their views back through the Business Committee so that, in future, we can determine what we think works best.

**Mr O'Dowd:** Further to that point of order, Mr Deputy Speaker, it has become a regular occurrence, now, that points of order are being made that appear to me, anyhow, as not being points of order but more like statements. If Mr Allister's questioning is ineffective, that is nothing to do with the rest of the House. Certainly, in my opinion, it is bordering on whether that is a point of order or not.

**Mr Deputy Speaker (Mr Beggs):** The Member, too, has put his point on record. Ultimately, it is up to me, as Deputy Speaker, to determine whether it is a point of order and needs to be reflected upon.

Question Time is over. I ask Members to take their ease for a few moments. We will continue shortly with Executive Committee business. The next item on the Order Paper is a motion on the Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020.

## Executive Committee Business

### Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020

**Mr Deputy Speaker (Mr Beggs):** The next item of business is a motion to approve a statutory rule.

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

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020 be approved.*

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

**Mr Kearney:** Is é seo an ceathrú huair a tháinig mé féin agus an tAire Lyons anseo le ceadú an Tionóil a iarraidh do na rialacháin seo. This is the fourth time that junior Minister Lyons and I have come before the Assembly to seek its approval for the regulations. As in each of the previous occasions, we have not sought to do so willingly. We would much prefer not to have done so, except for the continuing health emergency.

A LeasCheann Comhairle agus a Chomhaltaí, the Assembly considered and approved the original regulations that were made in March using emergency provisions in the primary legislation. The original regulations, and the subsequent amendments to them, have been brought into operation in the knowledge that scrutiny by the Assembly would follow later. The content of the original regulations is, of course, something with which we are all now very familiar.

There are three main aspects to the regulations. First, they impose restrictions on businesses. Secondly, there are restrictions on gatherings of people, apart from certain exceptional circumstances. Thirdly, there are restrictions on movement. There are also provisions for enforcement and penalties, ranging from a fixed penalty notice to fines of up to £5,000 on summary conviction.

The regulations have built-in protections to ensure that there are frequent, robust reviews of the measures. Regulation 2(2) requires that the restrictions and requirements be reviewed at least once every 21 days. Regulation 2(3) requires that any restrictions or requirements must be terminated as soon as the Department of Health deems that necessary. Those are powerful legislative provisions.

Since the 28 March, when the regulations were first introduced, they have provided the basis for several reviews conducted by the Executive. The Executive's members take the regular reviews of the regulations very seriously and very systematically. We have shown that we will not hesitate to move decisively when the medical and scientific evidence and advice indicates that it is the right time to do so.

The process of review and consideration is continuous and detailed. The health emergency, I can assure Members, has been kept under continuous review, even between the regular statutory review points of 21 days.

The motion is that the Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (NI) 2020 be approved. These short amendment regulations give effect to a particular set of changes. Regulation 3, which deals with the closure of premises and businesses, is amended to allow arts and entertainment venues to provide outdoor, drive-in, and live entertainment events. In practice, occupants of vehicles must be from the same household and remain in their vehicle for the duration of the event.

Regulation 5, which deals with the restrictions on movement, is amended to include attendance at an outdoor film, a live music concert, or a theatre performance as a reasonable excuse for a person to leave their home.

Regulation 6, which deals with restrictions on gatherings, is amended to allow attendance at an outdoor film, a live music concert, or a theatre performance.

The amendments may appear modest. However, they mark a small, but important, step on the Executive's pathway to recovery. They have allowed, in a very limited and modest way, families a way to enjoy some much-needed entertainment safely. The purpose of the amendments, and the associated relaxation of restrictions, is designed to create a progressive, cumulative effect.

The Executive continue to keep the regulations under review using the three essential criteria that we published last month. The first is reliance upon evidence and analysis relating to the pandemic. That will include the latest medical and scientific advice and the estimated level and pathway of transmission. That includes the impact that any relaxations might have on the future trajectory of the pandemic.

The second is the capacity of health and social care services to deal with coronavirus cases whilst also returning to the delivery of normal services as soon as possible. The third is the assessment of the wider health, societal and economic impacts of the regulations. That includes the identification of areas where we can achieve the greatest benefit and ensure that the lowest risk will result from any individual relaxation.

A LeasCheann Comhairle, bhíomar soiléir i gcónaí. We have been clear all along: the Executive will not be rushed into making decisions as a result of artificial deadlines or simply to match actions in other jurisdictions. Since the regulations that we are debating today were made, we have agreed to an extensive range of additional relaxations, and that list includes a range of activities such as outdoor weddings, caring for animals, outdoor sports, the reopening of retail shops and other outlets as well as activities associated with moving house. We have also taken steps to allow the hospitality sector to prepare for the reopening of a range of hotel and other accommodation facilities, and the Executive have commenced an incremental and rolling process of easing restrictions, based on scientific advice and, crucially, on the basis of managing and minimising risk.

Tá ag éirí leis an chur chuige seo. The regulations have worked and continue to work. They have saved lives and prevented our health system from becoming overwhelmed. I have previously said here that, as we continue our pathway to recovery from coronavirus, it is right that we recognise the positive role played by all our citizens.

Is mar gheall ar an chomhairle agus an treoir a leanúint go bhfuil ráta an infhabhtaithe ag laghdú agus saolta a sábháil de réir a chéile. By following the advice and guidance, the actions of the Executive and the behaviour of citizens have helped to reduce the infection rate and save countless lives. However, we should always recognise that, for many people, this has been an extremely difficult time. Many hundreds of our fellow citizens, our friends and our family members have died across this region and throughout the island. As a direct result, thousands of people have suffered the pain of the loss of a loved one, and our thoughts and sympathies are with all those who have lost family and friends.

We all want to see a return to the normal ways of living, but that will only be possible for as long as we are winning the battle against COVID-19. We cannot afford to be complacent. COVID-19 is still very much in our midst. It is an invisible and ever-present threat to our health and well-being. We will have to learn how to live with this virus for some considerable time to come, and, unfortunately, that means that we will also need to keep managing the way we go about our daily business and how we live our lives.

In conclusion, I say to Members that there will be further, similar debates in the weeks and months ahead. We hope that the scientific and expert medical advice will allow for more amendment regulations to be made. I assure Members that further relaxations across key areas will come into effect on that continuing and rolling basis, but we cannot afford to adopt a reckless approach. The pathway out of lockdown and towards recovery will not be straightforward.

Yes, there are sometimes contradictions, and there have been criticisms of the approach taken. Some feel that we are not moving quickly enough; others have argued and will argue that we should do things differently. I believe that ministerial colleagues in our five-party power-sharing Government are doing their best to provide steady and cohesive leadership. The Assembly also needs to continue to speak with a single, united voice. At the same time, we must all continue to do our part as politicians, lawmakers and leaders in the community to remind our citizens of the need to stay safe as they venture out more and more. Tá muid go fóill sa darna baol. Caitheann an fód a sheasamh. We must lead by example, so keep your distance, limit your contact with other people and wash your hands well and often. Fanaigí ar shiúl óna chéile; ní gá bhur lámha. Molaim an rún agus na rialacháin don Tionól. I commend the regulations to the Assembly.

**3.45 pm**

**Mr McGrath (The Chairperson of the Committee for The Executive Office):**

I will speak on behalf of the Committee. The Committee welcomes lifting the restrictions when the time is right; however, it would be remiss of us not to acknowledge once again that they have had and are still having a considerable impact on our normal life and, for some people, that is proving very difficult to live with. It is well documented that activities such as going to the cinema and attending live entertainment events are good for our health and well-being. Throughout the pandemic, we have heard about the negative impact that lockdown has on the mental well-being of all sections of the community, so taking steps to alleviate that is very welcome. Such events are

also key to creating a sense of togetherness, and that is particularly relevant in these times, when a lot of the focus is on telling people to stay physically apart. I recognise that events cannot happen indoors yet, but permitting outdoor drive-in events allows people to be entertained in safety while reaping the benefits for their well-being. As I have mentioned in previous debates, the reasons why restrictions can be lifted are largely down to the impact that social distancing is having on the transmission rate of the virus. Social distancing is no less important at this point in time than it was a couple of months ago, and I urge the public to keep up the good work and to continue to show discipline and to remain compliant with the social-distancing guidelines.

Speaking in my capacity as an MLA, I welcome the relaxations in the amendment (No. 4) regulations, as I know that they will provide a form of entertainment that will help people, given that we have limited social outlets at the current time. I also acknowledge the futility of the debate today, given that, I think, we are up to amendment No. 8 in the regulations at this stage, which has been made and introduced, but we are at only amendment No. 4 in our discussions in the Assembly. The time lag makes these debates seem somewhat defunct. I will use the opportunity, though, to raise, as ever, my concern about recent announcements and, again, the lack of clarity that there can be in some of the more recent ones. For example, many businesses were very concerned last week because they did not know whether they were covered by the relaxations or whether their doors went out into a public place or not. That was on the back of the hotels that were approved, yet, at that stage, there was nothing about the food and beverage outlets. Of course, beauticians and hairdressers have to wait, but we can get the dog groomed. Every decision tends to raise more questions and some concerns.

I welcome that, for the hospitality sector, there is now a date, and we accept that that is an indicative date. I welcome it that timings are now included, and, as I say and will reiterate, they are indicative times and people know that they can change, but at least that time is there. I have called for timings in every statement that I have made on the issue in the House. Indeed, the SDLP was publicly criticised by other parties for asking for them, but I welcome it that the Executive now understand and accept the need for timescales. Industry, business and commerce need those timescales to prepare. The coronavirus has wreaked havoc on their work already, and they do not need the further uncertainty of a lack of timescale to add to their pain. Timings are welcome, and, if they need to slip by a short period, the sector will understand that. It will be happy that it has the target dates.

I continue to be unhappy that many of the announcements are being made in TV studios, on the air waves or in newspaper columns. That is becoming a little tedious. Ministers should have the decency to wait until a decision is taken by the Executive before briefing on it and should then come and update the House on it. That would feel more procedurally appropriate. Many of the announcements could be bounced by public feelings and sentiments that are stoked by the leaks and briefings, and that is not helpful. We all should agree that the scientific evidence — I continue to call for that scientific evidence to be published — should be the guide, not just the last lobby group that we have met.

As I said, we are in the unusual position of agreeing to a decision that has already been taken and implemented, and therefore I welcome this announcement, as I did when it was announced about three weeks ago.

**Mr Gildernew (The Chairperson of the Committee for Health):** Chuir an príomh-oifigeach timpeallachta an Choiste Sláinte ar an eolas faoin rialachán reachtúil ar 28 Bealtaine, agus d'aontaigh an Coiste na srianta. The Health Committee was briefed on the statutory rule by the chief environmental officer on 28 May and agreed that it was content with the regulations. The statutory rule allows for the staging of drive-in cinema screenings and live music or theatre performances. The Committee considered the statutory rule alongside other regulations providing for easements to restrictions. As I have previously informed Members, the Committee raised several issues with the Department during its consideration. They included the evidence and tracking in the decision-making process behind the various easements and the strategies for engagement with harder-to-reach communities.

I dtaobh seirbhísí tiomána isteach agus léirithe de, dúradh leis an Choiste má bhíonn na háiseanna agus an spás ann le hócáid a óstáil go ligfeadh di tarlú. In relation to drive-in services and performances, the Committee was informed that, if organisers had the facilities to accommodate such an event, it would be permitted. With regard to the staging of drive-in live music in particular, Members expressed the concern that those attending might be tempted to exit their vehicles to join in. In response, the chief environmental officer advised the Committee that it was up to the organiser to ensure that people stayed in their cars during the event and that they were from the same household, although he accepted that there were practical issues with how an organiser might do that. However, the Committee was advised that anyone planning to stage a drive-in event was legally obliged to ensure compliance with the regulations and must detail how they planned to do so.

In closing as Health Committee Chairperson, I will say that, while the Committee supports this easement, the concern was expressed that some might view the relaxation of restrictions as the end of the pandemic. I acknowledge the remarks from the previous two Members in relation to that. The Committee recognises the ongoing danger of the current situation and the risk of complacency, and we urge people to keep to the rules and to continue to maintain social distancing.

Ba mhaith liom cúpla focal eile a rá anois mar urlabhraí sláinte Shinn Féin. I will say a few words now as Sinn Féin health spokesperson. Mar Chathaoirleach an Choiste Sláinte agus mar urlabhraí sláinte Shinn Féin, cuirim fáilte roimh na srianta COVID-19 a mhaolú mar. Caithfidh na srianta a bheith ag teacht le leas an phobail agus leis an chomhairle eolaíochta. As both Chair of the Health Committee and Sinn Féin spokesperson for health, I welcome the incremental easing of the restrictions. However, as previously mentioned, it must be done only in accordance with health and scientific guidance. A safe and gradual exit from the lockdown is possible, but we all have a responsibility for making that happen. Our citizens have played a significant role in containing the COVID-19 virus. Since March, we as a society have done well in observing the rules on hand hygiene, safe distancing and other public health measures taken to stop the spread of the virus. I too

recognise that that has had a toll in terms of mental health and in terms of people going about their normal life.

If we are to ease COVID restrictions, the importance of continuing with these measures must be communicated through public health messaging and become common practice in our everyday lives for the foreseeable future. We must be assured that the Department of Health and all relevant public bodies have put in place extensive and sustainable programmes of isolating, testing and contact tracing so that we can suppress the COVID-19 virus to the maximum degree possible. Advice from institutions such as the World Health Organization and the European Centre for Disease Prevention and Control is that, as we relax COVID restrictions, we must ensure that the infrastructure is in place to detect and react quickly to any outbreak or surges that we might see in the future. Evidence from countries such as New Zealand, Germany and South Korea is that extensive case detection, testing, contact tracing and isolating have allowed those places to restart their economies safely and effectively.

Ní thig linn talamh slán a dhéanamh den dul chun cinn, ach is trínár ngníomhartha go dtí seo a thig linn cuid de na srianta a mhaolú. We are not out of the woods yet, but, thankfully, through our actions to date, we have reached a point where some easing of restrictions is possible. As we cautiously emerge from lockdown, we must all understand that we are all responsible for the safety of our families, friends and neighbours.

**Mrs Cameron:** I think that I speak on behalf of many of my constituents in expressing relief that we are now progressing with the lifting of restrictions at pace. While mindful of the need to protect public health and rightly taking one small step at a time, it is essential that we return to some degree of normality as soon as possible, led by science, yes, but also led by the need to protect jobs, to reboot our public services, including our health service, and get Northern Ireland moving again.

Recently, it was reported that 95% of the population here had not had COVID-19, and it was suggested that we should slow down the process of lifting restrictions. I believe that the Executive have acted well in protecting public health. We have seen the success of the regulations and, more so, the public adherence to rules and guidance in the much lower figure of COVID-19 deaths than the reasonable worst-case scenario. I also believe that we need to proceed with easing of restrictions, so that many more lives are not lost through non-COVID conditions. I desperately want to see measures put in place to allow those in care settings to safely have contact and visitation from loved ones, as we know the impact that loneliness and isolation have on our mental health. We need to focus now on a twin-track approach of continuing to protect the most vulnerable whilst restoring confidence with the wider public to get out, support local business and rebuild community and to do that safely.

The reality, of course, is that the extreme pressures on our health service from coronavirus have been alleviated. The public are to be praised for that and not punished for longer than is necessary. I very much encourage the Health Minister and the entire Executive to now really push ahead with the reopening of all our health service at large with the vital reform that is necessary. A week's delay at this stage exacerbates problems down the line for patients and the system. We must also see specific areas in our

health and social care system get back on track. I think particularly of respite provision for those who regard it as a lifeline. They are physically and mentally exhausted and desperately need the service restored. We need to now step up and support all those families.

It would be remiss of me not to mention once again our healthcare workers and the tremendous work they have done, not least our Ambulance Service. It disgusts me that that front-line service — lifesavers — have suffered 35 attacks in the space of a week. That is to be condemned utterly by everyone in the House.

I look forward to Thursday and further announcements and dates for restrictions being lifted and some form of normality returning, and I commend the Executive for the work that they are doing to that end. In finishing, I give another reminder out to people to keep their distance and to continually wash their hands and a reminder that, if you have any coronavirus symptoms, you should seek a test, if you are over five years old. It is vital that we track and trace the virus to allow us to return to some form of normality or a new normal. That is vital at this time.

**Mr Sheehan:** I preface my remarks by saying that anything I say today is related to the regulations as they are being amended. I want that to be clear. Secondly — I have said it at every debate of this sort for the past four times, I think, that we have spoken — in normal circumstances there is no way that I would support the regulations, but we are still in a crisis and an emergency, and it is important that we are aware of that and continue to ensure that the proper message goes out to our citizens.

#### 4.00 pm

These amendments to the regulations allow outdoor, drive-in cinemas, concerts and theatre productions. As has been mentioned, they came into effect on 21 March. Since then, there has been easing of a large number of other restrictions. Of course, that is to be welcomed. Everybody is glad to see, I am sure, the opening up of society and people being able to meet family members again and socialise to a certain extent. That is a good thing. However, the battle against COVID-19 has not been won — not by a long shot.

There are a number of things that we need to focus on as there is more and more easing of the restrictions. First, we need to get our heads around the idea of the island of Ireland as a single entity in the fight against the virus. It has been said on many occasions in this Chamber that the virus does not respect the border. It is not even that it does not respect it; it does not know that there is a border there. There has been a high incidence of COVID-19 in border areas, and that is all the more reason to deal with it on a single-entity or all-island basis.

There has been talk of a phone app, and we discussed that with the Minister and the Chief Medical Officer (CMO) in Committee. Any phone app that is going to be used in testing and tracing must work on both sides of the border. If it does not work on both sides of the border, it is not going to cut the mustard. It is as simple as that.

What is more important than anything, and a number of Members mentioned this, is that there is a proper system of testing, tracing, isolating and supporting as these restrictions begin to ease. Some of the countries mentioned did not have lockdowns as severe as ours.

Indeed, ours was not even the most severe. In South Korea, the economy, by and large, carried on. Bars and restaurants were still open. Because they had such an effective and widespread system of testing, tracing and isolating the virus, society was, by and large, able to carry on as normal. Now, of course, it has been said that they had previous experience with SARS, MERS, swine flu and avian flu and so on. However, we need to learn from best practice, and the best practice is in such areas.

The difficulty that we face now, with easing the restrictions, is that there may be an upsurge in the virus. I heard, just this morning, that two new cases have been diagnosed in New Zealand for the first time in something like 24 days, although it has been established that both individuals had travelled from the UK. China has also experienced an upsurge, as has Japan and somewhere else in the Far East that I just cannot remember. What is important is that none of those outbreaks has led to mass lockdown of the affected countries. Because they have an effective system of tracking and tracing, they can isolate the virus to a particular area, market or block of flats. If the system of testing, tracing and isolating is effective, there can be localised lockdowns without having to shut down the whole of society.

In conjunction with that, we need clear messaging from the Executive. I get the feeling that, with the easing of restrictions, many people feel that they can just go about life as normal, as they did before the pandemic. Of course, that is not the case. We need to listen to the medical and scientific evidence if more restrictions are going to be eased. So, the messaging from the Executive has to be crystal clear.

Also, as we move forward, and it may not be directly related to these regulations, the care sector has to be protected in a way that it was not at the outset of the emergency. Many people believe that the care sector was, effectively, thrown to the wolves. We need to make sure that the care sector is protected.

There does need to be a serious discussion about the wearing of face masks and whether there is a need for regulation.

**Mr Nesbitt:** The primary purpose of this debate is to endorse decisions already taken by the Executive but, like Pat Sheehan, I would like to look more broadly at the issues that we face. I am sure that we all long for the day when we return to what we might call the normal politics in a full House, or whatever a full House is going to be under the new norm.

If it was normal and we did not have this crisis, I am sure that we would have debated the Programme for Government by now, and, hopefully, agreed it. It has sat in draft form for far too long — not for months but for years. I remind Members that the purpose is:

*“improving wellbeing for all – by tackling disadvantage”.*

Below that, one of the 14 high-end outcomes is to:

*“give our children and young people the best start in life”.*

In terms of indicators of success, number 2 is:

*“to reduce health inequalities”.*

Number 3 is:

*“to improve healthy life expectancy”.*

Number 11 is:

*“to improve educational outcomes”.*

Number 12 is:

*“to reduce educational inequalities”.*

And 15:

*“improving child development”.*

Below that, one of the measures of success in this outcome-based accountability programme is to tackle the gap between the percentage of school leavers and the percentage of school leavers receiving free school meals at level 2 or above, including English and maths. That is A\* to C in GCSEs.

**Mr Frew:** I thank the Member for giving way. I hear what he says and I agree with him with regard to the function of government, and the Programme for Government doing the best it can for all our people. Would the Member agree with me that we have not even had a chance to align the Budget with the Programme for Government to make sure that we populate those outputs with financial clout in order to get to a place and move in a direction that will benefit all the people in the Programme for Government?

**Mr Deputy Speaker (Mr Beggs):** I remind Members that the debate is about COVID-19 restrictions. I will allow some latitude but I do not want there to be a debate on the Programme for Government.

**Mr Nesbitt:** Mr Deputy Speaker, I stand admonished, but I hope you will give me a little leeway. I thank the Member for his intervention. I do agree that aligning the Programme for Government and the Budget, and making the Budget multi-year, are critical.

The point I am trying to get to is that, in this crisis, we need to tackle holiday hunger. It is partly COVID-19 and partly not. It is COVID-19 because more young people and families are finding themselves in financial difficulty because of the public health crisis. Beyond that, it is an enduring problem that we face.

**Mr Butler:** I thank the Member for giving way. He has raised an important topic under the COVID-19 restrictions and the further impact of poverty on families that were not experiencing poverty before. The Member will, I think, be reminded of a Long Gallery event last year — I think it was hosted by Children in Northern Ireland — when we talked about food poverty and child food poverty. There was an example in Portadown of a charity where a mum was sending in a lunch box that was empty but for a note asking the charity to feed that child.

Would the Member agree that it is lamentable that we are still talking about that in 2020, and it takes something like COVID for us to seriously address it in the Assembly?

**Mr Nesbitt:** I thank the Member for his intervention. It was a memorable moment but not in a good way, and will not be forgotten.

Deputy Speaker, I will not test your patience much further. All I want to say is that there is no logic in us saying that we give free school meals during term time but not during

holidays. If a child needs a state intervention in May and June, they must need that intervention in July and August.

The First Minister hinted very broadly during Question Time a couple of hours ago that the Executive were moving on this but with the proviso that it was dependent on finance. The Prime Minister has announced £120 million or so of intervention for free meals for children in England over the summer. If there is a Barnett consequential, that is north of £3 million. That should be plenty. I simply believe that the House has a moral obligation on tackling holiday hunger and I invite Members to join me in pressing the Executive to fulfil that obligation.

**Ms Bradshaw:** I support the regulations as amended. I send my best wishes and hope for a speedy recovery for my fellow constituency MLAs Deirdre Hargey and Christopher Stalford. It is a timely reminder to us all of how important it is to look after our health and to take time out when needed to seek treatment and to recuperate.

I have no issue with the change relating to drive-in cinemas. In south Belfast we have already seen some preparation and innovation around this, particularly with the Let's Go Hydro complex on the Saintfield Road which will be showing films from 19 June. That is a very welcome boost for local family provision and economic activity after the months of lockdown. I am sure that it will be a great success.

On Sunday, while out walking in the grounds of Ulster University in Jordanstown, I came upon a drive-in church. We recently debated that amendment to the regulations and I was pleased to note that the car park was full. There were plenty of stewards about and it seemed to be very well organised. It is another way in which society has embraced our circumstances and found ways to bring people together in common cause.

However, after this positivity, I will put on record some enduring concerns. The first issue I will touch upon is shielding. On Friday it will be twelve weeks from the time of the first issuing of letters from GPs to patients. I have heard that some constituents have received an updated letter, either from their GP or the Department of Health, covering until 30 June, while others are still waiting. That is causing the latter group some concern, especially as we start to see places of employment opening up. That group fear that they may be excluded in the revision process and therefore forced to return to work.

It is so important that the remaining letters are posted out, that guidance and communication continues to flow and that full consideration is given to those people who are shielding in terms of the changes that they should expect with regard to accessing care and treatment by the Department of Health, its new management board and the five trusts as they take forward the rebuilding of health and social care services. There are certainly opportunities here and we also need to ensure that those affected by the re-establishment process of our health service are included in conversations as much as possible.

I also place on record my deep concern that people who are living with diabetes have been excluded from receiving shielding letters. That is despite the fact that the Department of Health advised that they were revising the list and guidance. It is perplexing to me that they have appeared to ignore the huge body of evidence which shows that 10% of people with diabetes who are admitted

to hospital with the virus die within seven days. Those people are clearly clinically vulnerable.

The next point that I will touch upon is the economy, with particular reference to private healthcare practitioners, many of whom have contacted Members with concerns about their future viability, and asking questions about how they are going to provide treatment for their vulnerable patients. I am talking about our dentists, opticians, podiatrists, physiotherapists and many other front-facing allied health professionals. They are urgently awaiting guidance and they want to open their businesses in a safe manner and as soon as possible.

Another aspect of the economy that urgently needs attention relates to the provision of childcare, and my colleague, Chris Lyttle, will be touching upon that.

Also in relation to the economy, we need to be careful that, as the Executive moves through the steps of the recovery process, there is consistency in rationale and measure. We must, therefore, recognise that it will be harder to enforce the regulations and that people will undoubtedly, as we have already seen, interpret the changes in different ways.

Associated with that, I express my concern at the absence of reliable data to base our decisions on easing lockdown. The data document that was released on Sunday night was bizarre. It has major gaps in information, the information it did provide was vague and the conclusions that it drew from the information were outright dubious based on the latest scientific and global research into the virus. We have to understand that this is a matter of considerable urgency. As we move through the crisis and the opening up, we also need to be managing the risks, not just for the authorities, but more importantly for each and every one of us as active citizens.

#### 4.15 pm

In conclusion, I appeal to Ministers and the authorities to shift priorities to ensure that issues around childcare and those who are shielding are resolved and to ensure that the communication of key messages and the most up-to-date information to the entire population is clear. The Health Minister specifically needs to improve the data, research and conclusions on which he makes future decisions. We all need to continue to show the respect, kindness and patience that we all need.

**Mr Frew:** First, I will address the issue that was raised by Colin McGrath, the Chair of the Committee, regarding the time lag between the House debating these regulations and the lifting of such regulations. Whilst I will not be too hard on the Assembly and the cogs that turn very slowly, this goes to prove once again that draconian legislation like this does not fit. It does not fit the Assembly system or the accountability and the democratic apparatus with which we hold these things to account. So, it is a bit of a farce that we are debating lifting regulations that have been lifted. It is bizarre.

Whilst the amendments are welcome, they seem to raise further questions every time, which the Executive struggle to deal with and answer. That then has ramifications for the publication of announcements, media messages and everything else. If we do not get the message right, we will put people's lives at risk. I have always been nervous about these regulations and this draconian law that has been brought into people's homes and marks out every

twist and turn of their life and tries to legislate for it. Whilst it has saved lives, it has not really worked, and, worse than that, it may have had a detrimental effect on people's lives in many ways that we will not really see until it surfaces many weeks and months from now.

Some examples of that are the lifting of restrictions for shops. When that announcement was made, there was massive confusion in some sectors as to whether or not they could open. Some retailers published statements on a Friday night that they were opening on the Monday, but they had to retract them on the Saturday or Sunday. Some businesses went on ahead and opened anyway, even though it was against the regulations. When I spoke to council officials and businesses spoke to council officials, it was very clear that they were not going to enforce the regulations. That poses the question: what good is law or regulations if they are not going to be enforced?

So, some businesses opened that should not have opened. Some businesses put out statements that they were going to open and then retracted those the next day. They remained closed, but they were looking down the street and seeing similar businesses opened. There was confusion for a long time. I am glad that that has been clarified and retailers can open, but that has had a massive impact for people and businesses that have struggled because they have not been open for all these months, and some have not been able to avail themselves of support, although many have and that has been very, very welcome.

What annoys folk more than anything is that it seems to be that the very bricks of society, the very unit of society — the family — has been left behind. I do not know why, but when you look through the step change plan that was released by the Executive, it states in step 1 that you could visit family members indoors. Why was that in step 1? We have always been told that medical advice and science dictates. Why then was that aspect of step 1 in step 1 if we have not even completed step 1 but are mostly through step 1? It feels and seems as if families have been left behind.

A great deal of very good work has been done by businesses and the Executive in listening to businesses. They have been able to open things up and get things cranked up again. People and businesses are very thankful for that, but is it not a bit of a farce that you can visit a family member in a garden centre, a shopping centre or, soon to be, a pub, but you cannot visit them in their homes? Is it not a farce that you can go to their back gardens but you cannot enter their premises to use the toilet?

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

**Mr Frew:** Yes.

**Mr McGrath:** I welcome the point that the Member is making. The scientific evidence sometimes underpins it and if people understood the scientific evidence, they might be able to accept it. If the scientific evidence is being published, it has not been very clear nor has it been widely available. Does he agree that making that scientific evidence more widely available would help people to understand why those differences exist? Like me, they do not understand why those decisions are being taken.

**Mr Frew:** I agree 100%: the more information that we can get out into the public, the better it will be for the public. It will help to inform them and allow them to see the rationale

behind the decisions that are being made. It would also help people to align with the regulations, because I fear that, especially over the last week and a half or two weeks, so many of our population have flouted the law and the rules and have basically said, "We are not going to follow the regulations any more".

The issue of the family unit is fundamental. There are so many vulnerable people out there in family settings who do not know what to do for the best or whether they can visit the family members who they miss the most. They cannot have their children and grandchildren around to their homes. A family member will not put another family member at risk. They would take extra precautions if they were able to get visits from family members. It is a massive issue and placing that aspect in step 1 was fundamentally wrong if it was not meant to have been there in the first place.

My question is this: when you were working out the step plan, what was the scientific and medical advice that told you to put family visitations into step 1? If there was medical and scientific advice on that, why has it not been lifted in step 1? We are now through step 2, are eating into step 3, and I am sure, in some aspects, we are into step 4. To be honest with you, I am not sure; I am getting confused. Why is it that family members have to go to retail outlets, such as clothing shops, to meet their grandchildren? It is a bit of a farce, is it not? I would like that to be explained to me and for as much information about that aspect to be released, as soon as possible, so that people can at least see the rationale and justification for that when they are in their homes and are unable to visit their loved ones. If we got it wrong in putting it into step 1 and family visitation in their homes should have been in step 3 or 4, then so be it. Say that. Say that we got that aspect wrong. However, if we have always been going by science, how did we get it wrong?

I also want to raise an issue about the restrictions that we are talking about today and the allowing of drive-in aspects of social activity. The police have refused to enforce some of the regulations. The PSNI told the Justice Committee weeks ago that they were not going to enforce, I think, section 4, which deals with the travel aspect. They told us that they were simply not going to do it anymore. How do you expect an events promoter or organiser to police the number of people in a vehicle and make sure that each person in a vehicle is from the same household?

Over the last number of weeks, I have witnessed large numbers of young people in cars. "Cruising" is the term that I think that they use; I am not young enough to know. I worry about that. It is especially young people who are out and about in that way. It is not everybody. I will not be general about the issue because many will be adhering to the regulations for fear of their own health and their own life. However, it seems that so many of our population are now at the point where these regulations do not count. That is worrying.

I know that the best intentions of the Executive were to protect life and make sure that we did not burden the NHS, so I get the rationale for the regulations. However, we need to be realistic about draconian legislation that legislates for every twist and turn of people's lives. We need to be honest and ask this: has it worked to the extent that we thought that it would? That is an easier question to answer as we have loosened the restrictions. What has now happened in many people's minds is that they have just

flipped over and are trying to go back to normal. The way that they spent last summer is consistent with their thought process now, and that is a worry for me.

It is about messaging. People are equating the lifting of restrictions with the lessening of risk. That is a massive issue. For the last 12 weeks, most people have been cocooned in their homes and washing their hands like blazes. I have never washed my hands so much. There is an argument that it is always good to be hygienic and have good personal hygiene habits. However, there is also an argument that, if you are cocooned in your own bubble and are not meeting anybody, washing hands is very good but not necessarily essential. What we need to say now is, "Now that you are being lifted out of these restrictions, interfacing with more people, touching more surfaces and going into more shops and other buildings, you need to wash your hands quadruple the amount that you did in the last 12 weeks. You need to realise that the restrictions having gone does not mean that the risk has gone". People are equating those. People are saying, "Oh, it is OK now to go shopping so it is OK now; there is no health risk". However, really, there is a greater health risk because the exposure is greater. That message needs to get out. I do not know whether it is getting out or whether it has failed, but it needs to be reinforced time and time again.

I must say that, even when I saw people out and about over the weekend, it looked as if it was June 2019 rather than June 2020. I really worry about people's health. If we have any sort of second wave, imagine going to businesses and saying, "OK, folks, we have to have another shutdown". That will end it for most. Most of the people will say, "If I close again, I am not reopening". Some people will say, "Sod youse. Youse told us that the last time and the numbers were not as first feared. Is this one big conspiracy?". I know that I am being flippant with language but it is to prove a point. I am thinking this and the public are thinking this. I am only relaying what some of the public are thinking, and their number is getting greater by the day. The Executive really have to focus and double down on the messaging around the fact that, with the lifting of restrictions, the risk is greater. That balance is not there at the minute; it is the other way about. People are thinking that the lifting of restrictions means the lessening of risk. That is a really fundamental error for any of us to make.

My colleague Pam Cameron raised the issue of attacks on ambulance workers. That is horrific. It is horrific in normal times, but it is even more horrific in the height of crisis. A number of years ago, I brought in legislation that created tougher sentences for attacks on ambulance workers. That brought ambulance workers into line with police officers and the Fire Service, and it was greatly needed.

Before the Assembly fell, I had a private Member's Bill to bring attacks on accident and emergency staff into line with the tougher sentencing. I think that the Executive and the Minister should look at that. I recall the Minister giving a commitment that he would do that. That is vital. It is a way in which we can help to protect staff. There was always a question about whether the private Member's Bill was too restrictive in being about accident and emergency staff only, but I hope that the Health Minister will look at that.

#### 4.30 pm

We have clapped our NHS staff for so many weeks now, and rightly so, but, if we can give them greater protection



with tougher sentencing for assault, that is some way that we can go to reward them and to guarantee their safety in the future. It will not stop attacks, because obviously —

**Mr Deputy Speaker (Mr Beggs):** I draw the Member back to the restrictions.

**Mr Frew:** I will, Mr Deputy Speaker. For the ambulance workers and staff who have been at the forefront of the battle and have gone into people's homes, where COVID-19 could well have been present, to be attacked in that way is harsh.

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

**Mr Frew:** I will.

**Mr Gildernew:** I have found the Member's contribution confusing. He started by seemingly criticising some elements of the regulations that have impacted on civil liberties and people's movement and then proceeded to talk about the need for caution. I find it extremely difficult. Does the Member agree that not only do the Executive need to communicate clearly but the House needs to set an example and to communicate clearly to people out there and to not create confusion by dissecting individual elements of the regulations?

**Mr Frew:** Yes. Let me be clear. I believe that the regulations had to come in to save lives, but, the very day and hour that they came in, I posed this question: how do we get out of them? That has proved to be difficult. I think that I was proved right. There has been confusion about lifting. I make the point about family visitations being in step 1 of the recovery plan. How did that ever come about? How is it the case that we have not completely finished step 1 when we are already going through and have, I think, nearly completed step 2, but we have not, and we are eating away at step 3 and, I think, are now even into step 4?

**Mr Lyttle:** I thank the Member for giving way. I will add to the previous question. My recollection is that the Executive, of which the Member's party is a leading part, made it fairly clear that passage through the steps would not be an entire step followed by another entire step. The Member should know well that that is the approach that the Executive laid out. I agree that we need to take care in the Assembly, yes, by all means, to relay concerns but not to add to them or to confuse further. We need to try to provide clarity on what is in the regulations.

**Mr Frew:** It was announced that each aspect of the step-change plan would not go at the same speed, and I get that. That is quite simple. However, each box was to go at the same time. Family visitation was one part of a box that has been left behind. I simply pose this question: was that geared up for the science? Was the family visitation right placed in step 1 because of science and medical advice? If it was, has that science and medical advice changed?

**Mr Deputy Speaker (Mr Beggs):** Order. I have been very tolerant and have allowed a great deal of latitude on this issue of concern to the community. However, we are starting to repeat the discussion on it. This debate is specifically about the removal of some of the regulations. I wish to draw Members back to the changes to the regulations.

**Mr Frew:** OK, Mr Deputy Speaker. I respect your ruling on that.

I have nearly finished, but I also want to talk about the restrictions on childcare provision. The childcare sector is in a very difficult position. I welcome the First Minister's announcement on the issue. That has come as some relief to childcare workers. It was a farce that the key workers element of childcare was not in line with the key workers aspect of who should go to work and who should not. That has been a problem the whole way through. Key workers, such as electrical and gas workers, could not get childcare support for their families. It just seemed to be a nonsense. That is something that still needs to be resolved completely. The childcare sector is struggling with very little support and needs to be opened up in a safe manner. Whilst we send more people back to work when the restrictions that we are debating today are lifted, surely we need to look at the childcare element to ensure that those people's families are supported and that their children are minded when they go back to work. We need to grasp that and resolve it.

I support and welcome the lifting of the restrictions but the messaging has to be clearer. The science must be published in order that people can see the logic of the decisions. I ask the Ministers, in their reply, to address the issue of family visitation in step 1.

**Mr Chambers:** I support the amendments, as they signal more baby steps back to normality. They will be welcomed by many of the public at large. I drove past the drive-in cinema on Saturday afternoon down at the Titanic Quarter; it was a bright, sunny afternoon and the arena was absolutely packed. I was surprised to see a film on the screen, as we usually think of a cinema as a place where the lights are out. The huge attendance demonstrated the public thirst to get back to enjoying entertainment as a family. I understand that a concert performance is planned at the same arena in early July and I am sure that people will be looking forward to that.

In his opening remarks, the junior Minister said that the Executive were not being influenced or led by what was being done in other jurisdictions, and I concur with that. That is the right thing to do; we should be dealing with the situation on a local basis, based on the local scientific and medical advice that the Executive have been getting. He also mentioned contradictions, but it is important to acknowledge that the Executive are acting solely in the interests of protecting and saving life in Northern Ireland. Against that, they also have to balance the demands of our economy because we cannot allow that to sink either. It is a bit of a balancing act and we need to acknowledge that.

When he spoke about those contradictions, Mr Frew mentioned that the police had told the Justice Committee that they would not be enforcing the travel restrictions. I noted that, in referencing the amendments in his opening remarks, the junior Minister said where anybody was stopped in their car, it would be a reasonable excuse to say that they were going to a drive-in cinema or concert. There is a huge contradiction there, insofar as, equally, someone could drive from Newry to Londonderry and when they are stopped in the course of their journey and say that they are going to a garden centre, that is considered as a reasonable excuse with no distance limit placed on it. That is the sort of contradiction that, perhaps, causes the police some embarrassment.

I am not going to criticise anyone for those contradictions. We have to acknowledge that we are having to abide by

emergency regulations. It is difficult when you are rushing things through and taking shortcuts that are absolutely inevitable when you are bringing in emergency legislation; you can lose sight of unintended consequences. That is what has led to the contradictions. We all have to stop sniping at them and acknowledge that everything is being done in the best interests of the public.

People have been sending me emails and phoning me about hairdressers and barbers, and I am sure other Members are receiving the same communications. I am a living example of someone who is looking forward to them reopening; I cannot wait for the barbers to reopen. Dentists are also appealing to us. Again, we have got to acknowledge that those are services that involve close contact and they are in enclosed spaces, which makes it difficult. People are going to have to be patient.

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

**Mr Chambers:** Yes.

**Mr McGrath:** Further to his point, does the Member not think that we should be asking the Executive to look at other experiences? In Spain, for example, barbers have been open for the past four weeks, and I am sure that the hairdressers are open as well. They can open safely in other places. We have a sector here that is dying to reopen so that they can do the work, people want them to reopen and some countries have been able to reopen such businesses. Again, it brings it back to this question: why does the scientific evidence here say that it cannot happen, but, in other parts of Europe, it can?

**Mr Chambers:** I accept the Member's right to have that opinion, but, as I said earlier, I welcome the fact that the Executive are not looking over their shoulder at what other jurisdictions are doing. They are doing what is best for us. I have to accept in good faith that they are doing the right thing. I cannot wait until the barbers are open. Maybe, I will go to Spain, but I would have to quarantine for 14 days when I get there and 14 days when I come back, so it would not work.

**A Member:** You would need another haircut.

**Mr Chambers:** I would need another haircut. *[Laughter.]* People are also crying out for the reopening of sport — football, GAA, horse racing. We all look forward to the day when we can go out to support our sports. People are also keen to see the reopening of church services, public worship and weddings in churches. A lot of people feel hurt that they cannot go ahead with a wedding in a church. Those are issues that will have to be considered on the basis of scientific and medical advice, not political pressure.

One Member talked about time scales and said that it would be nice to have dates for these things. Given the nature of the crisis, we cannot set anything in stone. We must always be flexible, and people have to be prepared for an indicative date that they may have been given to be changed. That could happen.

Some Members have asked for scientific information to be published. I understood that the Department of Health published some information, yesterday. Perhaps, the junior Minister will confirm that in his summing up, but I think some fairly detailed scientific advice was given yesterday.

It is also important not to forget that another outbreak of the virus is a strong possibility. People are still being

infected on a daily basis. God forbid, but more people may die from the virus.

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

**Mr Chambers:** Yes.

**Mr Butler:** I want to pick up on a point that was made by Mr Frew about industry, but it relates to COVID as well. Does the Member agree that the time of greatest risk is often the transition period when people's guard is down? That confers on us the responsibility to ensure that we do not act in haste and repent at leisure with such a dangerous epidemic.

**Mr Chambers:** Yes. I will finish my remarks by stealing some words from a former local politician. If he was speaking in relation to the risks associated with the virus, he would tell you:

*"They haven't gone away, you know."*

**Mr Lyttle:** I welcome the opportunity to respond to a number of matters relating to the Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (NI) 2020. It is my understanding that the Coronavirus Act 2020 Temporary Modification of Education Duties (No. 7) Notice (Northern Ireland) 2020 extends related education regulations from 4 June for another 28 days.

It is also my understanding that those regulations reduce the obligations on a number of statutory authorities, including the Education Authority, health and social care trusts, boards of governors and principals, from a duty to a best endeavour in a number of key areas.

#### 4.45 pm

The temporary modification of education duties states that the Education Authority reports inadequate resources for the special educational needs statutory assessment process and that the Education Authority educational psychology service (EPS) has suspended face-to-face assessments. Whilst the EPS allows alternatives to face-to-face consultation, those alternatives have time implications and must be balanced against the requirement to obtain a professional and, insofar as possible, complete assessment. The Department of Health also reports that social care staff are having difficulty assessing children in suitable clinical environments to enable them to provide reports for the statutory assessment process.

I think that most MLAs will recognise that the statutory assessment or statementing process is absolutely vital to delivering essential and legally entitled access to support services for children with special educational needs in our community. I ask the Executive Office Ministers today what impact this modification is having on special educational needs pupils in our community. Indeed, in Learning Disability Week, I ask, for the second time in this Assembly, that the Education Minister give a detailed statement to the Assembly regarding the support services that are in place during these restrictions for children with special educational needs.

**Mr Deputy Speaker (Mr Beggs):** Can I draw the Member back to this legislation, which is removing restrictions?

**Mr Lyttle:** Yes, Mr Deputy Speaker. I am, obviously, commenting on the regulations that this legislation extends

for another 28 days. I consider that to be of significant relevance.

The Northern Ireland Executive coronavirus recovery plan step zero says that such services are in place for children with special educational needs, and, again, I call for those support services to be outlined in detail in this House.

We have provided for the extension of free school meal payments, and Alliance is clear that this must be extended this summer and that the Executive must work to ensure that the right to food is available to all children at all times in Northern Ireland, particularly during the coronavirus pandemic. I pay tribute, as other MLAs have done, to the work of Children in Northern Ireland, to our secretariat to the all-party group on children and young people, which conducted an inquiry into holiday hunger that was mentioned earlier by other MLAs, and, of course, to Marcus Rashford, who appears to have forced the hand of the UK Prime Minister in relation to this matter.

The Education Minister has announced a date of 17 August for a return to school and a release of restrictions, however it is my opinion that the focus of the Education Minister ought to be on 17 June and the urgent need to deliver guidance to schools on social distancing, PPE and what the curriculum would look like. Therefore, I ask the Executive Office Ministers what the Chief Scientific Officer and the Chief Medical Officer's advice is on social distancing in schools and whether that advice will be published in advance of the Assembly debate on the matter next week.

There is obviously, as other MLAs have mentioned, significant pressure on childcare as a result of restrictions, not least in terms of access to funding. Indeed, it is of some concern that approximately 50% to 60% of childcare settings have applied for the coronavirus childcare support scheme, yet only approximately £600,000 of £12 million has been allocated. We also seek a detailed statement from the Minister on how restrictions relating to childcare will be eased going forward, particularly in relation to which parents and guardians are eligible to access childcare. Hopefully, sooner rather than later, that will be brought into line with those parents and guardians who are eligible to return to work. That statement should also make clear that childminders are key workers.

**Mr Deputy Speaker (Mr Beggs):** Order. I have tried to draw the Member back to the regulations. He is not mentioning the regulations. He is talking about lots of other areas, which are important, and I am giving a little bit of latitude to everyone to do that, but I wish to draw him back to the regulations.

You have had considerable time to talk about subjects that you want to talk about. I ask you again to come back to the regulations that are in front of us. My patience is wearing thin.

**Mr Lyttle:** OK. I have mentioned restrictions on a number of occasions. I will be interested to watch the debate back, to be honest with you, to see how mine differs from other contributions.

**Mr Deputy Speaker (Mr Beggs):** Order. I am trying to help the Member. I will afford him one last opportunity to contribute to the debate.

**Mr Lyttle:** Thank you, Mr Deputy Speaker. My concluding remarks on childcare are that the lifting of restrictions on informal childcare provision by grandparents is also

in need of urgent consideration, as other MLAs have mentioned. Families are increasingly confused to hear that they can take kids to childminders but not grandchildren to grandparents.

Other MLAs mentioned sports, and that is a matter that I would like to speak to as well, Mr Deputy Speaker. The Executive Office has already given permission for outdoor gatherings of up to 10 people but has not yet, as far as I am aware, permitted the step 2 resumption of non-contact, small group, team sports training. Indeed, grassroots sport across Northern Ireland, including my own sport of football, has a need for information and clarity on the particular issue of whether and in what way it can resume non-contact, small group, team sports training.

In conclusion, I thank the people of Northern Ireland for the vital role that they continue to play by complying with the coronavirus restrictions. They are protecting our NHS, which has served us invaluable. They are saving the lives of loved ones across Northern Ireland. It is vital, however, that the same care that people have applied to lockdown restrictions be applied to the measures that are in place that will allow us to ease safely the extent of the lockdown, which has saved so many lives. Thank you, Mr Deputy Speaker.

**Mr Allister:** I understand, because of the drip-feed nature of the changes, the necessity for you, Mr Deputy Speaker, to allow some latitude. Here we are debating the amendment (No. 4) regulations. In fact, we have probably already had twice that number. Naturally, because none of the amendment regulations is an island, it is right that you are allowing the latitude that you are.

On the concept of the regulations being drip-fed to us, is that coincidence or is it by design? Does that serve the purpose of an Executive anxious to establish credibility in their early days and trying to escape the cloud of the renewable heat incentive (RHI)? Does it serve a purpose to keep the public on a string, hanging on their every word about when the next amendment regulations will come, or is that mere coincidence? It is more likely to be the former.

In pursuit of that, we have had the situation played out before us. One day, we are told that retail shops can reopen, and then, to keep the public happy, the Executive say in a couple of days, "You can now have shopping centres". One day, the Executive say, "You can have a fair-weather wedding, but you rely on us, the Executive, to tell you when you can have an indoor wedding. Even though the contradiction is plain. You can have an indoor funeral in a church, but you cannot have an indoor wedding. Supplicant public, we the Executive will tell you when you can do that".

I think there is a bit of that going on here. I think there is politics in it. I heard Mr Chambers say that he accepted and was glad that we are not following anyone else's lead on these matters. Are we not? Did this Executive not announce that hotels would open on 20 July, and did Mr Leo Varadkar not then steal a march on them and pull it back, in his case, to the end of June. Low and behold, suddenly, science allowed us to open our hotels on 3 July. The public are not fools. They can see the politics at play in much of this. The public also know they are being played.

The best-case scenario has never been made available to the public. Why? As they wanted to scare the public and could not tell them that we also had a best-case scenario. We are told, through the promptings of 'The Nolan Show',

that all the parties now agree that the medical advice can be released. Where is it? It is still hidden. The R number is now a range. We do not know if it is the range over the week or the range for a particular day. We do not want the public to know too much because they might get more discontented. There is some of that going on.

**Mr Butler:** I thank the Member for giving way. Will the Member accept that, when delivering life and death messages about matters of public safety, as I have had to do with fire safety messages, there is no best-case scenario? The Executive and the Health Minister's decision was right because it maximised the amount of lives saved by taking that line of action.

**Mr Allister:** That is a perfectly legitimate view. However, the fact remains that we had an Executive which had two scenarios. They chose to tell us about the worst-case scenario. I remind the House that these regulations are all predicated in a national picture of 500,000 deaths. Happily, there has been nothing like that. In Northern Ireland, we were told there would be 15,000 deaths. Happily, nothing like that. There was a scenario which was much more akin to where we actually are, but it was concealed from the public. You cannot make a virtue out of saying, "We are going to tell you what the worst-case scenario is", while at the same time concealing something as relevant as the best-case scenario.

**Mr O'Toole:** I thank the Member for giving way. Since we are talking about scenarios that were outlined in public, will he note that the Chief Scientific Officer in England, Patrick Vallance, said that a good outcome for the UK would be 20,000 deaths? Clearly, the UK has, unfortunately, far exceeded that number of deaths. Will he acknowledge the fact that sometimes it is worth thinking very carefully about estimates that are put into the public domain?

**Mr Allister:** I have two points about that. They demonstrate the fact that they are, very often, guesstimates. Indeed, in the UK, we were told that the worst-case scenario was 500,000 deaths. Other people said 20,000 and others said more. Sadly, we are at 40,000 deaths. None of that is to be dismissed or talked down. It is serious. However, we are at a point where, happily, today, there was only one death. Happily, today, there were only two new cases, and that has, essentially, been the picture over the past week, and it is a good situation to be in. However, it also makes the point that the easements have to come. Making a virtue out of the inevitable has become something of an art form with this Executive. It is inevitable that these restrictions are eased because of the statistics which inform the reality of the situation.

There are a couple of specifics I would like to be enlightened on.

When we last debated these matters, I raised the issue of drive-in church services and went through the legislation as to what it might mean. Junior Minister Kearney, in replying to my question, said:

*"Drive-in church services are permitted only on premises belonging to the place of worship." — [Official Report (Hansard), Bound Volume 128, p290, col 2].*

I would like the other junior Minister, in replying today, to tell us whether it is still the Executive's view that:

*"Drive-in church services are permitted only on premises belonging to the place of worship."*

As Ms Bradshaw related to us, we all know that, without public harm, there are drive-in services taking place in other locations. Therefore, what is it? Is it enough if the organisers can control the venue or does the venue have to be the actual premises? Churches, and those of that interest, are entitled to an emphatic declaration from the Executive that is up to date. The last time that we had a declaration, from the other junior Minister, really put the kibosh on the thought that you could have the sort of thing that Ms Bradshaw illustrated.

#### 5.00 pm

**Mr Frew:** I thank the Member for giving way. There are several drive-in church services taking place in our constituency and they are perfectly safe. Again, what has the ownership issue to do with health and science? It needs to be clarified.

**Mr Allister:** Absolutely, and I am looking for the flexibility. With regard to that, can I make a slightly technical point? I am a bit surprised that, when it came to drive-in cinemas, we went through the right process of amending the relevant regulation, the number of which I have misplaced, to say that drive-in cinemas were an exception to the use of the premises. We did not do the same for churches. Why not? I would have thought that it is a drafting issue that should have been paralleled in the two.

On the theme of churches, can I seek some clarification from the junior Minister? Step 3 of the Coronavirus (COVID-19): recovery plan says, with regard to family and community:

*"Gatherings can accommodate up to 30 people while maintaining social distancing."*

I take it that those are inside and outside gatherings. Will the junior Minister confirm that they are indoor gatherings as well as outdoor gatherings? How does that affect churches? For example, if a small church congregation had a midweek meeting, where 30 people might be more than enough, does that mean that they can meet in those circumstances when we come to step 3, without waiting for step 4? Or is that situation trumped by regulation 4(5), which says:

*"A person who is responsible for a place of worship must ensure that, during the emergency period, the place of worship is closed, except for uses permitted",*

such as a funeral etc. Are we in a situation where, under step 3, the group that will have no benefit from step 3 gatherings of 30 or more people is, in fact, churches because churches, according to regulation 4, are required to be closed? We could have a situation, perhaps, where Larne DUP could meet as a gathering of 30 people but a church cannot.

**A Member:** There are far more members than that.

**Mr Allister:** Not the last I heard. [Laughter.] A church could not hold a small service like that. Those are the sort of irregularities in the regulations that jump out at me. Therefore, I ask the junior Minister to address the drive-in situation, to provide clarity beyond doubt, and to clarify

whether the step 3 gatherings of 30 people are (a) indoors and (b) apply to everywhere except churches.

**Mr Carroll:** Thank you, Mr Deputy Speaker. I have to raise serious concerns about the process here. These concerns, you will be glad to hear, relate directly to the amendment No. 4 regulations under discussion this afternoon. Despite having widespread and, indeed, draconian emergency powers throughout this crisis, the Executive and the Justice Minister have so far not exercised these powers against the employers who risk workers' lives or the care home owners who put people in danger. Instead, they have exercised them primarily against the BAME protesters who recently took part in a responsible and socially distanced event.

This directly relates to the amendment No. 4 regulations because it relates to outdoor gatherings. For months, we were told that there were no police enforcement powers attached to outdoor gatherings. Indeed, when the amendment that we are discussing today went through, there were, despite what junior Minister Kearney says, no powers of enforcement. It was only afterwards, and less than 24 hours prior to the Black Lives Matter protests —

**Ms Bradshaw:** Will the Member give way?

**Mr Carroll:** I will indeed, yes.

**Ms Bradshaw:** Is it not correct that, under regulation 6, police would have had the powers to act when there were more than two people? It was only the day before that it was changed to allow groups of up to six. In many ways, it would have been more restrictive had they not updated the regulations.

**Mr Carroll:** I thank the Member for her intervention, but I refer her to the comments of Amnesty International and the CAJ on this. I will come on to those in a second. They back up the fact that it was on 5 June, the day before the protests, that the enforcement powers were brought in.

Some of this may seem technical, but it is worth going into detail because it is, in fact, highly political. As you may know, Mr Deputy Speaker, the Executive, under section 25Q of the Public Health Act — emergency procedure — have the legal authority to bypass Assembly approval, if it is “by reason of urgency”. I question having such powers at any time, but my point is that both recent amendments to the health regulations, amendment Nos. 4 and 5, rely on this process. Both relate to outdoor gatherings, but the enforcement powers to allow police to fine or prosecute people did not exist. Then, suddenly, on 5 June, we witnessed the last-minute amendment No. 5, which granted enforcement powers in order to restrict the protests in Belfast and Derry. That begs the question of why the Department did not consider it necessary “by reason of urgency” to include police enforcement powers at the time of amendment No. 4, which was passed on 21 May. No such provision was included in the amendment being discussed today, but it was rushed through, just weeks later, on the eve of anti-racist protests and events.

As the Committee on the Administration of Justice and Amnesty International have pointed out, there seem to be two possible explanations. The first and, in my view, less believable is that it was just a coincidence that these enforcement powers were unlawful, because the protest did not constitute an emergency. The second and, I suggest, more likely explanation is that these powers were explicitly introduced to tackle the Black Lives Matter

protests. If true, this represents the real possibility of discrimination against our BAME community. No powers of enforcement were attached to this amendment for potential breaches relating to outdoor cinemas. Indeed, no powers of enforcement existed to tackle IKEA queues, workplace gatherings or any other manner of gatherings and social events.

In conclusion, when it comes to the vote in the Chamber on amendment No 5, I think that we should vote against it. All MLAs should reject it and raise concern about how it was a discriminatory attack on the BAME community that was gathering in a responsible, socially distanced way. Until then, I want to know, if the junior Minister can tell me, the rationale for not introducing enforcement powers for the amendment that we are discussing today. Why wait until Friday 5 June before it was introduced? I suspect that a truthful answer to that question may speak volumes about the disgraceful treatment that the BAME community has witnessed in the last few weeks.

**Mr Deputy Speaker (Mr Beggs):** I call Gordon Lyons to make a winding-up speech on the motion.

**Mr Lyons (Junior Minister, The Executive Office):** I thank Members for their contributions. As junior Minister Kearney said, this is the fourth time that we have come to the Chamber in relation to these regulations. Each time that we have returned, we have been able to bring before the House a further relaxation of the regulations. We have been able to do this because the people of Northern Ireland have adhered to the rules that were put in place. With few exceptions, the compliance has been incredible. We have asked people to stay away from their families, friends, jobs and places of worship. We asked them to refrain from doing so much of what, before the crisis, was a normal part of everyday life. Therefore, it is right that we acknowledge the part that individuals have played in saving lives. It is also important that we remind people that we are not out of the woods yet. We are still depending on people to follow the restrictions that remain in place, to observe social distancing and to maintain good hygiene. Those measures remain critical in our efforts to save lives.

However, we must not become complacent about these restrictions and they must not be allowed to become the norm. Although the statutory requirement is for a review of the measures at least every 21 days, the reality is that the Executive continue to review them on a constant basis. They will not hesitate to make changes when the scientific and expert medical advice allows for that to happen. The ‘Executive Approach to Decision-Making’ document remains our blueprint for the review process, and the incremental structure for assessing progress, contained in the document, will help decision-making in key areas. There will be more relaxation to come in the days and weeks ahead, as we ease forward on the pathway to recovery.

I now turn to some of the points that Members have made during the debate. I will focus on aspects that are relevant to the amendment regulations at the centre of debate.

To begin with, the Chair of the Executive Office Committee, Mr McGrath, rightly drew attention to the mental health impact that the virus and these regulations are having on people in Northern Ireland. We are fully aware that that is a huge issue, and that is why it is good that we are able to come here, when we can, and put those

relaxations in place. We thank him for his support and reinforcement of the need to continue to practise social distancing. We welcome also his support for the indicative timescales, but we emphasise that they are conditional. They depend on maintaining the progress that we have made in the fight against the disease, something that we all have the opportunity to influence by our behaviour. I accept what he says in relation to these debates. A number of Members have made the point that the debates take place weeks after the amendments have been made. We are now onto the eighth set of amendments, which means that we will come here at least another four times. However, many Members have talked before about the importance of Assembly Committees having the ability to view and look at the regulations beforehand. That is why it is important that they go to Committees before they come to the House.

Mr McGrath made a point in relation to the announcement of the easing of restrictions. He asked why they are announced in the press before they are debated in the House? The regulations are very clear. They state:

*“As soon as the Department of Health considers that any restrictions or requirements set out in these Regulations are no longer necessary ... the Department of Health must publish a direction terminating that restriction or requirement.”*

We hear everybody say that they do not want these regulations a minute longer than we need them, so when the Department of Health determines that they are no longer necessary, we make that decision and announce it. That is why it is not coming to the Assembly as quickly as some Members might like.

Mr McGrath, along with Mr Chambers and some others, mentioned the need to get hairdressers operating again. People ask me about that on a daily basis. When are the hairdressers opening? They do not always need to ask me, of course, because some truths are self-evident. I will say nothing more on that.

I know that people want to see those changes made. We will do that as soon as possible.

#### 5.15 pm

Mr Gildernew commented on test and trace. As he will be aware, the Department has, of course, prepared a COVID-19 test, trace and protect strategy that sets out the public health approach to minimising COVID-19 transmission in the community in Northern Ireland. The key elements are testing all people with symptoms of COVID-19; contact-tracing; providing information and advice on self-isolation; and supporting people to enable them to self-isolate. Department of Health officials are working closely with officials in the rest of the UK and the Republic of Ireland to understand their approaches, align where appropriate and share learning and tools. Of course, support from the public will be absolutely critical in order for that to be effective.

Pam Cameron welcomed the cautious and incremental approach taken by the Executive. I agree with her on the importance of restoring the economy and the delivery of health and social care, in particular, and the need to make sure that the people who need that care and support actually get it and that COVID-19 does not restrict that. I

noted her comments on visiting people in care homes and hospital-type settings. That is, obviously, a matter for the Department of Health, and I am happy to pass that on to the Minister.

I want to pick up on the Member's comment about the 35 attacks on the Ambulance Service that took place, I think, in one week. I think that all Members will agree that it is absolutely abhorrent that such a thing is taking place. Those people are the first responders — the first on the scene — to provide critical care to people. They deserve our respect and admiration; they do not deserve the attacks that have taken place. That is absolutely abhorrent.

The advice on shielding remains current. Anyone who is advised to shield by their GP or hospital specialist should continue to do so until advised otherwise. As announced on 1 June, from Monday 8 June, provided that the rate of COVID-19 infection allows, those who are shielding will be able to spend time outside with people from their own household or a person from another household whilst ensuring social distancing. The UK's four Chief Medical Officers are leading work at a national level to assess carefully what needs to be done to continue to protect people who are extremely vulnerable.

Pat Sheehan began by saying that he would stick to the regulations and then went on to discuss COVID-19 at the border; phone apps; the test, trace and isolate policy; case diagnosis in New Zealand; and the upsurge in China [*Laughter.*] I do not think that there is anything left for me to say other than to congratulate the Member on being able to test the Deputy Speaker's patience to just about the limit. The Member mentioned face coverings. It is recommended that people should think about using face coverings in particular circumstances, such as for short periods in enclosed spaces where social distancing is not possible. In practice, those circumstances will largely be while on public transport or in shops, but the use of face coverings is not currently mandatory. Crucially, people should not get a false sense of security about the level of protection provided by wearing a face covering. It is essential that everyone continues to practise social distancing as much as possible; wash their hands thoroughly; and “Catch it, bin it, kill it” when they sneeze or cough.

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

**Mr Lyons:** If the Member will stick to the regulations, I am happy to give way.

**Mr Sheehan:** I will just respond to the comments that the Minister has just made about face coverings or masks — whichever term he wants to use. The week before last, the Chief Scientific Adviser gave evidence to the Committee. In the final stages of the Committee, he said that he is slightly disconcerted when he goes into a shop and is the only person wearing a face mask. If he is wearing a face mask and he is the Chief Scientific Adviser, why is he doing that?

**Mr Lyons:** I do not think that we can get ourselves into a position where it is mandatory for people to wear face coverings. That is not a route that I want to go down. I would much prefer that people listen to the advice, particularly around some of the measures that I have mentioned. It is not particularly a matter for the regulations at this stage, but I am sure that the Health Minister, the CMO and the CSA will have heard what you have said on those issues.

The next Member to speak was Mike Nesbitt, and I think that he was trying to outdo Pat Sheehan in staying as far away from the regulations as he could. He rightly reminded us of the importance of a Programme for Government and issues such as holiday hunger, and I am pleased that that announcement has been made today. He reminded us that there were many effects of COVID-19. I have always said that this is not just a health crisis; it is a non-COVID health crisis as well, which people sometimes forget, and it is a social and economic crisis. It is also an education crisis. All those things need to be taken into consideration, and they, no doubt, will be when the Programme for Government is developed over the coming months.

The next Member to contribute was Paul Frew. I have considerable sympathy with the Member's concern about the delayed opportunity for scrutiny by the Assembly. I have already outlined how things are passed on to Committees first. However, he certainly took advantage of the opportunity today to get his views across in the debate. I take on board the issues that he raised in relation to some of the inconsistencies that can come up as we try to relax the restrictions. It was easy to bring them all in at once, but opening up is a bit more difficult. Various Members expressed their concerns about that. We welcome Members getting in contact with us, if there are things that, they think, should be changed or things that do not make sense. We will not be opposed to people highlighting those issues, especially if they are simply inconsistencies.

Mr Frew specifically wanted answers on the 'Executive Approach to Decision-Making' document. From the very start, we said that this was not going to be a process that we moved forward in together, and we said that it may be the case that "Family and Community" moves at a slower pace than "Sport, cultural and leisure activities". Sometimes, we might get to step three or four in one area before we get to step one in another area. That was agreed by the Executive, including the Minister of Health, but we have always said that we need the flexibility that is in the document. That flexibility means that we are able to get advice from the scientific experts, from the CMO and the CSA. They have made it clear that the family aspect is a lot more difficult. I can understand people's frustration about that. People might say, "Why is it that I can go into a shop and perhaps bump into a member of my family but I cannot have my family in my home?". If you are in a shop, the chances are that you will not be there with them for a prolonged period in close contact, unless you are specifically going for that reason. If we allow close contact in the home with the family, the temptation to hug or get close to your family members may be too great, and, at this time, guided entirely by what the experts have said, we have decided not to progress to that point. I hope that that changes soon, but that is the process that we have for moving through.

I take you back to the point that I made to Mr McGrath: the regulations state that we have to terminate the regulations as soon as we consider that they are no longer required to help in the fight against the disease. If we believe that the risk in doing so is low, I do not want to prevent restaurants from opening simply because there is another stage that has not been able to catch up with that.

The Member also mentioned childcare. Childcare is not specifically an issue for these regulations, although

informal family childcare is obviously a factor here. He will be aware of the wider discussion that is going on in the Executive, and the Executive very much appreciate the difficulty that it causes for a growing number of people as we relax restrictions on the rest of the economy. I hope that there will be positive announcements about that in the coming days.

I want to refer to the comments made by Alan Chambers. He referred to the relaxation on the ability to travel and described it as a contradiction or an unintended consequence: I respectfully disagree. This is not a contradiction but a natural consequence of the relaxation. As restrictions are relaxed and more and more activities are permitted, it follows that people will be able to travel further. That makes it even more important that we all adopt sensible precautions, good hygiene and social distancing.

The Member mentioned dentists, and I have had a lot of requests about that in my constituency. I know that a lot of people have gone a long time without certain levels of dental care. Progress has been made in the last week on that, but I understand that we need to make further and greater progress. I know that it is becoming more of a pressing issue, and the Member certainly put that on the record today. I will pass those comments on to the Minister of Health as well.

The Member also mentioned church services. I will come to that in greater detail when I speak to Mr Allister's comments. The churches need to be commended for the exceptional way in which they have adhered to the regulations at this time. I understand the frustration of a lot of churches. They can see that shops are open and that restaurants are going to open, so they say, "Why can we not meet?". It goes back to the point that was made about family: you might go into a shop to buy something and not get very close to other people or hug or greet people, but that may happen in a church situation if you are being reunited with folks whom you have not seen for a long time. There is more of an opportunity, perhaps, for people to mill around. I understand how important an issue that is for many. Many people, especially, perhaps, older or retired people, have their weekly life anchored in that church family and church community. I have heard examples of how that is affecting the mental health of many people, so we want to see that addressed. I am pleased that the First Minister was able to announce the setting up of the working group on churches, and that will meet for the first time tomorrow. I hope that we can get good guidelines and recommendations out of it that will allow for the opening of churches.

The Member also mentioned hairdressers. That has come up again. That shows what an important issue it is. The Member does not have to worry: he is looking OK there. I understand why many people want them to be opened up as soon as possible. Of course, there is more difficulty with close-contact services such as those provided by hairdressers, but that is under active consideration by the Executive.

Mr Lyttle referred not to these regulations but to the associated education regulations. Schools are not really mentioned in these regulations; in fact, I think that the only time that they are mentioned is in the requirement to make sure that school canteens are closed. However, I fully understand the points he made about special educational needs and social distancing in schools, and I am more

than happy to pass those comments on to the Minister of Education, who will write to the Member about those issues. The Member also mentioned childcare, which, I think, I addressed in my comments to Mr Frew.

I want to move on to Mr Allister's comments. He mentioned releasing the scientific and medical advice. That is something that I support. I have no issue with that at all. Obviously, it is an issue for the Department of Health — it is their advice — but we have no problem releasing it and making it available. The Member talked about how we were perhaps being led by other jurisdictions. We are clear on this: we have made these decisions for no reason other than that the Chief Medical Officer and the Chief Scientific Adviser have said, "This is acceptable. This will be OK for us to do".

The Member later talked about the need for us to ease restrictions and to open things up. I hope that he will welcome the fact that this is allowed. He previously mentioned caravans to me, and I hope that he is content with the changes that will be made there.

### 5.30 pm

The Member specifically raised a number of issues with regard to churches, and I want to address those now. First of all, when the regulations were originally made, they mandated that places of worship be closed. We subsequently amended those regulations to allow that a drive-in service could take place on a place of worship's premises. So that has been changed, and people are allowed to have their drive-in services on the premises. And then we get the question that Mr Allister and many others have raised, which is in relation to a drive-in service taking place somewhere other than the place of worship's own property. If a service of that type is taking place outside of a place of worship's property, then it does not actually fall under the restrictions. It does not come under the regulations in the terms that we were speaking of.

The only way that it might fall under the regulations is under regulation 5, the reason for travelling. You need to have a reasonable excuse, but if it is a reasonable excuse to travel to a place of worship to attend a drive-in service on its premises, then surely it follows that it is a reasonable excuse to attend a service outside of that property. It may be the case that that needs to be completely clarified in the regulations, which we would be happy to do, but there is a distinction between those activities that were originally mandated to shut and those that were never mandated to shut at all and which any organisation is therefore free to do.

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

**Mr Lyons:** Yes.

**Mr Allister:** The Minister says that it could technically be a breach of regulation 5 about travel, but is there not also a problem with regulation 6 and the number of people gathering outside? If he is going to amend the regulations to put in an exception for drive-in churches, does he not need to amend both regulations 5 and 6?

**Mr Lyons:** I do not think that it would be a problem for us to bring forward amendments to the regulations. However, I do not think that a drive-in service necessarily constitutes an outdoor gathering. I am happy to get that clarified for the Member, but obviously it is a very different set-up if people are coming in their cars. I do not think that anybody would count a traffic jam as an outdoor gathering. But I

think it is important that we look at these regulations and see how they can be amended, if necessary, to provide people with the comfort that they are looking for.

The other issue that the Member raised was in relation to gatherings of up to 30 people under step 3, and I refer him to the Executive's decision-making document. It does say that in step 3, gatherings can accommodate up to 30 people while maintaining social distancing, but look at the definition of the steps in the bottom box. It says that that includes:

*"Indoor activities involving larger number of individuals where social distancing can be maintained for individuals who do not share a household connection."*

So it follows, surely, that a church service — a midweek prayer meeting, perhaps, or a smaller service — could happen. Now, the numbers for the indoor congregations are not specifically mentioned, but I think that they fall into that category.

The Member then raised the question of whether that is permitted under the regulations. However, if we are going to get to step 3 and say that this is going to be appropriate to take place, that will require an amendment to the regulations, and we are now able to make sure that that happens and is part of it. I thank the Member for his questions.

Our final contributor was Mr Carroll. He mentioned the changes that took place within the regulations and seemed to suggest that there was a conspiracy going on and that we had intentionally brought in changes to regulations to allow enforcement at a Black Lives Matter protest. Let me make clear the sequencing and the timeline of what took place. Regulation 6, which relates solely to a gathering in a public place of more than two people, has never been repealed. Accordingly, there has been no interruption to the enforcement powers relating to public gatherings for which regulation 6 provides. Regulation 6(a) was intended to be a concession in respect of families and friends who do not live in the same household. It is also with noting that whilst regulation 6(a) applies to outdoor gatherings, it also covers gatherings in a private outdoor place, such as a private garden.

A drafting error in the Health Protection (Coronavirus, Restrictions) (Amendment No. 3) Regulations (Northern Ireland) 2020, which came into operation at 11.00 pm on 19 May, meant that it was not an offence to breach the restriction in regulation 6(a) relating to outdoor gatherings of up to 6 people. The omission was noticed and corrected on the same day, by way of a technical amendment included in the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020, which came into operation at 11.00 pm on 5 June.

I understand that the amendments had the effect of putting the PSNI in the position that they thought they had already been in with regard to regulation 6(a) from the evening of 19 May, since they were unaware of the drafting error until it was drawn to their attention on the afternoon of 5 June.

I am also advised that no fixed penalty notices were issued for breach of regulation 6(a) by the PSNI during the period in question. The Department of Health was simply using the opportunity of the Amendment (No. 5) Regulations to make a technical correction to a previous drafting error. The timing of the Black Lives Matter protest was purely



coincidental, but the enforcement of the regulations is a matter for the PSNI.

All that I can say to the honourable Member is that the regulations have been clear. The enforcement issue is separate, but the effect of the regulations on the movement of people had not changed and they were still in place. I hope that clarifies the issue for the Member.

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

**Mr Lyons:** Yes.

**Mr Chambers:** Would the Minister agree that in the middle of this pandemic that it is really ill-advised for any group of people to hold a public protest such as those we have seen in recent days, no matter how justified the cause and how supportive I personally would be of those protests?

**Mr Lyons:** It is not only ill-advised to take part in such public protests, it is against the regulations.

**Mr Carroll:** I thank the Minister for giving way. Is the Minister not concerned that one group of people gathering in a socially-distant way is being threatened with prosecution and fined, and another group of people who seemingly are not socially distancing, namely outside Belfast City Hall, are not treated in the same way? Does that not concern the Minister?

**Mr Lyons:** That is obviously an issue for the PSNI, but let me say this: I believe that we are all equal under the law and equally subject to the law. I believe there needs to be consistency in how issues are approached. Obviously, there might be different approaches that the police take at different times, depending on the nature of the event. That is an issue for the police and an issue for you to raise with the Policing Board, the Chief Constable or the Police Ombudsman, if the Member does not believe that those issues have been dealt with in the appropriate way. It is my job here today to say what the regulations state.

To finish my answer to Mr Chambers's question, public protests or demonstrations of more than 10 people are not permitted at this time, regardless of how good the cause might be and regardless of how much we may support it, because here is the thing. I know people who have had to give up going to the funeral of a loved one. I know someone who has not been able to have the wedding that they had planned. We have all heard the stories about people who are missing their friends and their family and cannot meet up in that way.

I have huge support for some of the protests and demonstrations that some people might like to take place and to see happen, however we need to realise that these regulations are in place for a reason. We are not here just for the banter. We are here because we are trying to save lives. We are here because we are trying to do the right thing and I think it is really important that people adhere to that.

**Mr O'Dowd:** I appreciate the Minister giving way. I seek some clarity on a point he raised. He said that the regulations had not been used during that period. Does that include the Black Lives Matter protest? Was a different regulation used to issue fines at that protest or was it the regulation we are currently discussing that was used at that protest? I am just seeking clarity on that matter.

**Mr Lyons:** Yes. It is my understanding that they are the same regulations. The changes came into effect at 11.00

pm on 5 June, and that took place before the two protests that Members are alluding to. There was no difference. I do not want to stray away from that, but I hope that that answers most of the questions that Members have asked today, and, if there is anything else that I have missed, the Department will respond in writing.

Before I finish, I want to take this opportunity to thank once more those who have done so much for us during these unprecedented and strange times. Of course, I start with our wonderful health and social care staff. Although our clapping on Thursday evenings may have stopped, our gratitude continues. Their efforts and sacrifices have not gone unnoticed, and we thank them for the professional and caring way in which they have done their job.

I want to thank others who have kept us going during this crisis: the council workers and civil servants who kept providing essential public services; the farmers and all those in the agri-food sector who ensured that we have enough to eat; those who operate public transport and taxis so that key workers could get around; all those in retail and delivery who have kept us supplied; all those in energy and utilities who have kept that power on and the water flowing; and the thousands of others who have worked so hard. We thank them all.

I hope that we will be able to keep coming back here with further relaxations. In the meantime, I commend the regulations to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020 be approved.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

## Medicines and Medical Devices Bill: Legislative Consent Motion

**Mr Deputy Speaker (Mr Beggs):** I Call the Minister of Health to move the motion.

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

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions within the Medicines and Medical Devices Bill, as introduced to Parliament on 13 February 2020, dealing with human medicines and veterinary medicines.*

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

**Mr Swann:** Mr Deputy Speaker, I am aware that the Assembly's Standing Order 42(a) provides that a legislative consent motion (LCM) is not normally moved until at least five working days after publication of the Committee report or 20 working days after the date of referral to the Committee. I realise that, in this instance, the provisions of the Standing Order have not been met. However, it is necessary to move the motion today to ensure that the debate takes place before the Medicines and Medical Devices Bill reaches its reporting stage in the House of Commons, which, we were advised, is likely to be on 18 June.

By way of explanation, I trust that Members will appreciate that, in recent times, none of us has been operating in what we would call normal circumstances. As has been the case with the work of the Assembly, the reality is that many aspects of the work of the Northern Ireland Civil Service Departments, particularly my own, have had to be put on hold to prioritise responses to the COVID-19 outbreak. Indeed, work on tackling the outbreak has been the complete focus of all our efforts and energy to date.

### 5.45 pm

The Medicines and Medical Devices Bill has two main purposes. The first is to provide a mechanism for strengthening and maintaining the regulatory system for medicines, both human and veterinarian, clinical trials and medical devices after the UK leaves the European Union. The second is to consolidate the enforcement framework relating to medical devices and to introduce a new civil sanction regime.

From a Northern Ireland perspective, the provisions within the Medicines and Medical Devices Bill that deal with human and veterinary medicines are transferred matters. As such, they fall within the legislative competence of the Northern Ireland Assembly. A legislative consent motion is, therefore, required to allow Westminster to legislate for these provisions.

Matters relating to human medicines are the responsibility of my Department, while those dealing with veterinary medicines are within the remit of my Executive colleague Mr Edwin Poots at the Department of Agriculture, Environment and Rural Affairs.

Those provisions in the Bill that deal with medical devices are reserved matters. As such, they lie outside the legislative competence of the Northern Ireland Assembly. The regulation of medicines, clinical trials and veterinary medicines has been a matter of European Union competence since the UK joined the European Union.

The existing legislative frameworks are provided in the following regulations: the Human Medicines Regulations 2012; the Veterinary Medicines Regulations 2013; the Medical Devices Regulations 2002; and the Medicines for Human Use (Clinical Trials) Regulations 2004.

The EU directive relating to medicinal products for human use has been transposed into UK law by the Human Medicines Regulations 2012 with set standards to protect public health and ensure that medicines are safe and effective. The regulations cover the licensing, manufacture, advertising, labelling, distribution, sale and supply of medical products in the UK. They also set rules governing which products can be prescribed, stored and administered by specified professionals in specified settings.

In an equivalent way, the EU clinical trials directive, which regulates clinical trials involving human medicines, is transposed into UK law by the Medicines for Human Use (Clinical Trials) Regulations, 2004. Similarly, the EU directive relating to veterinary medical products has been transposed into UK law by the Veterinary Medicines Regulations 2013, which set out the UK controls on veterinary medicines, including their manufacture, advertising, marketing, supply and administration. Those regulations also set rules governing which products can be prescribed, stored and administered by specified professionals in specified settings.

The UK Government currently have powers to amend those various regulations by means of subordinate legislation, which is made under powers in section 2(2) of the European Communities Act 1972. However, the problem is that by operation of the European Union (Withdrawal) Act 2018, at the end of transition period section 2(2) of the European Communities Act 1972 will be revoked and the powers will no longer be able to be used to allow us to make amendments by subordinate legislation.

It is necessary, therefore, to maintain the ability to amend those regulatory frameworks once the UK has ceased to have recourse to use the section 2(2) power in the European Communities Act at the end of the transition period. It is, therefore, vital that we have a legislative mechanism in place that will provide us with a delegated power to make any changes to the regulation by means of subordinate legislation.

The Medicines and Medical Devices Bill seeks to provide the necessary delegated powers that can be exercised to make changes to the current regulatory framework for medicines, human and veterinary, medical devices and clinical trials by means of subordinate legislation.

In relation to the regulation-making powers in the Bill, I would like to make it clear that clause 41 (4) provides that regulations made by a Northern Ireland Department acting alone are subject to the draft affirmative resolution procedure. That means that they have to be laid before, and approved by, the Northern Ireland Assembly. The exceptions to that are found in clause 41 (7) and (9), which set out when the negative resolution procedure applies. Members will notice that those are limited.

It is important to make the point that the requirement for the draft affirmative procedure will ensure that the Assembly has the proper opportunity to scrutinise and debate any regulations before they are approved. I also wish to highlight that clause 40 requires that before any regulations are made, there has to be consultation with

persons who are deemed appropriate. The only exception to the requirement to consult relates to the circumstances where a regulation is required urgently in order to alleviate a threat of serious harm to the health of the general public, or a section of the public.

I am, of course, aware that we need to be mindful of business in Northern Ireland in the context of the EU exit, and the Ireland-Northern Ireland protocol. This is an important issue for our future access to medicines and medical devices, as well as the potential impact on business. In that context, my officials have had ongoing discussions with colleagues in the UK Government about the implications of the protocol. Members will appreciate that those discussions were put on hold because of the need to prioritise our response to COVID-19. However, I fully expect that those discussions will soon begin to gather momentum.

I trust that Members will understand the importance for Northern Ireland to be included in the provisions of the Medicines and Medical Devices Bill. It is vital for us to have the necessary delegated powers to replace section 2(2) of the European Communities Act 1972 and I ask Members to support the motion.

**Mr Gildernew (The Chairperson of the Committee for Health):** Ba mhaith liom caint anois ar thuirisc an Choiste Slainte agus tuairimí an Choiste a roinnt libh. I will speak to the Committee's report and summarise the Committee for Health's considerations of this matter.

Ar dtús báire, ba mhaith liom mo bhfuóchas a ghabháil leis an Choiste Talmhaíochta, Timpeallachta agus Forbartha Tuaithe as a mhachnamh gasta agus as an mhéid a chuir siad leis an tuairisc. I thank the Committee for Agriculture, Environment and Rural Affairs for its prompt consideration of and contribution to the report. I will leave it to my colleague, the Chair of that Committee, to address the issues around veterinary medicines.

The Minister of Health wrote to the Committee for Health on 1 April and advised of the need for the legislative consent motion. The memorandum was laid on 27 May and departmental officials briefed the Committee on 4 June 2020. On 2 June the Committee invited the Committee for Agriculture, Environment and Rural Affairs to submit its views about part 2 of the Bill on veterinary medicines.

Department of Health officials briefed the Committee for Health on the background to the Bill and on the nature of the powers that are to be provided to the Department under Part 1 on human medicines.

As the Minister outlined, and as his officials have advised the Committee, the relevant provisions were essentially of an enabling nature to provide replacement powers to make delegated legislation once section 2 (2) of the European Communities Act 1972 is repealed at the end of December. Members were assured that, on that basis, the regulations that were to be made under the provisions requiring consent will come back to the Committee for consideration in the usual way, and will be subject to the draft affirmative procedure, as outlined by the Minister.

The Committee's attention was drawn to clause 40, which requires consultation prior to the exercise of powers with regard to human and veterinary medicines, except in emergencies, as referenced under clause 6.

The Committee discussed with the officials the scope of the delegated powers, the impact of the EU exit and the protocol on Ireland — North and South — on the matters covered by the Bill; for example, our participation in the North in EU-wide clinical trials. We also discussed North/South and east-west cooperation and regulatory alignment, and the divisions of powers to be exercised in Britain and in the North. Officials confirmed that the delegated powers were needed because human medicine regulations were updated regularly — usually twice yearly — and that such updates directly affect prescribing practices.

Members inquired about the impact of Brexit in relation to this legislation. Officials confirmed that the area of human medicines is included in the protocol as an area of EU legislation, in respect of which the North will continue to apply certain EU standards. When asked about the potential divergence on a North/South basis, officials stated that there was a greater risk of divergence between the North and Britain. They also advised that work was ongoing between the Department of Health, the British Department of Health and Social Care and the Medicines and Healthcare Products Regulatory Agency (MHRA) to reduce that risk.

By way of example, the North will be required to comply with EU standards on falsified medications, whereas Britain would be free to diverge. In relation to clinical trials, officials stated that the MHRA would continue to manage that area and that there is an aspiration to maintain a close link with the EU, although discussions are still at an early stage.

Officials confirmed that issues around the supply of and access to medicines were being addressed as part of preparatory work ahead of implementing the protocol. The Committee enquired whether a detailed list could be provided setting out the limits of devolved authority to legislate in respect of the protocol and British Government powers. Officials advised that that is a complicated field and that a comprehensive list could not yet be provided but that officials are working through the issues. Officials confirmed, however, that all areas of the Bill address matters that have been within the EU's remit to date.

The chief pharmaceutical officer has confirmed that the implementation of the protocol would have implications for human medicines, but while that work is ongoing, it is separate from the Bill, insofar as the Bill provides replacement delegated powers to continue amending human medicines regulations in line with current practice.

Tá na hoifigigh le pilleadh ar an Choiste amach anseo le huasdáta faoin phrótaéal a thabhairt. Officials have undertaken to return to the Committee in due course to provide an update on the implementation of the protocol.

Before closing as Committee Chair, I would like to address the issue of timing. The Health Committee fully acknowledges that the Department of Health has been under tremendous pressure to deal with COVID-19. However, limited early engagement and the late laying of the LCM have necessarily had an impact on the Committee's opportunity for scrutiny.

The Committee's deadline to report under Standing Order 42A was 17 June, and today's debate should have been scheduled to take place at least five working days after that. The Committee was advised by the Department, however, that the House of Commons could schedule report stage as early as 18 June, and that, therefore,

debate on the LCM in the Assembly would be scheduled for today.

The Committee has sought to be as cooperative as possible, but it did not have the opportunity to consider taking evidence from stakeholders due to time constraints and the focus on COVID-19.

In view of the lack of detailed prior engagement on the content of the LCM, the short time frame available for scrutiny of the LCM once laid and the importance of the issues connected to the Bill, the Committee decided that it was not in a position to come to a decision on support for the motion. Nevertheless, I trust that the issues raised and the report produced will aid Members in their consideration today.

I would now like to make a few remarks in my capacity as Sinn Féin's spokesperson for health. The widespread uncertainty caused by Brexit is being felt across all aspects of our lives, creating worry about our livelihoods, our health, our education and our futures. The Brexit catastrophe has been foisted upon this society by the worst instincts of extreme British nationalism and inward-looking exclusionary doctrine that threatens our very way of life here in the North. Ní sinne atá ann. Níor chaith pobal an Tuaiscirt vóta ar son Brimeachta. That is not who we are. The people of the North did not vote for Brexit.

Chaith 56% den phobal inár dtoghcheantair vóta le fanacht mar chuid den Aontas Eorpach, agus is sinne a chaithfidh troid ar a son. Some 56% of people across our constituencies voted to remain in the European Union. It is that majority that we are all tasked to represent. As we stumble through the so-called transition period, it becomes clearer that a potential catastrophic crash out from the European Union could lie ahead. What that will mean for our economy is anyone's guess, but we can be certain that there will be few positives for any of us, as the most optimistic forecast is that the already faltering economy of the North could shrink, or will shrink, by a further 3% to 8%.

We know that Brexit, and particularly a crash-out Brexit, and a failure rate means that the protocol will cause widespread disruption to our economy, as our manufacturing base, agriculture, agri-food sectors and all other sectors of our economy could potentially lose access to a market of tens of millions of customers. That will inevitably have an impact on our health service, and that is also a huge concern.

There is no certainty on anything at this point because there is no certainty that the Tory Government in England will even agree to the very agreement that they made with the European Union. That is the ludicrous situation that we find ourselves trapped in despite the fact that we voted no. In other words, we do not know at this stage if the protocol will even be implemented.

We are now caught in a perfect storm as we find ourselves heading into the worst recession in generations. After 10 years of Tory austerity, which has ravaged our public services, we are also faced with the catastrophic disruption of Brexit. Tá seo go dona dár ngeilleagar, dár gcóras sláinte, agus dár bpobal. That is bad for our economy, our health service and our people.

**6.00 pm**

**Mr McAleer (The Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** At its

meeting of 5 March, the Committee considered a letter from the Minister of Agriculture, Environment and Rural Affairs regarding the Medicines and Medical Devices Bill. That letter noted that it is a Westminster Bill, which is predominantly focused on human medicines and medical devices, with one section that deals with veterinary medicines.

The LCM was tabled by the Health Minister and referred to the Committee for Health for consideration. That Committee asked the Agriculture, Environment and Rural Affairs Committee to consider and comment on Part 2 of the Bill as it concerns veterinary medicines. The AERA Committee took oral and written evidence on the four clauses that make up Part 2, which deals with veterinary medicines, on 11 June. The Bill is complex and technical and we have had limited time to scrutinise it. On behalf of the Committee, I want to be clear that, due to time constraints, we have not had the opportunity to fully explore the implications of the clauses, nor have we had time to consult relevant stakeholders.

During our evidence sessions, one of the first things that we asked officials about was the carry-over of the existing regime. We received assurances that, after the enactment of the Bill, the existing regime developed as part of our membership of the EU would remain largely the same.

The provisions of the Bill that deal with veterinary medicines are in Part 2 of the Bill. Veterinary medicines are transferred and, as such, would fall within the legislative competence of the Assembly. The AERA Committee, therefore, considered clause 8, which deals with the power to make regulations about veterinary medicines; clause 9, which deals with manufacture, marketing, supply and field trials; clause 10, which deals with fees, offences, powers of inspectors and costs, and clause 11, which provides an interpretation of Part 2 of the Bill and supplementary provision. We also considered some sections of Part 4 of the Bill, specifically the issues around the making of regulations and the consultation required.

The EU Veterinary Medicines Regulations 2013 were made on a UK-wide basis and will be transposed into domestic law when we leave the EU. DAERA explained that the Bill is essentially an enabling Bill that does nothing in itself but enables amendments to be made by secondary legislation and that it is considered appropriate to retain that flexibility going forward. After the transition period, the Bill will allow DAERA to amend the Veterinary Medicines Regulations 2013, either by DAERA acting alone or jointly with Westminster. The Committee considered the regulation-making powers and is content that any changes to the current regime must be subject to the scrutiny of the Assembly, irrespective of whether they are made by DAERA acting alone or jointly with Westminster. The Committee is also content that most changes will be subject to the affirmative resolution procedure.

The Committee draws attention to clause 9(2). Under the protocol, this Administration must remain aligned with EU regulations on veterinary medicines. However, the explanatory notes on the Bill state that clause 9(2):

*“provides the means for making corresponding or similar provision to the new EU Regulations as the UK sees fit.”*

We explored that with DAERA officials, who noted that it refers mainly to new EU regulations that will come forward in 2022. As this jurisdiction must adhere to the protocol and remain aligned with the EU, the provision in clause 9(2) was unnecessary and is, in essence, a dormant power. DAERA officials explained that they had indicated to Westminster that they would prefer that it was not included and had asked for it to be removed. DAERA accepts that it is unlikely to happen and indicated to the Committee that it could live with it. Further consideration of the issue by the Committee yielded that the only circumstances in which the provision in clause 9(2) might be used were if the Assembly voted to remove the protocol in four years. However, DAERA officials noted that, even in this scenario, it was difficult to see how that power would be exercised, because, at that point, the 2022 EU regulations would have been incorporated into the veterinary medicine regime.

The Committee is also aware that a common framework is being developed to maintain a consistent and common approach between all four jurisdictions in the area of animal health and welfare issues. It is expected that that will include the regulation of veterinary medicines post-transition, that is after 31 December 2020. The Committee noted that it had not yet considered the common framework and that that left a gap in knowledge that it was unable to address due to a lack of time.

Reference was also made to clause 8(2)(c), especially on the need for clarity on the word “attractiveness”. DAERA officials agreed to provide further clarity on that as a matter of urgency. That clarity was received but it was too late to be included in our written report to the Health Committee. However, in an email to the AERA Committee, DAERA stated that it consulted with the relevant Department and the response was:

*“It notes that the rationale for the relevant provisions is to ensure that before the regulations are made, consideration is given to matters such as barriers to the market and the need to ensure that the UK remains somewhere that manufacturers want to develop and test human, veterinary medicines and medical devices following the end of the transition period.*

*The UK Department has indicated that the provisions intend to ensure that the whole of the UK can regulate effectively and to reflect the eventual outcome of the UK’s Future Relationship with the EU.”*

At the meeting on 11 June, although Committee members were extremely unhappy that they did not have time to fully explore, consult on and scrutinise the LCM, they were content with the LCM as related to the veterinary medicine provisions in the Bill.

My colleague Colm Gildernew touched on many of these issues, but I want to make the point that this has come about as a result of Brexit. We will see a repeal of the 1972 European Communities Act at the end of the transitional period. That will mean that the Veterinary Medicines Regulations 2013 no longer have to be aligned with the EU. In order for us to avoid a legislative gap here and so that we continue to be aligned with the EU as per the protocol, it is necessary for us to bring in this LCM. As I said, we are not happy with the lack of scrutiny or, indeed, the fact that this is another very unfortunate by-product of

a Brexit process that the majority of people here did not accede to or vote for in the first place.

**Mrs Cameron:** I support the legislative consent motion. As we continue the processes associated with leaving the European Union, I suspect that we can expect more of these LCMs. They are an important aspect of the legislative process of taking back control. There is little matter of major controversy in the detail of this LCM and, as such, my party and I will support the motion. I intend to highlight only a couple of issues so as to not unnecessarily delay the proceedings of the House this evening.

First, we see the benefits of being able to regulate as an independent nation in an ever-evolving medical world. We see here that, free from EU red tape and bureaucracy, we can now act swifter and more decisively in response to new situations. That can only be a good thing for those who need treatment and those who innovate, research and deliver new products.

I want to address the issues of research relating to medicines and devices. Members will know that, in my South Antrim constituency, we have the world-leading Randox laboratories. This company strives for better and strives to use the world-leading research and development that it has at its disposal at considerable cost to lead in the field of medicines and pharmaceuticals. As we look to recover from COVID-19 and how it has impacted on our economy, we need to support firms like Randox and the many other local companies in this field. We also need to look to support our local universities and private sector to lead in the field of medicines and devices. Opportunities exist; we need to take them and ensure that medicines and medical devices are accessed sooner and safer than ever before.

Finally, patient safety must be at the core of this debate. Patient safety must never be sacrificed; rather, it is my hope that safety will be enhanced and further enshrined by the legislation before us. The Bill has the potential to go further on patient safety than we could under the European Union’s framework.

We, as a party, will support the proposal to endorse the principle of the extension to Northern Ireland of the provisions in the Medicines and Medical Devices Bill, as introduced at Parliament on 13 February 2020, that deal with human medicines and veterinary medicines. We believe that it is in the interest of good government and consistency across the UK.

**Mr McGrath:** I appreciate that there is a necessity for this legislative consent motion. I understand from the presentation that was given to us at the Health Committee that officials are aware of the need to have this legislative instrument to be able to make crucial and critical decisions down the line. However, I am somewhat concerned that the impact of the motion will be to leave more questions than answers. When we questioned officials at the Committee, they were unable to tell us what the specific ramifications of the motion could be, and that has led me to the conclusion that I am unable to actively consent to the motion. However, in addressing the need that the officials mentioned to us and outlined, I will not actively block it from proceeding either.

The LCM is needed, ultimately, because of Brexit. Exiting the European Union has a raft of implications that impact on us well beyond the mantra of taking back control.

Again, we learn that the impact is more in reality than the simplicity of simply three words.

Many medical devices and, indeed, drugs and other pharmaceutical products are regulated by Europe using the combined knowledge, experience and understanding of 28 countries' medical and pharmaceutical experts. Alas, that will be for us no longer, and the UK will have to try to replicate that work, experience and skill. With the potential of a no-deal Brexit, the ramifications could be that future joined-up working might be in jeopardy. However, again, the key term is "might". It might be; there might be difficulties. Yet again, another industry is subjected to the highs and lows of uncertainty emanating from this badly managed and roughshod Brexit process.

The lack of consultation, which another Member referred to, with the Committee and the fact that its members were not able to engage with the sector to find out what the ramifications of the process would be is not good practice. When we are not able to find out what the impact would be, that is not a good way of making laws or agreeing to other laws.

As a result of all of that lack of clarity, I do not wish to support the LCM, but, due to the issue's importance and urgency and the dire impact that it will have on people and industry, once again, I urge the British Government to —.

**Mr Nesbitt:** I thank the Member for giving way. I hear a lot of Members from the far side of the House talk about the lack of best practice, and I get that. However, we have just demonstrated the lack of best practice by approving, retrospectively, lockdown measures being eased. The Executive Office brought, retrospectively, legislation to be approved by the Member's Committee. At the moment, nobody on any of the Statutory Committees is able to fulfil his or her obligation, under section 29(1)(a)(i) and (ii), to advise and assist Ministers of the Executive. We are just not able to do that. I do not think that we should be picking on this Minister on this occasion, because it is now the rule that we seem to be applying.

**Mr McGrath:** I thank the Member for his intervention and wholeheartedly agree. I refer to the previous debate in which I said that every time that I have taken to my feet to speak, I have said that I am unhappy with the process. Should we be giving the critical assessment to this Minister in this place now? Yes. We should be doing it every time that we see laws being put through the Chamber in an imperfect way. I think that to simply sit back and accept that without challenging it means that we are not fulfilling the proper job that we are sent to the Chamber to do.

I think that the best way to sort out all the issues where there is a lack of clarity is for the British Government to swallow their pride and ask for an extension to the transition period, so that proper scrutiny and proper consideration can be given to the impact of rules that are being stuffed through in London, Edinburgh, Cardiff and here. I just do not think that it is perfect at all.

**Ms Bradshaw:** I rise on behalf of the Alliance Party to support the motion, as it is enabling legislation that we will have to pass in some form anyway. As the party's spokesperson on health, my remarks will focus on Part 1, which comprises clauses 1 to 7 and concerns medicines; that is to say, the aspect of the UK Bill that is devolved to Northern Ireland and falls specifically under Health.

This is an enabling Bill that affects matters of significant importance. Naturally, as we know only too well, the supply of human medicines is one of the most important issues that we have to deal with in our roles, and it includes fees, offences and falsification.

The Bill offers clarity about how that will continue to happen and what our role will be. Notably, that is devolved only to Northern Ireland currently, and, for reasons that I will come to, that may prove relevant and useful.

### 6.15 pm

On top of that, Northern Ireland is a world leader in the manufacture and marketing of medicines and in research involving clinical trials, both of which were placed hugely at risk by Brexit. We have already seen pharmaceutical operations shifting over the border to ensure that they are still in the EU. Again, there is an opportunity here to emphasise that there is, at least, the potential that that does not need to happen. In my view, Northern Ireland can potentially, at least, remain a fully regulated supplier to the EU market. We need to be clear that, as the Bill is an enabling Bill, the issue of medicine supplies will remain in our hands. Emergency supplies of medicines is, rightly, handled in a distinct way; ultimately, however, what we are enabling is maintenance of the status quo — world-class regulation combined with local control.

That is not to say that my colleagues and I have no issues with the motion. We are concerned that, as has been mentioned already this evening, current circumstances did not enable proper scrutiny of the legislation and its impact, which, although it is enabling is, nevertheless, specialist. It is frustrating that we have not had enough time to properly engage with the Pharmaceutical Society of Northern Ireland or, indeed, with the pharma sector in general. Nevertheless, relevant future regulations should be subject to appropriate scrutiny and consultation of that nature.

That brings us to exactly what the impact of the UK's withdrawal from the EU legal framework, which is scheduled for the end of the year, will be on the provision and supply of medicines. Notably, paragraph 20 of the Ireland /Northern Ireland protocol of the withdrawal agreement, which applies regardless of any trade deal or extension, makes it clear that the European Community code relating to medicinal products for human use and similar measures, including those on good clinical practice in clinical trials, continues to apply in Northern Ireland. So does the regulation concerning the compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems. Therefore, to a large extent, EU standards will continue to apply to the sector here.

The Bill will present challenges with regard to clinical trials, because we will remain subject to the management of the UK-wide Medicines and Healthcare products Regulatory Agency. I hope that that essentially means that work across the UK, at least with regard to clinical trials, will remain aligned, which is clearly in everyone's interest. That is why we may be glad that the issue is devolved, because there is a challenge, ultimately, of potential east-west divergence in medicines regulation, including falsification. Conversely, it provides a significant potential opportunity for pharmaceutical companies and clinical trials based in Northern Ireland, because, as they will continue to apply most EU standards, products will continue to be exported

freely. The benefits of EU single market membership in those sectors will, largely, still apply.

That does not mean that it is anything other than frustrating that we have to take time to deal with the issue at all. This is the unnecessary bureaucracy of Brexit, and there is still no clear benefit from doing any of it. Hard-pressed departmental officials, for example, have had to take up extra time just when they are under extreme pressure with COVID-19 to manage the motion and the consequences of the issues around it. Their time would be far better spent focused on rebuilding and reconfiguring health services without any further complications, potential or otherwise. Therefore, we can see the challenges ahead, arising not from the Bill itself but from the circumstances that make it necessary.

Nevertheless, we must also try to find the opportunities inherent in being able to chart our own path while adhering to the standards of the largest multinational single market in the world. Fundamentally, however, the motion is about approving an enabling Bill that will, as far as possible, leave things as they are on these vital matters, while allowing for the important scrutiny of future decisions on those vital matters to be in the hands of those who are elected to this House. Therefore, the motion has my support.

**Mr Chambers:** I had not intended to speak on the issue, but my party supports the motion. The Chair of the Health Committee rightly reported that, at its meeting, the Committee was unable to come to a conclusion to support the motion. It is only fair to point out that the Committee was split down the middle — 4:4 — on the issue. We cannot, therefore, convey the sense that there was some sort of unanimity in the Health Committee: there was not. The Committee was divided on it.

I want to refer to Brexit. We keep hearing the mantra that Northern Ireland voted against Brexit. I voted to remain; I voted in a UK-wide referendum. It was not a regional headcount, and nobody ever suggested that it was. It was a UK-wide vote, and the nation spoke. As a democrat, I accepted the decision, and I cannot understand why others who call themselves democrats are still in some form of denial.

**Mr Easton:** I support the legislative consent motion. The Bill derives from the UK's decision in 2016 to withdraw from the EU. Matters covered by the Bill have been within EU competence for the duration of the UK's membership of the EU, so, basically, we are agreeing to what is already in place.

The Medicines and Medical Devices Bill, which comprises 45 clauses and two schedules, was introduced in the House of Commons on 13 February 2020. Human medicines and veterinary medicines are a transferred matter. The main regulations transposing the EU legislative framework for human medicines were enacted on a UK-wide basis. Once the European Communities Act 1972 is repealed at the end of December 2020, a new power in primary legislation will be required to continue updating or amending those regulations. The Medicines and Medical Devices Bill, therefore, provides replacement delegated powers to the Department of Health in respect of human medicines and to the Department of Agriculture, Environment and Rural Affairs in respect of veterinary medicines. The Bill was described to the Committee as

an enabling Bill. In both cases, powers may be exercised by the Minister acting alone or jointly with the Secretary of State. The motion seeks the Assembly's consent, in line with the Sewel convention, for clauses 1 to 11, which deal with human medicines and veterinary medicines, which are transferred matters, to extend to Northern Ireland.

The Committee for Health was briefed on the background of the Bill and on the nature of the power to be provided to the Department. Clause 1 provides the Northern Ireland Department of Health, acting alone or with the Secretary of State, with delegated powers to make regulations in relation to human medicines. Clause 2 deals with the manufacturing, marketing and supply of medicines. It may be used to issue authorisations to manufacture, import or distribute medicines, as well as to regulate advertising, labelling and packaging. Clause 3 addresses falsified medicines. Regulations may be made to help prevent the supply of medicines that falsely represent their source. Clause 4 relates to clinical trials. Powers may also be used for the purposes of the authorisation, notification and reporting of requirements of clinical trials, similar to EU clinical trial regulations. Clause 5 deals with fees, offences and powers of inspectors, and clause 6 gives the Department powers to make regulations providing for the disapplication of human medicines in urgent situations in order to prevent serious harm to public health. The Committee's attention was drawn to clause 40, which requires consultation prior to the exercise of powers in relation to human and veterinary medicines, except in emergencies, as referred to.

Members were assured that the Bill is essentially an enabling Bill. Any regulations to be made under the provisions requiring consent will come back to the Committee for consideration in the usual way. Officials also confirmed that human medicine regulations are updated regularly, usually twice a year. Northern Ireland will be required to comply with EU standards in relation to falsified medications, whereas the rest of the UK will be free to diverge. Officials stated that the MHRA would continue to manage clinical trials. Officials confirmed that issues around the supply of and access to medicines were being addressed as part of the preparation work.

The Health Committee acknowledges that, in recent months, the Department of Health has been under enormous pressure to deal with COVID-19. However, due to the short time available for consideration, the Committee decided that it was not in a position to come to a decision to support the motion. I am disappointed in some of the parties opposite, who could not bring themselves to support this at Committee Stage. I find that strange, because the Committee for Agriculture, Environment and Rural Affairs was able to agree for it to come forward.

I find it strange that we, as an Assembly, cannot agree on regulations and to ensure that the regulations and the safety of our medicines are put forward for the safety of our people. I find it bizarre that we cannot support that at Committee Stage.

**Mr O'Toole:** I am not an expert, I have to say, on medicines regulation or veterinary medicine regulation. Those who think that the UK was taking back control when it voted to leave on 23 June 2016 might want to note that, until fairly recently, there were a lot of experts on medicines and medicines regulation based in the UK

because the European Medicines Agency was based in London, in Canary Wharf. London was the headquarters of the regulation of all pharmaceutical production across the European Union, but not any more. It has left. Other capitals bid to host the headquarters, and I think that it was Amsterdam that ultimately was successful. I think that Dublin bid as well. I use that as an example because it is utterly absurd to have Members on the opposite side of the House imply that this is somehow about taking back control or that the LCM and the Bill that it is attached to offer some kind of serious, plausible mechanism for taking back control or that this is in some way some great mechanism for medicines regulation: it is not. This is a mopping-up exercise to ensure that the statute book is not messy. That is what we hope it is, because we do not know. Bluntly, what the legislative consent motion does is give permission to the UK Government to make future regulations that, we hope, will be aligned with regulations that are helpful to, for example, our farming industry and our pharmaceutical industry and, we hope, will be consistent with the fair application of the Ireland protocol.

I am deeply disappointed that we have so little time to debate the motion today. While, as my colleague Colin McGrath said, we will not actively oppose the LCM, to be perfectly honest, there is absolutely no way that I could lend my support to the legislative consent motion. It is also worth bearing it in mind that those who talk about the Sewel convention will also note that the Sewel convention does not have very much by way of practical legal force. If the Assembly decided to withdraw or to withhold its legislative consent, it would not throw the statute book into chaos; it would simply require the UK Government to do what they have done before, which is to just override a devolved assembly or a devolved legislature saying that it does not give its consent. They did that a couple of weeks ago when the Assembly passed a motion calling for an extension to the transition period. They simply ignored us after years of Boris Johnson, Michael Gove and, indeed, their predecessors, some from when I was still working there as a civil servant. I know what they have been saying for the last few years about the consent of this place. We withheld our consent for that, so perhaps the Minister will give us an update.

Following on from Mr Nesbitt's intervention, I do not speak today to get at the individual Minister. He has been working extremely hard on dealing with COVID-19. I do not think that anyone in the House would take that away from him. His work rate is admirable, and his intentions are very good, but the LCM is, I am afraid, something that I cannot actively support. The idea that it is somehow good for Northern Ireland and for the Assembly to simply, like a Potemkin parliament, nod along like dogs at the LCM going through is, I am afraid, pretty rich. While we will not actively oppose it, I am afraid that it is very, very difficult to support.

As several other Members have pointed out, including Declan McAleer, the Chair of the Agriculture Committee, and Colm Gildernew, the Chair of the Health Committee, there are several unknowns in the clauses of the Bill. There are known unknowns, to quote a former US Defence Secretary, in that we do not know how they will interact with the operation of the Ireland protocol, a protocol that, whatever happens in the UK-EU negotiations, will be legally binding on the Assembly at the end of this year. On New Year's Day 2021, unless there is an extension, that protocol will be legally binding on us. Fair play to

the Committees for being frank in saying that they have no idea how the Bill will interact with the protocol or the application of it. They do not know, and we do not know what decisions the UK Government will make about diverging on an east-west basis. We cannot pretend that we can simply take the word of the UK Government on east-west divergence. I do not say that as a dig at the UK Government. I do not say that as a kind of nationalist kick at them. I say it because they have done it before, particularly this Government. We know that they have broken faith with politicians here. People in the party opposite should know that. The Prime Minister went to their party conference not so long ago and made them a promise that he later broke. I am afraid, guys, that, if he was willing to break that promise, I would say that officials in the UK department of agriculture — I do not say this to get at officials, because I used to be one — and their Ministers will not hold to all their promises on consistency of regulation.

I will not go through the detailed clauses. I will not oppose the LCM in practice, but I certainly cannot support it. It is deeply depressing that, when it comes to Brexit legislation and Brexit detail, we are squeezing it in at the last on a plenary sitting day when we have been debating other matters. As we come out of the COVID-19 crisis, our biggest priority should be to ensure that we get Brexit legislation right by giving it proper scrutiny. We need to do better, I am afraid.

#### 6.30 pm

**Mr Carroll:** Earlier today, I raised concerns about how Bills and other legislation had been repeatedly brought to the House without maximum time for scrutiny or adequate time to answer Members' concerns about issues before the House. Today is a vivid illustration of that precise point. Mr Nesbitt will be glad to hear that this is not just about the Minister here today — or the Ministers — but about a general trend that has been happening throughout the coronavirus crisis.

What we are dealing with today is serious and important stuff. I do not claim to be an expert in medicine or medical devices either, but the manufacturing, marketing and supply of medicines seems to be serious stuff to me. Clinical trials are detailed in clause 4. As we heard on the Health Committee, that clause could provide the possibility of medicinal cannabis trials and other things that activists and campaigners such as Charlotte Caldwell and many others have been campaigning for. We have to approach that with some level of caution, however, and I am certainly cautious. When I hear talk of red tape and bureaucracy, it sounds to me like code for the stripping back of measures that need to be in place to protect the public in clinical trials and in medicine more generally.

I am also concerned, as other Members have indicated, that we are being asked to rubber-stamp an LCM and endorse it without having the full detail to hand, the full detail of what we are voting on and any detailed consequences, intended or unintended. As the Chair said, the Health Committee was asked to make a decision on the LCM and did not, for a number of reasons, the main one being that Committee members — four of them, at least — decided that they had not enough detail on various questions that had been raised. That is serious stuff indeed. For my part, I raised a number of concerns,



but the main one was about having a detailed list setting out the limits of devolved authority and what matters would remain in London. The Committee received a report back from the Department. It was advised that this was a complicated field and that a comprehensive list could not yet be provided but that officials were working through the issues. No doubt, the officials are working hard. The Minister is working hard, whatever disagreements I have with him. It not good enough, however, for Members of a legislature to be told, “We don’t have the detail to hand on the issues”. That is simply not good enough for good practice, for democracy or for Members to cast their vote in a clear, accurate way.

I am also concerned that the memorandum that we received from the Department stated that there was no consultation on the LCM. Of equal concern is the fact that we are told that there are no human rights concerns arising from the legislation. That may well be the case, but how do we know, if we did not consult the people who are involved in human rights work and human rights activism and those who could be — I emphasise “could be” — directly impacted on by the LCM?

Like other Members, I cannot give my consent to the LCM. I will not block it, but I implore the other two Ministers who are in the House, and Ministers across the Executive, to ensure that Departments provide as much detail as possible for any further debates on legislation. It is essential, going forward. Thank you.

**Mr Deputy Speaker (Mr Beggs):** I call Robin Swann, the Minister of Health, to conclude the debate and make a winding-up speech on the motion.

**Mr Swann:** I noticed that a number of Members who have spoken expanded the debate on the LCM into the detail and complexity of Brexit without, I think, having read the LCM and what it is meant to do. Although this is the place for that debate, it should be expanded at another time. Tonight, my focus is on the LCM and what it is about to do.

I note those Members who are not able to support the LCM but who will not oppose it. I thank them for taking that decision. I thank all the Members who contributed. I will refer to a number of them.

The Chair of the Health Committee sought assurance on draft affirmative action on amendments to regulations. He has the assurance that was given at the Health Committee and was given in my speech today. So, any changes that have to be made will be done through draft affirmative action. So, the House does have control of what comes out of the LCM. For those who seem to be under the belief that this is solely giving something to the powers in Westminster: it is not. It allows the House to make those decisions. Ms Bradshaw’s comment about:

*“world-class regulation combined with local control”*

sums up the thrust of the LCM.

**Mr Poots:** I thank the Minister for giving way. I indicate my full support for the Minister’s actions because there is an element of veterinary medicine to this. The Minister has the support of my Department in bringing forward the LCM. It is the only way forward, and, for those who are suggesting otherwise, there is not another way forward, and they have not proposed another way forward. I will add that we will rely on — I assume on his part, but certainly on

ours — expertise that exists in Great Britain that we do not have here, going forward. There is a skills base there, and a quantity of people within that personnel, who are hugely useful to us, in our relatively small pool of people, to deliver on some of these issues. We will continue to have a very close working relationship with the United Kingdom after this is over.

**Mr Swann:** I thank the Member for his intervention and the support from his Department.

The Chair of the Health Committee referred also to clinical trials and the importance, as I see it, of Northern Ireland being fully involved. The ramifications of our not being involved in the LCM or the clinical trials were referred to, perhaps by Mr McGrath. The ramifications are actually quite clear. The Member should look to where we are today, with the announcement about a clinical trial that has operated across the United Kingdom for a drug called dexamethasone, an anti-inflammatory drug that has proven to be groundbreaking in how we treat COVID. It has reduced the risk of death for COVID-19 patients on ventilation by as much as 35% and by 20% for patients on oxygen. So, those are the ramifications of Northern Ireland not being involved. It is allowing someone else to do that work and take those risks. It is not where we should be. We should be part of doing that work and benefiting from the results.

**Mr O’Toole:** I thank the Minister for giving way. This is a basic point of information. Does he agree that the Sewel convention, which governs legislative consent motions within the United Kingdom and the devolved legislatures, has no legal force? So, if we did not give our consent to the legislative consent motion, it would not stop the legislation going through Westminster or having binding force in Northern Ireland.

**Mr Swann:** With regard to the Sewel convention, my understanding of this specific LCM — and I will get officials to verify it — is that Northern Ireland is the only part of the United Kingdom where this is a devolved authority. It sits slightly outside Sewel because it does not have the same effect on Scotland or Wales; it is not devolved to them. This LCM is solely within our power and our gift, so we can sit outside it.

As I said earlier, when the debate expanded into the wider Brexit point, I am here to discuss this specific LCM. Knowledge of this LCM is what is important in tonight’s debate.

With regard to some of the comments from the Chairperson of the Agriculture, Environment and Rural Affairs Committee, and other Members, it is important to note that this is an enabling Bill that allows us to make the decisions. As a devolved Minister and a devolved elected representative, that is where I want to be. The Chair of the Agriculture, Environment and Rural Affairs Committee was right when he noted that this LCM is necessary to bridge the gap once we leave the European Union.

**Mr Gildernew:** Will the Minister give way?

**Mr Swann:** Yes.

**Mr Gildernew:** I understand that the Minister and, perhaps, the Department of Agriculture, Environment and Rural Affairs had requested that the Department of Health in Westminster amended the Bill, at source, thereby potentially obliterating the necessity for an LCM.

Can the Minister shed any light on why the Department in Westminster was not minded to adopt that route?

**Mr Swann:** As I said in my opening comments, it is about time. It is our understanding this will be moved, at the earliest, on 18 June. It might be delayed by a couple of days but there is no time to do that. The Member makes a valid point but time is against us to make sure that we bring the powers of this LCM and this legislation back into the House, where it should be.

With regard to Mr McGrath's comments on the ramifications, I have covered that around where we are with the devolved powers and being involved in those drug trials and around Paula Bradshaw's comments on further ramifications to our farming industry. When we talk of the recovery in coming out of COVID and the industries that we need and want to support, farming is one of our main industries. The implication of not passing this LCM tonight, either through opposing it or not being able to support it, is something that Members should take note of.

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

**Mr Swann:** Yes.

**Mr McGrath:** I just want to point out that the reason we have the LCM is that it is necessary because of Brexit. Therefore, any of the objections to Brexit are the objections to having the LCM. The actual timing of it and the fact that we did not have time in the Committee to consider it is why we are not approving it this evening. It is not that we necessarily disagree with the LCM and what it will do. It is the fact that we have not had the proper time to scrutinise its impact or listen to the sector. The objections on the ground of Brexit are because that is why we actually have the LCM, full stop. There is a difference between the two objections.

**Mr Swann:** From the Member's commentary, and that of his party colleagues, I got the feeling that the inability to support this LCM was more to do with a stance on Brexit, rather than anything in the Bill.

**Mr Gildernew:** Will the Minister give way?

**Mr Swann:** Yes.

**Mr Gildernew:** Can I just point out that, as I said in my remarks, the Committee did not oppose the LCM. We pointed to the fact, and acknowledged, that the Department is under pressure. Will you acknowledge that the Department could have laid this LCM with our Committee at an earlier stage and allowed us to give it better consideration?

**Mr Swann:** I thank the Chair of the Committee. Maybe he will reflect on the fact that I did not mention the Committee or even his party in my last comment about where I got the feeling of not being able to support this LCM was coming from.

With regard to Mr Carroll's point about this being serious stuff. Yes, it is. What this allows us to continue to do, as a devolved Assembly, is necessary. It is important to make the point again that the requirement for the draft affirmative procedure will ensure that this Assembly has the proper opportunity to scrutinise and debate any regulations before they are approved. It is not a matter of me, the Department, or even the Minister of Agriculture, Environment and Rural Affairs, under his remit, railroading stuff through.

I take this opportunity to thank the Health Committee and the Agriculture, Environment and Rural Affairs Committee for taking the time to examine the Legislative Consent Memorandum and for their helpful and positive engagement with departmental officials on this matter.

I appreciate that the Committees had to work with a very challenging timescale. I thank them for their patience and understanding and for their cooperation with both Departments. I also thank my Executive colleagues for their support in this matter and for agreeing that a legislative consent motion was necessary. I point out that I had the support of all Executive colleagues in bringing forward this LCM.

**6.45 pm**

I know that some Members hold the view that, as a matter of principle, any legislation that falls within the devolved competency of the Northern Ireland Assembly should, when possible, be made by the Assembly. Whilst I fully agree with that view, it is important to understand that it would not have been possible to progress separate primary legislation for Northern Ireland within a similar timescale. For that reason, I believe that, on this occasion, it is appropriate and, indeed, makes good sense for Westminster to legislate on matters that are devolved to the Northern Ireland Assembly.

In practical terms, new primary legislation is needed to replace the broad regulation-making power that is currently available under section 2 (2) of the European Communities Act 1972, and it is important that Northern Ireland is included in the provisions of the Medicines and Medical Devices Bill. As I stated earlier, the Bill will provide us with the powers necessary to ensure that Northern Ireland can use subordinate legislation to bring forward any necessary amendments to the regulatory regime for human medicines and veterinary medicines. It is also important to reiterate that the Bill is not a new set of delegated powers. It simply replaces one set of powers with another. I consider this to be an important measure that will provide Northern Ireland with the necessary delegated powers to replace section 2(2) of the European Communities Act 1972. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions within the Medicines and Medical Devices Bill, as introduced to Parliament on 13 February 2020, dealing with human medicines and veterinary medicines.*

**Mr Deputy Speaker (Mr Beggs):** I remind Members that the next plenary sitting of the Assembly will be on Tuesday 23 June.

*Adjourned at 6.47 pm.*

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# Northern Ireland Assembly

**Tuesday 23 June 2020**

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

*Members observed two minutes' silence.*

## Executive Committee Business

### **Budget (No. 2) Bill: Royal Assent**

**Mr Deputy Speaker (Mr Beggs):** I inform the Assembly that the Budget (No. 2) Bill received Royal Assent. The Budget (No. 2) Act (Northern Ireland) 2020 became law on 17 June 2020.

## Assembly Business

### **Committee on Procedures**

**Mr Deputy Speaker (Mr Beggs):** I advise the House that Sinn Féin's nominating officer notified the Speaker that Ms Linda Dillon has been nominated to fill the vacancy of Chairperson of the Committee on Procedures with effect from 18 June 2020. The Speaker is satisfied that all the requirements of Standing Orders have been met, and she is duly appointed.

## Temporary Speakers

**Mr Deputy Speaker (Mr Beggs):** Yesterday, all Members will have received correspondence from the Speaker that referred to the current unavailability of the Principal Deputy Speaker to chair Assembly proceedings. In light of that and the continuing unavailability of the Speaker and Deputy Speaker Mr McGlone, it is likely at times in the weeks ahead that the Assembly will need to rely on its arrangements for Temporary Speakers, or else I will be in this position permanently, without any breaks.

Standing Order 9A provides that:

*“If neither the Speaker nor any Deputy Speaker is able to chair a sitting of the Assembly, the sitting shall be chaired by a temporary Speaker. ...*

*The temporary Speaker shall be the member, present at the sitting, who has served the Assembly the longest number of days, and in the case of a tie, the oldest of the longest-serving members present. Ministers and junior Ministers are not eligible to be considered as temporary Speakers.”*

The Speaker, therefore, approached Mr Kelly and Mr Wells, as the two oldest of the longest-serving eligible Members, and they confirmed that they are willing to assist the Assembly, if required, over the next few weeks. That means that, if I am unable to chair a sitting of the Assembly, it shall be chaired by Mr Kelly, if present. If Mr Kelly is not present, the sitting shall be chaired by Mr Wells, if present. If neither of the two is present, it will fall on anyone else who meets the criteria. I hope that that is clear.

**Mr Allister:** On a point of order, Mr Deputy Speaker. Section 52C of the Northern Ireland Act is very clear. It states that when a North/South body meets with Ministers present, a Minister:

*“shall, as soon as reasonably practicable after the meeting, make a report ... to the Assembly.”*

Today, we are going to get a belated statement about a meeting — for what it was worth — that took place on 11 March, over three months ago. That contemptuous treatment of this Assembly arises in circumstances where the Assembly has had 14 plenary sittings since 11 March, yet it is only today that the Executive deign to bring a statement to this House. Can the Speaker’s Office write to the Executive, remind them of their statutory duty under section 52C, and indicate that they are expected to meet it?

**Mr Deputy Speaker (Mr Beggs):** The Member is entirely correct. Ministers should report:

*“as soon as reasonably practicable after the meeting”.*

Clearly, that has not happened in this case; it is some time since the meeting occurred. The junior Minister may, perhaps, want to comment on that. However, I will refer the matter to the Speaker and I am aware that there will be concern about this issue. I am sure that the Speaker’s Office will subsequently be in touch with the Executive Office to try and establish what has happened and, hopefully, it will not happen again.

## Ministerial Statements

### NSMC Institutional Meeting

**Mr Deputy Speaker (Mr Beggs):** The Speaker has received notice from the Executive Office that the First Minister and deputy First Minister wish to make a statement on the North/South Ministerial Council institutional meeting of 11 March. Before I call junior Minister Kearney to make a statement on their behalf, I remind Members that, in light of the social distancing being observed by 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 do still have to make sure that their name is on the list, and they can do so by rising in their place and their name will be added to the list of those who wish to ask questions; alternatively, they can provide information to the Speaker’s Table directly.

I remind Members that this is an opportunity to ask questions on the statement, and they should be concise. It is not an opportunity for Members to make statements themselves. I encourage Members to ask concise questions so that as many Members as possible will be able to follow and also ask questions.

**Mr Kearney (Junior Minister, The Executive Office):** In compliance with section 52C, paragraph 2, of the NI Act 1998, I want to make the following statement on the 11th North/South Ministerial Council institutional meeting that was held at the NSMC joint secretariat offices in Armagh on 11 March this year. The Irish Government was represented by Helen McEntee TD, Minister of State for European Affairs. The Executive was represented by junior Minister Gordon Lyons and me. Minister McEntee chaired the meeting. Minister Lyons has agreed that I will make this report on his behalf.

The Council approved the appointment of board members to the trade and business development body InterTradelreland and directors to Tourism Ireland Ltd to fill a limited number of urgent and critical vacancies that were affecting the governance of both boards. The Council agreed that appointments will be made at future meetings of the NSMC to fill the remaining vacancies on those boards and the boards of other North/South ministerial and other North/South implementation bodies.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** I thank the Minister and welcome his timely and extensive report [*Laughter.*] I welcome the appointments and appreciate that they are filling spaces on North/South bodies following the lack of an Assembly for three years and that they are essential appointments to important boards. I hope that the appointments do not follow what has happened in the Regulation and Quality Improvement Authority (RQIA). I tried checking the North/South Ministerial Council website but cannot find the names of the people who were appointed, and I was wondering whether we could get those as soon as possible, unless they are maybe posted elsewhere. Given the critical North/South nature of the bodies and the work that the Council does, will the Minister detail the obvious, urgent and additional workload that the Council and the bodies will have to undertake as a result of the rushed Brexit process that we are being subjected to?

**Mr Kearney:** I thank the Chair of the TEO Committee for that contribution. For your information, the appointments

made were Florence Bayliss and Adrienne McGuinness, who were appointed as board members to InterTrade Ireland, Joan O'Shaughnessy, who was appointed as chairperson, and Nóirín Hegarty, who was appointed as a member of the board of Tourism Ireland. All members of the implementation bodies should be available online, and I will speak with officials after this morning's meeting to clarify whether that is, indeed, the case.

On the broader issues that the Member raised, clearly, in the context of Brexit this has implications for the work of the NSMC. While the British Government's withdrawal from the EU and their practical application of the withdrawal agreement will have implications under strand two, these are not solely issues that will be addressed under the auspices of the NSMC. However, as identified in the agreed protocol, it is envisaged that the NSMC and North/South implementation bodies will play a role. One instance of that will be the negotiation and operation of Peace Plus, for example. In second terms, the 'New Decade, New Approach' document also commits the Brexit subcommittee to initiate an assessment of the impact of Brexit on the institutions on a North/South and on an east-west basis.

**Ms P Bradley:** I thank the junior Minister for his statement. Given that remote working has now become the new norm and, indeed, the Executive are encouraging it, do you see value in meetings North/South taking place via videoconference or other technology, going forward?

**Mr Kearney:** Yes, I do, and I see it being applicable in the context of the necessary convening of meetings of the British-Irish Council (BIC), and it would be of assistance in the convening and full operation of the British-Irish Intergovernmental Conference (BIIC).

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a ráiteas. Are there any plans for the North/South Ministerial Council to meet in plenary format any time soon?

**Mr Kearney:** The requirement for seeking meetings of the NSMC in plenary format rests with the Irish Government. The Irish Government are responsible for convening the next plenary meeting of the NSMC. That has not been done. It is a huge disappointment that we have not, since the restoration of our power-sharing Government in the North, seen a plenary sitting of the North/South Ministerial Council, the British-Irish Council or the British-Irish Intergovernmental Conference.

#### 10.45 am

In my opinion, we need to see all strands, under the terms of the Good Friday Agreement, within their institutional framework, back to work and as urgently as possible. Frankly, Government formation in the South of Ireland and the onset of COVID-19, which we have all been living through, do not constitute valid reasons for not convening a plenary sitting of the NSMC. That should be done urgently, and the Taoiseach, either a caretaker or the incoming Taoiseach, should move immediately and urgently to remedy that failure.

**Dr Aiken:** I thank the junior Minister for his statement. It is interesting to see that, in this New Decade, New Approach era of openness and transparency, appointments have been made to significant boards in the North/South process. Will the Minister outline the recruitment process, the remuneration package and the approach that was taken to make sure that they had the best people for the job, and

will he explain, bearing in mind that the discussions on New Decade, New Approach agreed that a D'Hondt process should be brought into appointments to boards, how it is that that seems to have been completely ignored?

**Mr Kearney:** The appointments made on 11 March were Irish Government appointments. A number of vacancies are extant in relation to the full complement of the implementation bodies. There are currently 10 Executive vacancies on the boards of the North/South implementation bodies, and it will be up to the Executive to nominate the individuals to fill those allocated vacancies. Those appointments will be formally made at a subsequent NSMC. That cannot happen until the next plenary meeting, which is the responsibility of the Irish Government to convene.

Unfortunately, I do not know the remuneration for members, chairs or vice-chairs of boards, but I will ensure that that information is shared with you.

**Mr Muir:** 11 March was a long time ago, especially in the context of the public health emergency that we have been experiencing with COVID-19 and the economic crisis. Why has the North/South Ministerial Council not met since then? COVID-19 does not stop at the border, and it is a real reason why these institutions should be working. They are there for a purpose. Why have we not been utilising them?

**Mr Kearney:** I thank the Member for his question, which overlaps with the earlier question from Pat Sheehan. I apologise, Members, that this statement was not brought to the House at an earlier stage. There have not been plenary or sectoral meetings of the NSMC in the period that you stipulated. The only meeting that has occurred under the auspices of NSMC has been the institutional meeting, on which I have provided a report.

It is simply not acceptable. We need to see all the bodies under all the institutional frameworks of the Good Friday Agreement in full operation. We have re-established our power-sharing institutions in the North. It is time that the NSMC became fully operational. The responsibility for convening the next meeting of the NSMC rests with the Irish Government. Frankly, we should dispense with the foot-dragging and the prevarication. An Taoiseach should move urgently to ensure that that plenary meeting takes place.

The Member is absolutely right. It has been too long a passage of time. I add, for the Member's information, that six meetings have taken place in a quadrilateral format since the beginning of COVID-19, to address matters pertaining to that. I emphasise that all those meetings, with the exception of the institutional meeting that I attended, took place outside strand two of the institutional framework.

**Mr T Buchanan:** How will the Minister ensure that Tourism Ireland's priorities and resources are sufficiently focused on Northern Ireland for the next crucial period for our tourism sector?

**Mr Kearney:** I thank the Member for his question. He will be aware that the joint First Ministers will notify the Executive of any future NSMC meetings, including the agenda. A report will be made to the Assembly by the appropriate Minister after each such meeting.

The cross-community requirement in the legislation requires that appointed Ministers attending sectoral meetings of the NSMC be accompanied. That will ensure that, on the next occasion on which tourism

matters relating to our affairs in this region are being addressed under the framework of the NSMC, we will have attendance and have two Ministers involved in the process: the lead Minister and an accompanying Minister. I am sure that the necessary preparation will be undertaken to ensure that our interests are adequately addressed so that we come through this very challenging period, in which there are huge challenges for our tourism and hospitality industry, and enter a recovery that maintains and grows the resilience of the industry in the North.

**Ms Anderson:** I acknowledge the appointment of board members to InterTradelreland and directors to Tourism Ireland. That is welcome news for all to hear. What impact has the Government formation in the South had on the functioning of the all-Ireland Ministerial Council during the COVID-19 pandemic?

**Mr Kearney:** Again, that question overlaps with two previous questions. The fact is that there has not been a plenary meeting of —.

**Mr Deputy Speaker (Mr Beggs):** I remind the Minister to address the Chair so that his comments are picked up by the microphone.

**Mr Kearney:** Yes, of course, a LeasCheann Comhairle. That is very helpful advice from you. *[Laughter.]* There has not been a plenary meeting. There have been no other meetings under the auspices of the NSMC, and that situation needs to be addressed urgently. That can be done only by the Irish Government, however. As I have twice repeated, the onus is on the Irish Government to convene the next plenary meeting. It is up to the Irish Government to propose a date and bring forward a clár — an agenda — and for them then to ensure that that is passed on to the joint heads of government in order that —

**Mr Deputy Speaker (Mr Beggs):** Junior Minister, if you are not facing the mic —.

**Mr Kearney:** — they can —

**Mr Deputy Speaker (Mr Beggs):** Order. Order.

**Mr Kearney:** — process that work —.

**Mr Deputy Speaker (Mr Beggs):** Order. Please take your seat. I tried to encourage you to address the Chair. I am barely hearing you, and I am sure that Hansard will be struggling. Please address your comments through the Chair so that your microphone picks everything up and it is duly recorded for others to hear.

**Dr Aiken:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** Points of order are not taken during statements. You may raise the point of order after the period for questions has expired, if that is OK. Junior Minister.

**Mr Kearney:** OK, a LeasCheann Comhairle. As I was trying to finish saying, the requirement is on the Irish Government to identify a date, provide an agenda and process that to the joint heads of government in order for them to agree with the agenda items to be addressed in that plenary meeting and, in turn, confirm a date. It is my hope that that process will be carried out as expeditiously as possible.

**Mr Harvey:** Junior Minister, what impact has the absence of a Government in the Irish Republic had on the effectiveness of North/South bodies?

**Mr Kearney:** I thank the Member for his question. Again, it overlaps with other Members' contributions. We have not had any sittings of the North/South Ministerial Council since we restored power-sharing here in the North. That extends to the non-operation of strand three. We have not seen a BIC meeting and we haven't seen the convening of the BIIC. If we are, in fact, to ensure that our power-sharing Administration and strand one under the Good Friday Agreement are to be fully and properly supported, then we need to see full activation of strands two and three.

A lot of issues have had an impact on political, civic and community life, not least COVID-19 over the last few months, but none of them should get in the way of the effective implementation of the Good Friday Agreement. While a Government has not yet been formed in the Twenty-six Counties, that process is still under way. Nevertheless, there is a caretaker Government in place, and it is the responsibility of the caretaker Government to fulfil their requirements under the terms of the Good Friday Agreement strand two framework.

**Ms Sheerin:** I thank the Minister for his statement. How many meetings of Ministers, North and South, have occurred during the COVID-19 pandemic? Has the memorandum of understanding proved beneficial between both Administrations?

**Mr Kearney:** Mar a dúirt mé ní ba luaithe, bhí sé choinne ann ó bhí an phaindéim ag feidhmiú fud fad an oileáin leis na míonna seo anuas. There have been six meetings in a quadrilateral format since the beginning of COVID-19 but, as I said earlier, they have all taken place outside the strand two framework. The memorandum of understanding, as the Member rightly observes, has been signed between both Administrations and it has been of benefit. It has been a useful document; it codified effectively the work of the Chief Medical Officer and the Chief Scientific Adviser respectively across the island and the work that the two Ministers of Health were already involved in. Nevertheless, it serves as an important benchmark for ensuring that the fightback against COVID-19 is taken forward in an effective and coherent way on an all-island basis, so that we can maximise common working on the sharing of information, modelling and data and that, as we move into the process of universal community testing and contact tracing, we ensure that that can be effectively carried out on an all-island basis.

**Mr O'Toole:** I thank the Minister for the update. There is clearly a specific Brexit interaction in relation to the appointments to the board of InterTradelreland and, particularly, with regard to the implementation of the protocol, in relation to the protection and development of the all-island economy. I appreciate what the Minister said about the lack of an Irish Government to convene or interact with, but has the Executive Office written to the Irish Government urging them to commission a specific strand of work under the North/South Ministerial Council to get InterTradelreland to ramp up work on managing the implementation of the protocol and on ensuring that businesses in all parts of the island are best placed to adjust to the protocol and take advantage of continued access to the European single market?

**Mr Kearney:** The 'New Decade, New Approach' document makes provision for the establishment of the Brexit

subcommittee, which has been tasked with the initiation of a full assessment of the impact of Brexit on the various institutions, as I indicated earlier — not just the institutions in and of themselves but, obviously, the sectors for which they are responsible for overseeing. Consideration of that particular issue — the assessment — has now been taken forward in the forward work programme. I am of the view that — I am sure that the Member shares my opinion — North/South Ministerial Council meetings present an opportunity for all Ministers, North and South — going back to Members' earlier questions — to discuss Brexit issues that are going to impact very directly on their respective areas of cooperation on an all-island basis.

**11.00 am**

**Mr Nesbitt:** I will stay with 'New Decade, New Approach'. Part 2, paragraph 4, makes a commitment to:

*"an ambitious package of measures to strengthen transparency and governance arrangements in the Assembly and Executive in line with international best practice."*

Does the junior Minister think that the timing and content of his statement today meets that standard?

**Mr Kearney:** I thank the Member for his question and take it at face value as a genuine enquiry. Yes, I agree that we always need to aspire to international best standards and ensure that they are maintained both in our political life — political governance — and in how we conduct civic and community business. The limitations of the statement are that it is simply restricted to the business that was carried out on that day. The meeting took place. I do not believe that it lasted much more than 12 minutes, and it was for our power-sharing Government to approve the proposals being put forward by the Irish Government for the appointments to be made. Had I had more to say, I would, of course, have shared that wisdom and those thoughts with the Member.

**Mr Nesbitt:** The names?

**Mr Kearney:** I provided the names earlier on. Perhaps you did not hear them.

**Ms McLaughlin:** Thank you, Minister, for your statement. The North/South Ministerial Council is an important body, and it should be an important component of our economic recovery at this time. It is regrettable that many of its boards are so badly depleted when we most need them to be fully operational. The two, in particular, for our economic recovery are InterTradeIreland and Tourism Ireland. On Tourism Ireland, the Irish draft programme for government has in it a commitment to support the linkage of the Wild Atlantic Way and the Causeway Coast, which promises to provide a major boost to Derry city, as we are at the beginning and end of both. Can the Minister give a clear commitment that Tourism Ireland will fully engage with the project and that the Executive will this time give full support to this important vision? I say "urgently": we are going into a period now — a very short tourism opportunity — and it will be about staycations. We need the focus of Tourism Ireland to be on this island and between the two components of this island.

**Mr Deputy Speaker (Mr Beggs):** The Member has asked her question. Minister.

**Mr Kearney:** Of course, the Member is right, particularly given that we are living through the associated economic and social emergency alongside our health emergency. It is essential that we proceed to reboot, warm up and reactivate our economy in all of its sectors at this point in time. The sector that faces greatest jeopardy at this time, because it is so seasonally sensitive, is our hospitality and tourism industry. Yes, the Executive are fully committed to ensuring that all aspects of our tourist industry in this region are maximised. I can give the Member an assurance that, when the next NSMC plenary meeting convenes — as I said, that needs to be done urgently; there should be no more foot-dragging or prevarication, and the Irish Government should convene that meeting — that will provide an important opportunity and forum for the issues to be discussed in detail and in a strategic sense.

**Miss Woods:** Thank you, Minister, for your statement. Given the lack of detail here, has there been any discussion or arrival at an agreed position regarding engagement with the Specialised Committee on the Northern Ireland protocol, either through quadrilateral meetings or otherwise?

**Mr Kearney:** Yes. It falls outside the context of this discussion, but I am happy to share information on that issue. The need for the Specialised Committee to meet is urgent. It has been addressed in the context of quadrilateral engagements with the British, Scottish and Welsh Governments, alongside our Administration. There has been one meeting of the Specialised Committee. In recent weeks, I have twice asked for a date to be confirmed for the second meeting of that committee. As the Member knows, it has specific operational responsibility for the implementation of the protocol. No date has yet been set, but, at the meeting of the Joint Committee that took place earlier this month, the vice president of the European Commission asked, specifically, for a date to be set. The British Government Minister, Michael Gove, gave a commitment that a date for the second meeting of the Specialised Committee would take place within four weeks. At this point, I do not have that date to share with the Member.

**Mr Allister:** I want to ask about the openness and transparency or lack thereof of the North/South bodies. Take InterTradeIreland as an example. If we go to its website, we discover that no annual report or accounts have been published from 2017, no corporate plan from 2014-16 and no board of director minutes from March 2019. Why is that? When you go to the website and look at who the board of directors are, the ones that you have just announced are not even there. Three faces jump out at you — Jimmy Spratt, Timothy Cairns and Councillor Greenfield. Are the appointments to these just sinecures for political hacks who do not need to have any expertise on the subject matter?

**Mr Kearney:** Gabhaim buíochas leis an chomhalta as ucht an cheist thábhachtach sin a chur. You are absolutely right: all the affairs of government, including all institutional strands of the Good Friday Agreement, must be subject to maximum transparency. If that detail is omitted from the online records, I will raise it with officials. I expect that that should be fully provided. I see no reason why all of the information that the Member has inquired about should not be made publicly available online and through other sources.

**Mr McNulty:** Minister, it is hilarious that you are attacking the Irish Government after 100 days after 1,000 days of

prevarication and foot-dragging by the two joint Ministers' parties. This place remained down for 1,000 days, and you are attacking another institution after 100 days.

Did the Ministers have any discussions about the particular challenges that they would face? Specifically, I refer to cross-border workers, many of whom have been left behind during the pandemic?

**Mr Kearney:** The Member's comments are slightly misdirected by drawing out a suggestion of some insinuation. The reality is that we have not had any meetings of the North/South Ministerial Council since the restoration of our institutions in the North. I am sure that the Member understands. I assume that he is familiar with the detail of the Good Friday Agreement and that he has read it. It is a requirement that all strands of the Good Friday Agreement should be operable at the same time. It is a source of great regret that we have not seen the convening of the NSMC. Clearly, if the option had been available to our Administration to convene the next plenary meeting, that would have been dealt with at an earlier stage. The issue is beyond our control. I urge the Irish Government to address the omission of meetings of the North/South Ministerial Council as quickly as possible.

**Mr Deputy Speaker (Mr Beggs):** Are there any other Members who wish to ask a question?

**Mr O'Dowd:** Minister, annex B to 'New Decade, New Approach' sets out firm commitments from the Irish Government, including the establishment of a working group composed of representatives from the North/South Inter-Parliamentary Association, as well as the Clerk of the Dáil, to consider and make recommendations within six months focused on developing North/South parliamentary relationships. The six months is now up. Have there been any developments?

**Mr Kearney:** Míle buíochas leat as ucht an cheist thábhachtach sin a chur. The Member is correct in noting that detail. It is a precise explanation of the state of play. That has been placed as an objective question: the objective answer is, "No, that has not happened".

**Mr Deputy Speaker (Mr Beggs):** Are there any other Members who wish to ask a question?

Mr Aiken, you wished to raise a point of order.

**Dr Aiken:** Yes. My point of order is that, much as enjoy hearing the junior Minister — Declan is a fellow MLA from my constituency — the degree of disrespect that he showed to you after you made your ruling is something that I would like the junior Minister to address. It is not just an issue of turning round and whatever it happens to be; for some of us of a certain age it is quite difficult to hear the junior Minister speak sometimes. I think that, on this occasion, the junior Minister might like to apologise to the Deputy Speaker. Thank you.

**Mr Deputy Speaker (Mr Beggs):** The Member has his point on the record. I was trying to encourage the Minister to address the Chair to ensure that everyone is able to hear and that the acoustics are appropriate. The Member has his point on the record, and I am sure that the Speaker's Office will liaise with the Executive Office to encourage all Ministers and junior Ministers to put their remarks clearly on the record so that everyone will be able to hear what is being said.

I ask Members to take their ease for a few moments.

## Green Growth Strategy and Delivery Framework

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** Apologies for not being in the Chamber at the very outset; it is tricky to get used to the new system.

We are here to talk about the opportunities that exist for a new green growth strategy and delivery framework. It is hard to imagine circumstances that have had such a devastating global impact as those that we face.

In recent months, the COVID-19 pandemic has dealt a swift and cruel blow, with the loss of many lives. It has single-handedly brought countries, economies and people to a standstill across the world, as we work out how to manage and, ultimately, defeat the immediate and ongoing threat that it poses. As in most areas of our lives, the answer to the crisis will involve sustainability, specifically economic, social and environmental, at the heart of everything that we do. Recent months have proved challenging for everyone. There is no blueprint for a pandemic or one single plan that fits all circumstances. We have tried, and will continue to try, to do our best for the people of Northern Ireland, based on the evidence and information available to us.

### 11.15 am

The public have been very understanding and have sacrificed a great deal to implement the strict conditions that we had to introduce to prevent the spread of the disease. We owe them a great deal of gratitude. Thanks to their resolve and their actions, we have seen a significant fall in transmission, cases of COVID-19 and deaths due to the disease. Therefore, we have been able to introduce greater freedoms. That exemplifies what can be achieved with clear leadership and a willingness to work together to a common good.

I firmly believe that, even in the darkest times, we have a duty to plan for the future, and this is no exception. The COVID-19 pandemic, despite the pain and suffering that it has caused, has forced us to live and work differently, to think differently and to behave differently. Around the world, people are travelling less, using less energy and finding new ways to communicate, to socialise, to work and to learn. At the same time, there have been tremendous benefits for the environment, at the micro and macro levels, that we can all recognise. As we plan our recovery from the effects of the pandemic, it is crucial that we adopt a holistic approach, building on the many lessons learned in recent months. Rather than picking up where we left off, I am recommending economic renewal that recognises the importance of our environment and advocates green growth as a pathway to a sustainable future.

I have spoken to Members from all parties and to people across Northern Ireland, and it is clear to me how much we value our environment. That has never been more apparent than in recent months. People have longed for the opportunity to escape the confines imposed by COVID and engage with nature. For many of us, interaction with the natural environment has sustained us through the lockdown. For evidence of that, you only need to talk to the people who make the five million trips to our forest parks each year.



I share that appreciation of nature. That is why I have asked for sustainability to be placed at the heart of everything that DAERA does. It is also why I believe that if we understand the value of the environment, our natural capital, the challenges that we face can become an opportunity to benefit everyone. Therefore, my message today is one of revolution — a revolution in our economy that, if embraced, will benefit our businesses, people and environment.

In Northern Ireland, we have not always been handed the resources that are available to other parts of the world, such as the coal or oil that drove the Industrial Revolution. Instead, we have been blessed with a rich and fertile land that feeds us and sustains our well-being. Those natural assets attract hundreds of thousands of visitors every year and feed millions of people in the UK and across the world. People come here because of the beauty of our landscape and the welcome that they receive. Our exports grow because we can compete with the best in the world. We must look after both if we are to continue to survive and prosper. We have always used anything that we have to great effect and, as a result, have made a greater impact on the world stage than one would expect given our size, location or history. Knowing how to make the best use of what we have is ingrained in us and is a trait that will help us to recover from COVID and serve us well in the future.

Why do I say this? Our economy is changing. Over the next 30 years, it will become unrecognisable. There are many reasons for that, but perhaps the most important is the commitment by the UK Government to achieve net zero carbon by 2050. Now, I am not prone to declaring climate emergencies or promoting panic, but I do recognise the value of data and evidence. It is irrefutable that, globally, greenhouse gas emissions are increasing. We, in the UK and Ireland, have managed to reduce our emissions since 1990, but the big picture means that we need to do more.

In 2018, the United Nations' Intergovernmental Panel on Climate Change, the IPCC, stated, in a special report, that limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes in all aspects of society. The new UK net zero target will deliver on that commitment to reduce emissions. Overall, we have reduced our emissions in Northern Ireland by 18% in recent years. We have gone down from emitting 24 megatons of carbon dioxide in 1990 to 20 megatons in 2017, and, while this is not enough, it proves that we can make progress when we work together. Average global temperatures have increased and will continue to rise unless there is a reduction in greenhouse gas emissions. This will have far-reaching consequences for sea level rise, biodiversity, extreme weather and other factors that impact on our society.

Whether or not you or I accept these reports and predictions, reducing emissions will have significant economic opportunities and societal benefits. For example, in 2019, the UK Government estimated that there were more than 430,000 green-collar jobs in the UK and that this figure could rise to two million by 2030. It is important to understand how these benefits come about. First, we must stop squandering our resources. Preventing waste is fundamental to better productivity and more sustainable economic growth. When we waste energy, we produce avoidable greenhouse gas emissions. When we waste assets like food and fill up landfills, we

produce greenhouse gas emissions. While we waste nutrients in our food production system, we pollute our water, damage ecosystems and reduce biodiversity. When we fail to support people to develop a connection with their environment, we waste human potential, possibly the most damaging of all.

However, when we treat energy, biological diversity, material resources and people as the assets that they are, we begin to see what is possible. I will give you three examples of this. The first of these is the agri-food industry. Essentially, we have created an asset that is the envy of many economies across the world. The asset benefits everyone by providing high-quality foods, jobs and exports, which bring in valuable revenue streams. The industry is worth some £4.9 billion in sales, supports up to 100,000 jobs and feeds up to 10 million people. Imagine the scale of that for a moment. Here we are in this small place, using our natural capital and the skills and expertise of our people to feed a global megacity the size of London. Furthermore, as an employer, our agri-food industry creates opportunities to attract homegrown talent in the form of highly developed, talented and educated young people. Of course, this scale does bring challenges, not least for the environment. They are challenges that can and will be addressed. Ultimately, however, this will be achieved by making the industry more sustainable and profitable. For example, despite progress in reducing phosphorous in our rivers, water quality remains a problem, and the picture in the marine environment is similar for nitrogen. Both cost our environment and us dearly. Northern Ireland Water is the single largest energy consumer in the country, but this is because our water has become polluted due to a range of contributing factors, not limited just to agriculture. So, by minimising the wasteful escape of nutrients into our water, we not only protect habitats and biodiversity but increase productivity and save on energy costs.

At this point, I want to recognise the enormous contribution that farmers are making to safeguarding and improving our environment. My Department has been running environmental schemes since 1988. The current environmental farming scheme (EFS) was established in 2017, and farmers have enthusiastically responded, signing up in large numbers. To date, almost 5,000 farmers are participating in the scheme, and more will follow. In the first two tranches, EFS has delivered over a quarter of a million new trees, which will absorb well over 100,000 tons of carbon over their lifetime. EFS has also delivered over 200 miles of new hedgerows, which, in addition to capturing carbon, is a haven for birds and insects and improves our biodiversity. EFS will also contribute significantly to improving water quality by protecting our rivers and watercourses from livestock. EFS represents a long-term investment in our environment.

We have also made great strides on carbon efficiency in the agri-food sector. For example, our dairy farmers have over the past 20 years reduced their greenhouse gas footprint by around 35% for each litre of milk produced, and they produce 2.2 billion litres annually. Most notably, they have achieved that while growing their business through improved genetics and nutrition. More needs to be done, however, and more can be done right across our food supply chain.

It is worth noting that around one fifth of the Amazonian rainforest has been cut down in order to produce beef. If, in future, that beef is imported into the UK in large quantities, it could threaten our market and people's livelihoods as well as the global environment. It is therefore important that we understand just what we have in our agri-food industry and the role that it plays in protecting our future. We can become a global leader in the production of high-quality food from sustainable systems, and I believe that we can become a strategic food zone. We can do so by achieving a balance between feeding the world and feeding the planet.

The second example is in the area of recycling. When I previously held the post of Environment Minister, the household recycling rate was just over 34%. At that stage, the received wisdom was that we could not achieve 50% by 2020. Since then, we have made huge progress and, I am pleased to say, exceeded that target. However, the circular economy and recycling are not just about a percentage; they are about economic opportunity. Recent studies have highlighted the economic potential of recycling for the Northern Ireland economy. Upwards of 13,000 job opportunities could be created using this approach. One example of the potential is that, three years ago, my Department provided funding to Ulster Supported Employment Ltd (USEL), a social enterprise company that deals with mattresses. Initially, the project employed 16 people, and it increased the number of mattresses recycled annually from 2,000 to over 60,000. Today, 25 people are employed.

Just three of Northern Ireland's manufacturers, employing a total of 750 people, annually create £110 million in economic value for the local economy by reprocessing paper, plastic and glass recyclates from our households. They have the potential to add a further £50 million to the local economy if more high-quality recyclate was available. To address that need, my Department launched a £23 million capital programme last year to provide financial assistance to councils. It was designed to increase the quality of recycling. Some £3.45 million has already been allocated to projects estimated to deliver an additional 7,500 tons of recycling and over 7,800 tons of CO<sub>2</sub> savings, which equates to £485,000 of carbon savings.

The third example is in the area of green energy, and it is a key policy led by my colleague Diane Dodds, Minister for the Economy. Through various means, we have achieved a position in which 45% of our energy is provided from renewable sources such as wind and solar energy. Again, this is a result that would be the envy of many countries across the world. However, through further innovation and investment in renewable energy systems and the storage of that energy, we can go further. The Department for the Economy is developing an energy strategy that will make this a reality.

I stated earlier that Northern Ireland can become a strategic food zone. I also believe that Northern Ireland can become a strategic energy zone. The success of our prosperity agreement programme demonstrates how we can work in partnership with business to deliver significant environmental benefits. Recently, we signed our second prosperity agreement with Coca Cola Hellenic Bottling Company. It sets targets for reducing energy and water consumption; for the reduction of CO<sub>2</sub> emissions; and for increasing the amount of recycled plastic in its products.

The point of citing all these examples is this: even with all the challenges that we have faced in our society and in our history, we know that great things are possible when we work together. We need to be seen to play a lead role. We know that we need to put our environmental house in order and show that we in Northern Ireland have the innovation, skills and determination necessary to influence meaningful outcomes that can benefit us locally as well as people across the world.

That brings me to green growth. This is a globally recognised concept, with organisations such as the OECD developing a set of strategic principles in their economic policies. It is not a new concept. It was the precursor to the green new deal that was developed a decade ago in response to the global financial crisis. Although considerable progress was made back then, the concept was, arguably, ahead of its time. I believe that its time has come.

For evidence of that, we need look no further than our neighbours in the EU, who have adopted green growth as the basis of their European green deal. It aims to transform the European Union from a high- to low-carbon economy while improving people's quality of life through cleaner air, water and improved health. By working together across the British Isles and internationally, we can co-design a green growth strategy and delivery framework that will deliver for Northern Ireland. Green growth is about working together to value our environmental assets, growing those assets and, in so doing, growing our economy.

#### 11.30 am

There are three key elements to making that work. The first element of green growth is a co-designed, environment strategy from the Executive, entitled the "Green Growth Strategy". It will be designed in collaboration with a broad and inclusive range of people from across the business community, environment sectors and the community and voluntary sectors. Although I have characterised those as separate sectors, in reality, the boundaries are not so clear. I know many people in the business community who are determined to make a difference to climate change and the environment. People in the environment sector understand the importance of working with the business community to secure positive outcomes, and organisations in the community and voluntary sector know that an excellent way to empower people and communities is to connect them with their environment. It is my intention that the strategy will be discussed at the Executive, with co-design and consultation during the autumn and a strategy finalised by next spring.

That brings me to the second element of green growth, namely the delivery framework. It will be a series of interconnected programmes that demonstrate green growth in action. The first of those will be key foundation programmes, exemplars of what I like to call "strategy by doing"; in other words, they are major objectives that will contribute to the aims of the strategy but in a way that demonstrates real impact on the ground. For example, in March, I announced the first of those in the Forests for our Future programme, which aims to plant 18 million trees over the next decade. That is the type of foundation programme that will be at the heart of what we are trying to do in green growth.

Another element to be delivered over the next 10 years and beyond is keeping plastics in the economy and out of the environment. Through that programme, all plastic that comes into Northern Ireland will remain in the economy and out of the environment. It will be much broader than but will include reform of the packaging producer responsibility system in line with other parts of the UK and participation in a UK-wide deposit return scheme. We will engage in both of those. Another element is growing people's well-being and confidence through the environment. That will aim to deliver measurable and population-wide improvements in well-being. It will focus on the educational, social and economic benefits associated with the connection between people and their environment, which is something that we have truly appreciated the importance of in recent months. Another element is sustainable growth through technology. That will involve the full roll-out of broadband across Northern Ireland. That, in turn, will support a network of new businesses and services by connecting people and communities in Northern Ireland and across the world. Another element is smart cities and rural communities. We will design the programme with communities and for communities to develop natural green connectors and corridors across cities, towns and landscapes, connecting people and their environment. That will also involve the use of connected technologies, such as office networking tools and the Internet of things, to promote efficient energy use. A further element is blue carbon habitats. That will involve the development of blue carbon habitats, increasing biodiversity and carbon capture.

Finally, we recognise the valuable contribution that agriculture already makes to our environment. However, we can continue to improve sustainable land use, healthy rivers and growing biodiversity. That will involve the comprehensive mapping of soil quality and water catchments across Northern Ireland in support of low-carbon farming; a significant increase in our green infrastructure, for example, hedges and peatlands, to sequester carbon, improve biodiversity and act as natural barriers against pollution and flooding; new food and agriculture policies to encourage and reward businesses for sustainability and environmental outcomes; a scenario-planning model to map, predict and, ultimately, monitor the benefits of different green growth interventions; and the movement of all sensitive sites towards favourable management, including land and marine. I would also envisage programmes in the first phase for an increase in renewable energy to a point where we become a net exporter and sustainable transport using renewable energy to achieve net zero emissions.

I will discuss the proposals with my ministerial colleagues, so that we can bring them back to the Executive. We are also, of course, working with the Department for Infrastructure on adaption programmes to deal with the impact of climate change. As well as planning a significant increase in sustainable transport, we will develop the strategy and delivery framework through a process of co-design and co-delivery. Green growth will happen only if people have ownership and if all the key players work together towards a shared goal. The framework will operate under the oversight of the Executive through an interministerial group that I will chair.

Given the importance of green growth, I have asked the DAERA permanent secretary to lead the development

work together with officials from across the Northern Ireland Civil Service and a broad group of stakeholders. The third element of green growth is the development of proposals to address New Decade, New Approach. The recommendations include commitments on climate change, including legislation and reductions in plastics waste.

At the beginning of the statement, I promised to set out the opportunities for Northern Ireland that are possible if we work together to improve our environment and create jobs and economic growth the green growth way. I hope that the statement gives you a flavour of the opportunities, recognising that co-design means not having all the answers in advance. We can make a difference, and we can achieve economic, environmental and social benefits if we use the right approach; indeed, I would argue that we must, if we are to achieve the benefits together. We need a vibrant economy to provide people with meaningful work; we need to give people an opportunity to work their way out of poverty; and we need to help those who cannot help themselves. Importantly, however, we need to do all that in a way that cares for and enhances our environment, as, ultimately, we are part of that environment.

I hope that colleagues will recognise the emphasis on partnership in the statement and the proposals that it contains. They are ambitious, I grant you, but I make no apology for that, because it is what we must do and what people expect us to do. My Department will work with people from across the political spectrum to make it happen. It is my hope that Members will reciprocate in a spirit of partnership. While green growth will be a major challenge for all of us, I believe that, with a vision of sustainability, goodwill and an evidence-based approach, we can make a huge difference to our place and to the people of Northern Ireland at the heart of the next economic revolution.

**Mr Deputy Speaker (Mr Beggs):** We now come to questions to the Minister on his statement. As usual, some latitude is given to the Chair and Deputy Chair of the relevant Committee.

**Mr McGuigan (The Deputy Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** I thank the Minister for his statement. Green growth is a highly aspirational strategy. The statement is welcome, as it contains many worthwhile aims and objectives. However, on the basis of its content, what has been announced seems to be the start of a process. Many of the programmes, ideas and concepts referenced in the statement are not new; they have been around for a while. What is new, I suppose, is bringing them together and appointing a permanent secretary to lead on them. What is missing is detail such as budget, timeline, proper aims and objectives and delivery plans. What resources has the Minister allocated to the delivery of green growth? Can he provide the AERA Committee with a detailed delivery plan, including a time frame?

**Mr Poots:** Today's statement is about delivering the concept. Over the next year, as we work with other Departments, with the Committee and, indeed, the entire House, that concept will become the strategy, and the strategy will be bid for on the basis of what, we recognise, is needed to move it forward. It is important for all of us that we understand that, environmentally, this is an opportunity for our economy, not a threat to it. It is an

opportunity to build. That is what we want to do: we want to build our economy in a sustainable way; we want to ensure that growth happens in a sustainable way; and we want to ensure that, as we do things that help and protect the environment, we grow our economy alongside that.

We will produce budgets. However, now is just not the time. That work will happen in due course, when the strategy is more formalised.

**Mr Irwin:** I thank the Minister for his positive statement. I welcome the road map for the future, particularly on the need for more work to be done around the circular economy, in particular the better use of our waste material. Keeping waste in our economy is a must. How do you foresee Northern Ireland delivering on that approach?

**Mr Poots:** We have significant opportunities, and I referenced the £23 million fund that is looking at how we can better improve on our waste strategy. Achieving a 50% recycling rate by 2020 was an admirable aim. I set that policy way back in 2010 and was told that we had no chance: we did it. Now we are looking at 2030 and what we can achieve. Can we achieve 70%? That is a decision that I have to make, but it certainly would be a noble aspiration. Achieving 70% is one thing, but making good utilisation of the product is another matter entirely. In your constituency, for example, Cherry Pipes recycles a lot of plastics. In Fermanagh and South Tyrone we have a company recycling a lot of bottles. We have others recycling considerable amounts of paper that are then reused. All that is absolutely critical.

Last week, I met three companies that employ 700 people in recycling. They keep huge volumes of that waste in the economy in Northern Ireland. I do not want to see recycling happen and then that material being put on a ship to China and we do not know what is happening to it. We want to see it recycled here. It is about supporting businesses to do that here and ensuring that we have that circular economy.

**Mr Deputy Speaker (Mr Beggs):** I ask the Minister to address the Chair. When he turns round, he will find that the microphone is not picking up all that he says. It may cause difficulties for Hansard. I urge him to address the Chair at all times.

**Ms Hunter:** I thank the Minister for his statement and note its timely nature, given that temperatures in the Arctic Circle reached a record high of 38° at the weekend.

Would the Minister agree that, to protect our natural capital for generations, we need to take action now, but we also need to ensure that we raise a generation of young people who are environmentally aware? To that end, would he agree that green growth and climate awareness should form part of the curriculum?

**Mr Poots:** I am used, Mr Chair, to addressing the House as well as you. It is a habit that I have of actually speaking to the Members who are asking questions and so forth. However, because we only have the one Speaker, I will take your advice on the matter.

In terms of the question asked by the Member for East Londonderry, it is critical that we get our younger population on board with us. The one thing that I despair of is the amount of waste that is thrown on the side of our roads. On every country road that you go up there are used drink cans, papers from food outlets, crisp bags and all sorts of things. It is not appropriate. It should not

happen. Education should take that out of the system, so we need to encourage the environment to be at the centre of education. There are now, GCSEs in land use and agriculture and so forth. We need to encourage more of that, particularly if hundreds of thousands of jobs are potentially to be created across the United Kingdom for that. It is important that people are educated in a way that prepares them for those jobs.

**Mrs Barton:** Minister, thank you for your statement. I welcome it very much as the way forward for our new green growth strategy. What way do you intend to work in the future with machinery producers in relation to their energy efficiency? Our tractors, as you know, guzzle up so much oil and diesel etc.

**11.45 am**

**Mr Poots:** Thankfully, a lot of tractors have become more fuel-efficient over the years, so the more modern tractor is more fuel-efficient than older tractors. I know that many people do not like it, but the bigger the machine and the equipment behind it, the more energy-efficient they are. That is a good thing. It works better if there are fewer, bigger machines rather than lots of smaller machines. We see the opportunities that exist with electric cars, but I suspect that they do not exist to the same extent for HGVs and tractors and agricultural machinery. That is where we need to be looking at other opportunities, such as hydrogen. I welcome the work that has been done by Wrightbus, for example, in Ballymena, in developing hydrogen buses. If it has been done for buses, I assume that it can be done for tractors and lorries. In efforts to achieve a more circular economy, can we capture hydrogen from the residual refuse derived fuel (RFD) waste? Can we derive fuel from that? Those are areas that we need to look at. That is how we can grow the economy and go forward in an environmentally sustainable way, because 100% of that material, which could be described as waste, has a useful purpose.

**Mr Deputy Speaker (Mr Beggs):** Members, I encourage you to make sure that your mic is pointing in an appropriate direction.

**Mr Blair:** On behalf of the Alliance Party, I thank the Minister for the extensive statement, particularly the address therein of the remaining, growing and global challenge of climate change. I hope that what has been called an economic revolution might also provide opportunities for an environmental protection revolution. In light of that, will the specific 'New Decade, New Approach' commitment to a climate change Act be included as we take forward green growth? Will it be done in the context of looking at opportunities for technologies, research and development and skills within that area?

**Mr Poots:** I have been considering the proposals of the NDNA agreement for the establishment of an independent agency to form part of the possible outline of a future Programme for Government. That will be no small task, given the scope of the potential impacts, and other issues will need to be addressed.

I agree entirely with the Member that this is a window of opportunity for us and that it should be seen as such. As new agreements are made, or deals or done, after the UK moves on from the European Union, we could be left with challenges with imported food coming into the

UK that is of a different standard to ours, for example. The message that needs to go out to the public is that that food has been produced in a sustainable way, with regard to animal welfare, environmental production, food miles, for example, and the treatment of the people employed in the processing of the goods. If we can apply those sustainability measures to whatever we produce in Northern Ireland — not just food — it will help us sell our product as a premium product.

I do not want Northern Ireland to be competing at the bottom end; I do not want us to be a commodity-based market. I want us to be a producer of premium goods and to be recognised across the world as such, just as German manufacturing, for example, is recognised as being amongst the best in the world. I want whatever Northern Ireland produces to be recognised as amongst the best in the world. People will pay a premium for that, and there will be a benefit to the entire economy and to the people who work in that economy.

**Mr Harvey:** I welcome the Minister's statement and the way in which he highlighted the important role that farmers play in protecting the environment and the importance of continuing to support our farmers in that work. How does the Minister foresee his Department assisting farmers in the future?

**Mr Poots:** A series of things can be done. We have challenges around water management. We make considerable use of the assets that exist, which applies a degree of pressure. Helping with capital investment schemes, and more research and development through AFBI and others, will be important.

We will be looking at further tranches of the environmental farming scheme. Providing good advice to farmers, a wider roll-out of good practice and not reinventing the wheel will be important. In all of that, we do not intend to reinvent the wheel where good practice exists.

How do we harness that good practice? How do we encourage others to participate in that good practice? How do we ensure that we can improve on that, where possible? I know that the farming community will buy into that because we have so many innovative and excellent farmers in Northern Ireland.

**Mr McAleer:** I thank the Minister for his wide-ranging statement. The Minister will be well aware that his Department is leading an environment strategy that will, I believe, come to the Chamber next week for consent on a legislative consent motion for the Environment Bill. Could the Minister indicate where he envisages that green growth strategy fitting within the environment strategy and the Environment Bill?

**Mr Poots:** The Environment Bill is necessary to ensure that we do not leave gaps after we leave the European Union. I do not believe that it stops with the Environment Bill. We need to be looking at the green growth strategy, and giving it resource and legislative cover. All those things will be applied as we develop and understand the direction that we are taking.

**Mr T Buchanan:** I thank the Minister for his wide-ranging statement, and the vision and opportunities presented within the green growth strategy. Minister, you touched on this earlier, but would you agree that in the context of producing environmentally sustainable food, that Northern

Ireland, and, indeed, the UK, are well-placed, and that, therefore, we should reduce our reliance on imported food that we have little or no control over how it is produced?

**Mr Poots:** Absolutely. I challenged some supermarkets during the early part of COVID about their importation of goods. I will continue to do that, and to make clear that they have a premium product on their doorstep that we need to make greater utilisation of. That product is actually of higher value as a consequence of the standards by which it is produced.

During COVID, there was one weekend when Calais was proving a tad difficult and there was a panic about not having enough food in the UK over the following week. That is a demonstration of the importance of food security. I know that some advisers in Number 10 at the start of the year were suggesting that we did not really need farming in the UK. That is a nonsense of a suggestion for the environment and the public's well-being.

Sustainable food can and should be produced here. We need to have the support to do that and to ensure that we can go forward. We are not going to be cutting down rain forests or engaging in those negative environmental activities that are happening in many other parts of the world in producing food.

It needs to be recognised that it will cost a bit more to do that, but for the food security of this country we need to ensure that we have as much food as possible produced at home at the local base and import less, if possible.

**Dr Archibald:** I thank the Minister for his statement and welcome the ambition around the green growth strategy and partnership working. You have outlined strands of work that fall across sectors. It not be any surprise to the Minister to hear me say that climate legislation with binding sectoral targets would provide a framework for our strategies and programmes. I urge him to expedite that.

On the current work, will the Minister work with the Economy Minister to ensure that the green growth strategy fits in with the economic recovery plan?

**Mr Poots:** Yes. I will work with the Economy Minister and all Ministers on this. We brought this strategy to the Executive on an awayday. I think that that was in February, but it was certainly before COVID struck. We are keen to press ahead with it. COVID has delayed it slightly, but that is a blip and will not prevent us carrying this out. As we come out of COVID, we now want to focus on its delivery. So, yes, the Economy Minister will be crucial, as will the Infrastructure Minister. However, every Minister will have a role in delivering this. I will work with all my Executive colleagues on its delivery.

**Ms McLaughlin:** Thank you, Minister, and congratulations on your policy statement. It is a really good start and I look forward to its further development. I am also pleased with your commitment to work with the other Ministers on this because it is an all-government approach for the future. It is important that all Departments support the green recovery programme. Does the Minister share my concerns about the future of factory farming? It harms the environment and is arguably bad for human health as well, as shown with the recent COVID-19 outbreaks in meat-processing plants in Germany, France, Spain, Wales and England. Are you concerned about that?

**Mr Poots:** It all depends on what the term “factory farming” is referring to. I do not consider farms that have higher levels of livestock and have to employ additional people over and above the family to be factory farms. Some of the larger pork farms that we have and that are being developed in Northern Ireland can reduce the amounts of ammonia and other gases as a consequence of their being prepared to make significant investment. We need to reflect on that. You can have older or smaller systems in place the environmental footprint of which is much larger given their output. We are not in the situation of the United States, for example, where you could go to a farm that has 20,000 cows; that is factory farming. However, we do have larger farms. Some of those larger farms are carrying out best practice. We need to recognise that and not simply label something a factory farm when best practice is being followed. Let us judge everything in the round and on its merits as opposed to its scale. We will need to judge in the round the environmental impact that they make relative to their output.

**Mr K Buchanan:** I thank the Minister for his very detailed statement. The agri-food industry is a sector that I was proud to work with for many years. What further practical steps do you think that that sector could take to fit in with your document or road map?

**Mr Poots:** Good practice needs to be followed throughout the system. From the very start of the process and right through its entirety, factories need to identify good practice on how they manage their waste, how they manage their effluence, what energy they are using, whether they can produce energy of their own and resource water of their own. All those things are in there. I know of facilities that are almost entirely circular and perhaps some that are entirely circular. That is important and something that many businesses have been looking at. It was not on the radar 20 years ago but it is now. It is very important for them and many are responding in positive ways. It is a selling point. There are facilities that are producing their own energy and using it to chill their fridges, drive the lorries and other vehicles that are doing the transporting and so forth.

Those are all excellent and innovative ideas that are making a significant contribution to the circular economy that we desire.

## 12.00 noon

**Mr Muir:** I thank the Minister for his statement. However, I have concerns about the seriousness with which he is judging the situation. He prefaced the statement by saying that he is not someone who is:

*“prone to declaring climate emergencies.”*

The House declared a climate emergency, and it is a clear and present risk to us all. It should not be underplayed.

I declare that I was previously a member of Ards and North Down Borough Council and an employee of Translink. My question is about the plans to incorporate this into the multi-year Programme for Government. What engagement does he plan to have with other Executive colleagues, including the Minister for Infrastructure, to ensure that we have a coordinated approach that it is incorporated in the Programme for Government?

**Mr Poots:** We are very happy to work with all the other Departments, as I indicated to other Members, and transportation is a very important issue. However, COVID-19

has taught us all the lesson that we probably do not need to use as much transport, whether that be aeroplanes, cars, trains or buses, and that many of us can do much more work from our homes. That has been demonstrated to be something that we are capable of doing, and it is a very important demonstration, because we have talked about working from home for years and people were always a bit unsure about it. The fact is that much of the work that we do can be monitored and you can see the outputs of the individuals. Where it is achievable, it should not be regarded as a negative by either business or government.

I want to see less of all forms of transport on our roads, with more people working from home. COVID-19 has awoken us to the possibilities that exist, and that, again, provides an opportunity for the economy in Northern Ireland, because it is much more inexpensive to employ someone to work from their home in Holywood, Hillsborough or wherever else than have those people sitting in an office in London, living in London and going through that transportation system. There are opportunities for Northern Ireland, and we need to embrace them.

**Mr O’Toole:** First, I welcome the Minister’s announcement that he will not cut down the rainforests. The orangutans in Belvoir forest and Tollymore will be relieved and pleased to hear that.

His statement included stressing the importance of the spirit of partnership, and I welcome that. Will he ask his permanent secretary in the Department to look at opportunities for green growth that present themselves from the position that Northern Ireland finds itself in vis-à-vis the protocol? He has talked about that in the past. I do not want to start another row with him over Brexit — we will have lots of time for that in the future — but the European green deal involves one of the biggest markets in the world announcing the biggest ever transition towards a low-carbon economy. How does the protocol enable us, our businesses and workers to avail themselves of that while also benefiting from the pan-UK frameworks and opportunities? Can he ask his Department to look at those opportunities and ensure that they are reflected in the strategy?

**Mr Poots:** We will look at every opportunity that lies there, whether it is European or beyond the shores of the European Union. We are very happy to look at whatever opportunities exist, but the policy that I wish to follow is that we produce premium product at the top end of the market, not the bottom end. That is the market that we need to go after. Obviously, parts of the European Union will fit that bill.

**Ms Bailey:** I am deeply concerned at the emphasis on growth in the strategy. Why must the economy always be at the centre of every discussion that we have about sustainability and why must relentless growth be the only lens through which we can view solutions? There must come a point when we seriously consider how much growth this planet can sustain. I agree with the Minister’s opening sentence though: it is hard to imagine a set of circumstances with more devastating global impacts than those that we currently face. However, if we open our eyes, we will see the other ongoing emergency which threatens the lives of millions more people; one that is set to destabilise and destroy entire economies.

In response to the COVID-19 pandemic, we were brave enough to implement unthinkable changes overnight in

order to protect people. We made the impossible possible. Will the Minister, please, continue to be brave enough to implement the actual change that is needed to halt the breaking down of the climate, and turn that strategy into a real green new deal?

**Mr Poots:** The emphasis on growth with regard to the environment demonstrates that both can be done in conjunction. If we do not have growth, we have retraction. If we have retraction, we have unemployment. If we have unemployment, we have hardship and misery. I am not someone who will bring about hardship and misery. Perhaps, it is the policy of the Green Party to make people unemployed and have hardship and misery, and to compare the challenges that we face environmentally to COVID-19. The response to COVID-19 is temporary and was made in the moment to respond to a particular crisis. No Government in the world could sustain what is currently happening. The borrowing of tens of billions, trillions, pounds and dollars is not sustainable. Perhaps, the Green Party thinks that that is sustainable as an environmental solution, as opposed to reducing greenhouse gases, carbon, methane and ammonia, and, at the same time, allowing businesses to grow and create jobs, opportunities and wealth, which can, then, be invested in health, education and infrastructure. That is my way. The Green Party may want to have some sort of trashed place. I do not want that. I want a vibrant Northern Ireland that is positive and forward-looking.

**Mr Allister:** How we miss Sammy Wilson [*Laughter*] at a time like this to give a reality check on that misty-eyed aspirational statement. I do not say that there are not worthwhile things in it — there are — but I must ask the Minister where the audit is of the cost of what is called “green growth”, or some other fancy title, in terms of existing jobs, set-up costs, and costs that are piled upon the consumer. Today, I have heard, again, much praise of the renewable sector. However, I seldom hear about the resulting costs to the consumer of funding and subsidising the renewable sector. Where is the balance sheet? Will the Minister produce a balance sheet of costs against benefits on those aspirational proposals?

**Mr Poots:** I thank the Member for his question. We are in circumstances in which many of the actions that have been taken have actually been cost-neutral or have had marginal costs, but the benefits have been phenomenal. The Member would do well to reflect upon that. Significant organisations have engaged in partnerships with us through prosperity agreements, not because it is misty-eyed but because it is economically beneficial to the company and helps it to sustain its position in the market and continue to provide jobs. Some of those actions will actually create economies in those companies.

I do not know whether the Member is suggesting that it is a good idea to use plastic that has been produced by oil once and, then, put it into the ground, where it will still exist one thousand years later. I do not know whether the Member thinks that it is a good idea to have waste from the agri-sector going into waterways. Most farmers do not believe that. The vast majority of farmers do not want it. So, I am not sure where the Member is coming from; I do not know whether he thinks that using energy that is produced by combustion in the next 100 years, as opposed to the energy that exists around us, is a good idea. I would much prefer to use energy that is harvested

in the Irish Sea, the Atlantic Ocean or the hills of County Tyrone than use gas that comes from Russia — from Mr Putin — or use oil that comes from Iran. I would much prefer to have energy security from our own sources, and the benefits of that to the environment are there to be seen. So, the route that the Member is going down is not a particularly logical one.

**Mr Carroll:** Teachers probably would not miss Sammy Wilson, given his recent comments, but that is for another day.

The International Energy Agency (IEA) has stated that we have six months to change course in order to avoid a climate catastrophe. The next three years, whether action is taken or not taken, will shape the next 30 years. I want to ask the Minister about a just transition. We are likely to see highly skilled workers in Bombardier and Thompson Aero Seating losing their jobs. What steps will his Department take to ensure that workers are not thrown under the bus because of COVID-19 or the economic crisis that is likely to come and to ensure that their skills and efforts can be utilised to protect the environment so that we have a just transition?

**Mr Poots:** It is hugely unfortunate that those job losses are happening. Unfortunately, there is a reality, and COVID has driven that home in the aerospace industry, and there will be radical change there. We have a specialist aerospace industry in Northern Ireland, and job losses are a consequence that has come about and we need to look at how we can address that and support those workers by providing high-quality jobs, maybe in other industries that are not under the same threat. We will see many job losses over the next number of weeks and months, but as we come out of COVID we need to be very flexible and fast on our feet in demonstrating how we can create other opportunities for people who are losing their jobs.

**Mr Stewart:** I agree entirely with the Member for East Londonderry on the issue of an education process for young people to try to encourage them to think more green through recycling and protecting our environment.

I agree entirely with the Minister; I loathe, as I am sure all Members do, dumping. That is a growing issue in my constituency of East Antrim, as is protecting our waterways, which you also refer to in your statement. Do you support further sanctions and regulations to try to tackle that because it is starting to happen on an industrial scale, and I want to see more done to protect our countryside?

**Mr Poots:** NIEA always seeks to recover the costs that are involved, and it is for the courts to then impose the fines. Members have often indicated their dissatisfaction with that. The scale of the fines that can be imposed is quite significant, but it is not always utilised. That is an issue that the Member rightly raises. I am not in a position to impose fines; we set the law and others administer it. It is for the people who administer the law to impose the appropriate fines and sanctions on those whose activities have brought them before a court.

**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 while the Temporary Speaker takes the Chair.

*(The Temporary Speaker [Mr G Kelly] in the Chair)*

12.15 pm

## Major Capital Works Programme

**The Temporary Speaker (Mr G Kelly):** I have received notice from the Minister of Education that he wishes to make a statement.

**Mr Weir (The Minister of Education):** I want to make a statement to the Assembly regarding my major capital works investment plans in the coming period. In my statement to the House on 5 May 2020, I announced investment of around £40 million, across 16 schools, under the school enhancement programme. My focus today is on major capital works projects that I have approved to advance in design. Before I announce those projects, I would like to provide the House with a brief update on the Department's current capital works programme.

My Department is responsible for the planning, management and delivery of a fit-for-purpose schools estate that will provide a first-class educational experience for pupils, staff and wider school communities and help our young people to fulfil their potential. The schools estate is wide and diverse, spread across five sectors, with an even broader management authority base. There are many challenges in managing such an estate, not least of which is the need to balance the limited capital resources that I have available to me against the much-needed capital investment in our schools. It is, therefore, essential that any capital investment is targeted at supporting the delivery of modern, fit-for-purpose schools that are viable and sustainable into the future.

Since 2012, 66 projects have been announced under the major capital works programme. Twenty-six of those projects are now complete, eight are currently on site, 20 are in the design phase, 11 are at business case preparation stage and one is on hold. In addition, 76 projects are being progressed under the school enhancement programme, and a further 27 major capital projects are being progressed under the Fresh Start programme.

In terms of capital budget, I have agreed a provisional budget of £40 million for the major capital works programme and the school enhancement programme in the current financial year, with a further budget of Fresh Start funding of £19.1 million for the Strule shared education campus and agreed shared and integrated school projects. Smaller investment at a larger number of schools continues to be delivered through the minor works capital programme, for which I have agreed a budget of £64 million in this financial year. I also continue to recognise the much-valued education and development of our young people being delivered in non-school settings through youth programmes throughout the country and have ring-fenced a budget of £10 million for capital works for youth centres.

In delivering across those programmes, I am also conscious of my Department's wider environmental responsibilities. I am aware of the emerging regulations aimed at bringing our public buildings to near-zero emissions, and accordingly, following my statement today, I shall instruct my officials to examine how best practice in

that regard can be reflected in the design and delivery of the projects that I will announce shortly.

My delivery teams in the Department and its arm's-length bodies continue to work hard to progress projects across all those programmes. However, the time required to develop any major capital project from concept through to actual build means that sufficient projects must be advanced to the point where they could effectively utilise funds that may be available in the future. Therefore, in addressing the need for much greater capital investment across the schools estate, I must ensure that I have sufficient announced projects at an early development stage to ensure that capital budget available to me can be utilised to the greatest extent.

Rather than congest the early stage delivery pipeline with a large number of projects, it is my intention to make modest but more frequent announcements on capital to ensure that those projects announced have gained real traction before the next announcement is made. Therefore, following my announcement today, I intend to ask my officials to commence preparation for a further call for project nominations later in the year to facilitate a further announcement in 2021. This will facilitate schools that need major capital works but have either not scored highly enough on this occasion to feature in this announcement or did not satisfy the gateway requirements but shall do so in the future following, for example, the outworking of a statutory development proposal to either rationalise or amalgamate. For that reason, I have decided to announce nine new major capital projects, with estimated capital in the region of £156 million. An announcement on this scale means that there is sufficient delivery capacity to ensure that work can continue on previously announced projects while also allowing these additional projects to be moved forward at pace.

I take the selection of major capital works projects to advance in design very seriously as, effectively, it is a competitive process. It is, therefore, critical that the process used to select projects is documented and, more importantly, followed. In the last number of years, this has been achieved through the development of a protocol for the selection of projects to advance in design, and the same process has been utilised on this occasion. I do not intend to go into the protocol in great detail. However, in brief, Mr Derek Baker, the Department's permanent secretary, launched a call for major works projects in September 2019 for primary and post-primary schools. By the closing date, 31 October 2019, a total of 89 eligible applications were lodged by school management authorities and sectoral bodies. The applications lodged were assessed in line with the 'Protocol for 2019/20 Major Works Call for Projects', which was agreed and published on the Department's website in advance of the launch of the call. A gateway check was undertaken to ensure that schools considered for major capital investment were viable, sustainable, had certainty about their development and had not been announced to receive major capital funding under the second school enhancement programme. The gateway check resulted in 21 schools being ruled out from further consideration. The remaining 68 schools were ranked on merit based on a scoring system, which was detailed in the protocol, and separate prioritised lists were drawn up for primary schools and post-primary schools.



In deciding the number of schools to announce under the major capital programme, I considered the capital budget required to build these schools, the Department's current capital works programme and the capacity of the resources required to develop and deliver the projects. I understand that there are many competing budget pressures at this time, and the current COVID-19 outbreak has had a significant impact on resource budgets. However, it is important to look to the future and give some much-needed good news not just for schools and the wider school communities but for the contractors, the professionals in the construction industry and the wider economy that will benefit financially from the announcement. Whilst construction spend on these projects is not likely to commence until the 2024-25 financial year, making this announcement today will ensure a steady pipeline of projects in design that, in turn, will ensure the continued modernisation of the schools estate in future years as these projects move to construction.

Now, I wish to turn to the list of major works projects to be advanced in design. Today, I am announcing nine projects to advance in design. These schools will benefit from a total estimated capital investment of £156 million. The list comprises three primary schools and six post-primary schools. The three primary schools to be brought forward in design are Holy Trinity Primary, Enniskillen, St Catherine's Primary, Strabane and St Mary's Primary School, Craigavon. The six post-primary schools to be brought forward in design are All Saints College, Belfast, Blessed Trinity College, Belfast, St Conor's College, Kilrea, St Louis Grammar School, Kilkeel, St Patrick's College, Maghera and Tandragee Junior High School, Tandragee.

It is important to recognise that many schools in the estate are old and are costly to maintain, and others are not operating with sufficient pupil numbers to provide the optimum learning environment as recommended by Bain. There must be careful consideration as to how the available funding is invested. Focusing on area planning and investing in schools that are viable and sustainable will help us all in this endeavour. The schools that have been announced today have met these criteria. In making this announcement today, it is my intention that these projects will be taken through to construction. However, I stress that authorisation to proceed to construction on any individual project will be based on the level of capital funding available at the point when the design is complete and all necessary approvals have been secured.

I recognise that today's announcement will be good news for some and disappointing for many others. For those who have not been successful in their application, I advise that it is my intention to make smaller, more frequent announcements of major capital projects. That approach will ensure that schools that are subject to area planning considerations will be better placed to apply under the next major capital works call for projects.

Finally, I reaffirm that my Department's strategy for capital investment in the coming years will continue to be shaped by the outworking of area planning and the delivery of a modern, fit-for-purpose estate of viable and sustainable schools.

**Mr Lyttle (The Chairperson of the Committee for Education):** I thank the Minister for his statement. I will also use this time as an opportunity to continue thank our teachers across Northern Ireland for their hard

work, dedication and innovation during the public health emergency and for continuing to work well beyond their contracted hours to achieve a return to education here.

We welcome this investment, but I imagine that most MLAs will be deeply concerned at reports today of a dispute between the DUP and Sinn Féin delaying investment in free school meals and, I understand, quite possibly childcare. Will the Minister update the Assembly on why there has been a delay in delivering that investment in free school meals and childcare and ensure that a political dispute will not lead to further delay in that investment?

**Mr Weir:** I thank the Member for some of his comments, and I join him in thanking not only the teaching workforce in the current situation but the many non-teaching staff who have helped to deliver over the last few months and who will, indeed, continue to deliver.

The question was somewhat tangential to the statement, but let me make it clear that we want to see a resolution to all budget issues, including the victims' pension. That will be progressed, and there is common consent on free school meals in particular. I am confident that that will be progressed to ensure that we will have that provision for our vulnerable children. Particularly for free school meals, in Northern Ireland, the levels of funding for and, indeed, coverage of a number of children have been much greater than in other parts of the United Kingdom. That is something that I welcome, and I look forward to a resolution to all those issues.

**Mr Humphrey:** I thank the Minister for his statement, and I welcome the investment in particular in Blessed Trinity College, which has come from the merger between Little Flower Girls' School and St Patrick's College in North Belfast. That school could certainly do with the investment, so I welcome that.

I thank the Minister for his ongoing work on and support for education in the decisions that he is making in very difficult times. I also thank him for the time he took to visit the Belfast Boys' Model School a couple of weeks ago, and I know that he will visit the Belfast Model School for Girls later this week. Will any further announcements be made on school capital development in this tranche, particularly on Seaview Primary School in North Belfast, which needs a new school urgently and which I mentioned to him before?

**Mr Weir:** I thank the Member for his comments. Yes, and I know that he has been lobbying on a number of projects, particularly Seaview, and that he has been a strong supporter of that school. It is important that we keep a pipeline of projects going. Therefore; it is my intention to make another call in 2021. That will mean, as is inevitably the case with any capital announcements, that those schools that receive will be very happy and those that do not will be disappointed. In some cases, some of those schools will be fairly high on the list, although I am not going to mention particular schools.

A further call will be made in 2021, and the intention will be to make sure that we have a number of calls, with perhaps smaller announcements. On occasions, there have been announcements where there have been a greater number of schools and a longer gap between those calls. I want to make sure that all schools are treated fairly and are given that opportunity. Seaview and, indeed, other schools that

have not been successful in this particular call will have that opportunity at the next call, and it will be in 2021.

**The Temporary Speaker (Mr G Kelly):** Before I call the next Member to ask a question, I remind Members that to ensure that Hansard and other Members can pick up your comments, you must speak into the microphones and speak through the Chair.

### 12.30 pm

**Ms Mullan:** I thank the Minister for his statement. It is welcome news for the successful schools, but many in my city will be disappointed after the announcement, in particular the Irish-medium sector. We have three Irish-medium schools in the city that have operated in so-called temporary accommodation for between 15 and 30 years. You are aware of their situation, and in your statement you say:

*"It is, therefore, essential that any capital investment is targeted at supporting the delivery of modern, fit-for-purpose schools that are both viable and sustainable into the future."*

I ask you to come to Derry and meet those schools to discuss their needs and outline the process.

**Mr Weir:** I am happy to meet anybody to outline the process. The position is that 89 schools applied, and 68 made the gateway check. By doing so, all 68 are investable. However, there are limitations on resources. One of the restrictions is that something can be done many times over. The scheme was announced in 2019 and scored according to the criteria in the protocol that was existence at that point. It is done directly and fairly, according to those objective criteria. It means that, at times, in individual announcements, different sectors may have different levels of success.

I am committed to ensuring that schools, as much as possible and where it is needed, will get that new school build. However, actions across the board, in individual circumstances, can be taken to ensure that, if there is inadequate provision, where something can be done temporarily in a particular school, it will be looked at. That will be borne in mind as we move into the autumn. We will try to make sure that we maximise the number of children who are directly into the classroom.

I am more than happy to meet anybody from any sector to explain the situation. Inevitably, in announcing successful schools, there will be a much greater pool of schools that will be unsuccessful. That is not because they are without merit; it is because, in the ranking according to the criteria, they were not ranked ahead of other schools that we could announce.

**Mr McCrossan:** I thank the Minister for his statement. For once, I thank you very happily for the announcement in relation to Strabane. It is welcome news, particularly for the principal, Mrs Bridget Wilders, her team and the many families across Strabane who have long awaited the new build and the advancement of the project. Some 470 pupils await this, so it is welcome news.

Many schools across Northern Ireland, including my constituency, are anxious about the return to school, which your Department is working on. What investment or plans are in place to ensure that there is the necessary infrastructure to ensure the safety of staff and pupils in the

school environment? For instance, a lot of the discussion has been not just about class sizes but about classroom sizes. What happens in a situation where a small school cannot accommodate the pupils, even with a one-metre distance between pupils, in the classroom? Will provision be made for extra space, and will that be financed by the Department or the EA?

**Mr Weir:** We have been working on that, and the Finance Minister is keen to be supportive where possible. It may be that practical solutions can be provided. One of the constraints on capital works is that there cannot always be a quick turnaround of that. We are in a rapidly developing situation. My aim is to reach a point that enables everybody to be back in place this autumn all the time. That depends on the wider medical and scientific situation, but it is not something that has been in any way given up or abrogated. Guidance has been issued. Some schools will be able to do it; for many others, the constraints on space will mean that they cannot, if the current environment still prevails. At present, we are making the effort to maximise space and numbers. If there are temporary solutions that can be put in place to aid that, they are to be taken into account. I will seek wider support for the paper that was put to the Executive.

There is also a challenge out there that may be more about providing other locations that can be used for supervised learning. If the voluntary sector, the community sector, Churches and others can assist by providing additional space on a temporary basis, the community should use the opportunity to pull together to try to provide it. We will work with schools to maximise the opportunities to provide space. That work will be ongoing in the weeks to come.

**Mrs Barton:** Thank you very much, Minister, for your statement. On the subject of new builds and new schools, I welcome the news about Holy Trinity Primary School in Enniskillen. I also welcome the £19 million for the new integrated school project in Omagh, because a lot of pupils from Fermanagh and South Tyrone are educated in Omagh. I thank you for both.

We have gone through a pandemic with COVID-19. To follow on from Mr McCrossan's question, I would like to know what planning there is for future classroom sizes etc. I know that there are specific instructions when plans are being drawn up for new-build schools. What does the future hold? Are you intending to have classrooms made larger to accommodate social distancing, if it has to be in place in the future?

**Mr Weir:** It is important that whatever we do be future-proofed, although we cannot always simply react to the precise circumstances. The position, which is always kept under review, is that, whenever schools have been built in recent years, they have been built to handbook specifications on size. For instance, in the primary sector, classrooms in schools of a particular size tend to be 60 square metres or above. The problem is not with what has been built in recent years but is sometimes a reflection of the historical situation. For instance, we find that roughly a third of classrooms are 50 square metres or below in size. As I said, the problem is not to do with the specifications for new builds or any schools that have been recently built but is more to do with the historical situation. What the best specifications are in the handbook is something that will always be kept under review to ensure that we have something that is fit for purpose.

**Ms Bunting:** I welcome the statement from the Minister and indeed his strategic vision and commitment to the ongoing improvement of the learning environment for Northern Ireland's children. I draw his attention to where he mentions in his statement £10 million being ring-fenced for capital works for youth centres. I would be grateful if he would expand on the detail. I also draw his attention to the fact that those buildings are dependent on the projects still being in existence in circumstances in which there is a dearth of overall funding, as well as on having the pupils to fill them. I am certain that he is cognisant of the issues, but I would like some reassurance from him that he is giving consideration to them, because he will be aware of the good work that goes on with our young people outside the school curriculum.

**Mr Weir:** It is undoubtedly the case that, while good work happens in schools, that work is supplemented by those involved formally, particularly through the Youth Service, and by other organisations. I think in particular of voluntary youth organisations and some of the uniformed organisations. There is a range of settings in which, from a practical point of view, there is that level of delivery. I know that this is on a slightly different subject, but, as we look ahead to the summer, I am keen that, in addition to what is done officially through Youth Service, broad permission be given to organisations to take action over the summer, provided that they follow the public health advice.

The £10 million is provided on the basis that youth centres are slightly different from schools. It would be unfair if they were bundled in together. That would be like comparing apples to pears. That is why there has been a level of separate provision. When I accompanied a couple of Members on school visits in the north-west some months ago, we visited a youth centre, and I think that it is progressing. I think that an official announcement was made about the work ongoing on that and the replacement. There is a critical role for the Youth Service.

It is the case that longer-term provision is made on the basis of ensuring that there are pupils to fill the places. Over a decade ago, when it was probably felt that there was a fairly open amount of money that would simply go on and on, a number of capital announcements were made without ensuring that that provision was future-proofed. That is why, as part of any process, the gateway check is there to make sure that schools meet the requirements of area planning. As time moves on, it is likely that there will be changes to the gateway checks. Some schools will fail to make it because of an artificial barrier in their numbers that, sometimes, reflects their historic enrolment. It is the case, therefore, that any announcements will be made on the basis that the school is sustainable into the future. The gateway check, therefore, becomes critical in making sure that we are not, potentially, pouring money into a school that may not have a future five or 10 years down the road.

**Ms Ennis:** I thank the Minister for his statement. I am absolutely delighted to see the inclusion of St Louis Grammar School in Kilkeel. The Minister will know of my persistence in ensuring that there is financial investment in the school and in the wider Mourne area. I cannot think of a school that is more deserving. As someone who has worked closely with the board of governors of St Louis Grammar School, I know that they will be absolutely thrilled to be included in today's announcement. The investment is absolutely necessary and justified. It will

allow the much-needed new school build to proceed at pace, and it will ensure continued educational excellence and the viability of education in the Mournes.

Will the Minister outline the process for the next steps for schools? I invite him to Kilkeel to meet the teaching staff and the board of governors to discuss the next steps with him, and I know that he will be very much welcomed.

**Mr Weir:** I thank the Member for her observations. I suspect that there will be at least 18 different views in the Chamber about which is the most deserving school project to be at the top of any list. That is why there always needs to be objective criteria. I will be happy to go down to Kilkeel or to other places. On a visit to Newry, I met all the post-primary principals from the Newry and south Down area, including, I think, representatives from Kilkeel. I think that there was somebody there from St Louis Grammar School.

The next steps in the process will be to work through the business case and carry out a feasibility study that will make sure that what is put forward is fit for purpose. In most cases, it will be a direct new build, but, if there is a different solution, that is what will be done. By their nature, major capital works tend to take longer than other types of capital works, in part because one of the issues is that a project board will have to be established in each case. Where those works differ from the school enhancement programme, not just in terms of scale, is that, as part of the process, there will be a site search. Areas will be scoped out in the local area to establish the best location according to value for public money and its fitness for purpose. That will, inevitably, mean that things take a bit longer.

In the current circumstances, however, there will be no barriers to that. We all live in a slightly more virtual world than we did a few months ago, and all those issues will be able to be commenced. It will follow, if you like, standard procedure, but, again, I will be happy to meet representatives of the school at some stage.

**Mr Frew:** What is the breakdown of spending across all the schools that have been successful today? Will the Minister enlighten the House on the differences between the school enhancement programme and the major capital works programme?

#### 12.45 pm

**Mr Weir:** There will be individual budgets that are tentatively set aside. Roughly speaking, because the bulk of them tend to be of a much greater scale, we are looking at around about £20 million on the primary side of it, for the three schools, and the remainder of the budget being spent on the post-primary side. Those will be adjusted a little bit as we move into feasibility studies and business cases.

On the school enhancement programme, there are two major differences which then lead to a consequential change. First, there is an upper limit of £4 million on the school enhancement programme. Major capital works are pitched above that. The school enhancement programme also has a minimum level of investment of £500,000. The other issue is that the school enhancement programme is essentially to take an existing building and, by its nature, enhance it. So it may well be that an additional sports hall is built, a science block or something of that nature. It will involve work happening on site.

With major capital works, there will be an examination of, effectively, what is the best site on which to rebuild a new school. On some occasions, that will mean a build which actually takes place on the site of the existing school, but that is not necessarily the case. A school enhancement programme will always take place on site. That affects the speed of turnaround, both in terms of size and the fact that it takes a major element out of the process. School enhancement programmes will typically be delivered a lot quicker than major capital projects.

**Dr Archibald:** I thank the Minister for his statement. It is welcome that St Conor's in Kilrea, which is in my constituency, is one of the post-primaries that have benefited from investment to advance and design. It is also welcome that the design and delivery of these builds will be based on net zero emissions. That is very welcome.

Ms Bunting addressed the £10 million that has been ring-fenced for youth centres. When do you expect announcements around that to be made? Will they be included in this process, or is a completely new process required for those projects?

**Mr Weir:** In terms of the exact timescales, I can certainly get back to the Member. In many ways, it is a separate project, and quite often the nature and scale of youth centres will tend to be smaller than a major capital build with schools. That is why it is kept on a separate side of it, and also on the basis that it is not comparing like with like, so it will be dealt with in a separate way.

**Mr McNulty:** Will the Minister join with me in applauding our principals, teachers, school staff, parents and pupils, whose roles have been completely reconfigured and who have had to make the best out of very difficult and challenging circumstances?

I welcome the statement today and the continued investment in our school estate. I particularly welcome the inclusion of Tandragee Junior High School, and I especially welcome the commencement on site of St Joseph's High School in Crossmaglen. Will the Minister update the House on the proposed new builds at St Peter's, Collegeland and St Malachy's, Armagh, both of which were announced in March 2016?

**Mr Weir:** First of all, I am happy to join in the thanks to teaching and non-teaching staff. I also think that we should be thankful for the role played by parents and students, who have been left at times in a very difficult situation, particularly younger children, and who must be wondering at times what is going on. I am certainly happy to congratulate them on that.

In terms of the specifics of the two projects, I do not have the detail directly at hand, but I will be happy to write to the Member with the detail.

**Mr Butler:** I thank the Minister for his announcements today and, whilst none of them extend to Lagan Valley, I join in the thanks that everybody has given from their respective areas for the schools that have benefited. You did talk, Minister, about emerging regulations aimed at bringing our public buildings to a near-zero net emissions target, which is appropriate, ambitious and commendable, but I would have liked to have heard a line about therapeutic design. When we talk to young people, the number-one issue that they talk about is mental ill health, and schools and the school environment have a major part

to play. I would like to have heard a commitment towards a zero-suicide-focused design. Can the Minister give us a commitment today that that is indeed the case, and it was just omitted from his statement?

**Mr Weir:** Everything will always be tried to be done around mental health. I am conscious of what can be promised. All of us have the ambition to see zero suicides. Whilst there is a contribution with regard to the environment, it is a much wider issue than simply the school buildings.

One thing that has struck me is around designs that have been put in place. To be fair, from visiting school buildings, even with schools that have been built in the last decade or so, you will see that consideration has been given, in the design, to the impact of the broader mental health environment. For example, in a school that is roughly 10 years old, you will see a much greater use of space and light, and the atmosphere that that automatically creates is conducive to helping with broad schooling and also mental health. That is part of the broader process.

With regard to design, there is much more imagination and thinking, particularly around the use of windows and open spaces which create a better atmosphere. Buildings can take us so far but there is a range of other interventions which, as all of us know, need to happen. They are happening to some extent, but we need to make sure that they are there. That is why, for instance, in this year's budget I have given additional funds. It remains to be seen whether further assistance is possible from the COVID side of it, but, prior to that, I was keen to commit additional spend around mental health, particularly focused in primary schools which, to some extent, have maybe been the poor relation of that funding, but there are additional resources this year that will tackle the issue not just within the school system but in a wider context as well. It is a job for all of us.

**Mr Dunne:** I thank the Minister for his announcement today. The investment in new builds is really welcomed. Does the Minister recognise, or have any ideas, around further opportunities for investment in our schools, especially in the north Down area? Bangor Central Integrated Primary School has long awaited such an announcement, which you are aware of, Minister.

**Mr Weir:** Bangor Central is part of the Fresh Start money, so it is happening. As is often the case, and particularly with a major capital announcement, it takes a while to go through processes. I give the Member an absolute assurance that Bangor Central and a number of other projects are happening. Priory Integrated College, for instance, is part of that. The Member may be very keen to slip a couple of additional schools into the announcement today but it is what it is.

It is important, in getting this right, that there will be a mixture of major capital announcements and, as part of that, I want to create a mix and also a school enhancement programme because that can also be the solution as well as other minor works. Despite circumstances, there has been a small increase in the maintenance budget this year. If we can head off problems, prior to them happening, that is also something that would be welcome.

**Ms C Kelly:** Thank you, Minister, for your statement. I am very glad to see St. Catherines' Primary School in Strabane included in the plans, going forward. I also welcome the further commitments made around the Strule

project. What does today's announcement mean for the Strule project with regard to the delivery of the campus?

**Mr Weir:** It is confirming that, within the capital budget, further work will be done this year. Unfortunately, because of the particular circumstances of Strule, there was disruption caused by the COVID intervention. That has knocked things back a little bit. Strule is the biggest single investment that Education has put into place in any one site. It may even be one of the biggest investments that the Executive as a whole have ever put in, so it is a key priority.

With regard to the direct reference to the nine schools, that does not directly impact on Strule but it is a clear indication of the direction of travel and that there is an ongoing commitment to Strule. I had the great honour, along with the then First Minister and deputy First Minister, of visiting Arvalee School when it was opened. It was the first element and I look forward to seeing the other schools on campus being opened as well.

**Ms Armstrong:** Thank you, Temporary Speaker. It seems quite strange to say that but it is good to see you sitting up there. It is a different way to look at this place.

Thank you very much, Minister, for your statement. In it, you confirm a further £19.1 million for Strule and shared and integrated education. The dictionary definition of further is additional. Given that Fresh Start is a fixed budget, is that more money? Will the Minister breakdown how the £19.1 million will be spent? If Strule accesses the majority of that amount, is that part of the planned spend on Strule or is this more money that is going out of Fresh Start to one project? If the Minister is able to access further capital funding, what money is he planning to spend to facilitate the necessary space for the educational restart programme?

**Mr Weir:** We have been working with colleagues on any additional support that can be there, particularly on a temporary basis, for the restart programme. It is ultimately a profiling issue. One of the restrictions that was put on Fresh Start — the Member will be only too aware of this — was that what was provided by the Treasury was ring-fenced to a particular amount of money. Therefore, if bidders missed out, they did not get another chance in that particular year. We have been able to some flexibility.

Wearing a different hat, I can say that that was initially secured through the confidence and supply arrangement, but it has been honoured by the Government since. It was about ensuring that all the money that was available through Fresh Start was delivered in that period.

Consequently, that meant some re-profiling, with some stuff being brought forward at times. The aim is that everything — from across the considerable support of £500 million — is spent within the time constraint.

**Mr Givan:** I know that, today, there will be schools that are, rightly, very pleased with the outcome, but the people in Dromore will be extremely disappointed with this decision. There is a school with over 1,000 children, a canteen that can only serve half of them and no disability access. They have to access sports facilities from outside their precincts, and there is an expectation that that school needs to have a new build. What assurances can the Minister give that, in the next call, the criteria that are used will not disadvantage schools, such as the school in Dromore, which are not able to merge with another school

in their vicinity because they are already at capacity and bursting at the seams?

**Mr Weir:** I will make two points, and I know that I will visit Dromore High soon. First of all, the criteria are always kept under review to try to make sure, as we move ahead, that any future call is done on as fair a basis as possible. I know that Dromore High has very strong needs, as do a number of schools. The other thing is that because nine schools have been given the green light, when it comes to the next call, they will effectively be out of the picture and will not be at the head of queue. That means that, when a further call is made, whether it is on this or on other issues, those schools that missed out today will have a much greater opportunity to feature in the top number. Once a capital announcement is made, it effectively puts successful schools out of the picture. I appreciate that a number of schools in Northern Ireland have not been successful today. That is not to say that they will not be successful in the future.

**The Temporary Speaker (Mr G Kelly):** The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business will be Question Time, after which questions on the Minister's statement will resume. The first Member to ask a question will be Sinéad Bradley.

*The business stood suspended.*

*The sitting was suspended at 12.58 pm.*

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

2.00 pm

## Oral Answers to Questions

**Mr Deputy Speaker (Mr Beggs):** Members will be aware that, as part of our phased resumption of Question Time, only listed questions will be asked of Ministers. Topical questions remain suspended until 4 July. Members who ask listed questions will have an opportunity to ask a supplementary question. I will keep progress under review during Question Time and, should it become apparent that time is available near the latter part of questioning, I may ask other Members to ask supplementary questions.

## Communities

### Advice Sector: Support

1. **Mr Muir** asked the Minister for Communities what support will be given to the advice sector to help it return to normal business and continue to help vulnerable people following lockdown. (AQO 466/17-22)

**Ms Ní Chuilín (The Minister for Communities):** I thank the Member for his question. It is a very good question. During the current crisis, the advice sector has been critical in assisting the most vulnerable people in our society and advice organisations across our community continue to deliver front-line support. I want to acknowledge that work and thank them for what they have delivered on the ground every day as we now move into a period in which restrictions are being eased.

I am committed to protecting those who are in most need across our society and access to community-based, independent advice services is critical in meeting that commitment. My officials have worked closely with regional and local front-line advice organisations on a co-design production approach to develop support mechanisms. Transition planning is now well under way to assist regional and grassroots organisations to return to normal business, whilst ensuring that those who have been affected by COVID-19 continue to receive much-needed support.

The community helpline will continue to connect the most vulnerable people to local support services through our stakeholders in the voluntary and community sector, and I have allocated additional funding to support that. Some £1.8 million of additional funding for debt-related advice will provide much-needed support to the individuals and small businesses that are experiencing financial problems due to coronavirus, and my officials are exploring options to ensure that that funding achieves the maximum impact. My Department continues to provide significant direct financial support of over £6.4 million per annum, which supports 360 jobs in the sector and delivers independent, community-based advice services to over 230,000 citizens.

**Mr Muir:** I thank the Minister for her response. I also welcome her to her role and pass on my and my party's best wishes to Deirdre Hargey for a speedy recovery after her period of illness.

We are emerging from a public health emergency and moving into an economic crisis and recession. Will the Minister meet the advice sector to explore further what support measures are required to ensure that it can assist people as we go through the economic downturn ahead?

**Ms Ní Chuilín:** The short answer is yes; I will absolutely continue the work that Deirdre Hargey started and will work with officials to do so.

I saw some of the social media commentary on advice from the very start of the crisis. Everyone possible, all the partnerships, have worked together and the advice sector has loomed large. It is important that we talk to the experts, learn lessons from the lived experience and try to adjust the services so that they go to those who are in need. We also need to listen to the experiences of those who are delivering the services to ensure that the services are effective and on the ground and that people get a better outcome. I am happy to meet the structural and independent advice sectors. Those at the grassroots who have been working throughout the crisis definitely need a hearing.

### Model Engineers' Society NI: Miniature Railway

2. **Mr Easton** asked the Minister for Communities what contact she has had with the Ulster Folk and Transport Museum in relation to its decision to remove the Model Engineers' Society Northern Ireland and its miniature railway from its premises. (AQO 467/17-22)

**Ms Ní Chuilín:** I thank the Member for his question. My officials have had contact with National Museums NI about that matter. Museums NI has recently reviewed the relationships with the Model Engineers' Society Northern Ireland, which had enjoyed access to the walled garden in the Transport Museum for over 50 years to operate its model engines. Museums NI is developing a master plan for the Cultra site, which will provide a better look at unlocking its potential to meet its long-term objectives.

With those considerations in mind, Museums NI indicated to the Model Engineers' Society, in October 2019, that its continued use of the walled garden would not form part of future plans for the site. However, Museums NI has not yet given the society formal written notice to vacate. This is, ultimately, an operational matter for the management of Museums NI to decide.

**Mr Easton:** I thank the Minister for her answer. Does she agree that it is a shame that the Model Engineer's Society of Northern Ireland may have to leave the site? Would it not have been better to look at different areas of the site, where there are large spaces to which it could move? At this late stage, would the Minister consider writing to the Ulster Transport Museum to ask whether it would look at other areas of the site to which the society could move?

**Ms Ní Chuilín:** The Member will appreciate that I am just coming into this role. I am happy to write to Museums NI. I am happy to get an update and better briefing. I am certainly happy for my officials to communicate with the society to ensure that, if there is potential, my officials, the museum's officials and the society can try to work something out, because the society has been there for 50 years, but I cannot make any further commitment, and I will not try to. The best I can do is try to get them together

to see what comes out of that, and I will keep the Member informed.

### Social Supermarkets Pilot Programme

3. **Mr G Kelly** asked the Minister for Communities for her assessment of the social supermarkets pilot programme. (AQO 468/17-22)

**Ms Ní Chuilín:** I thank the Member for his question. The social supermarkets pilot programme has been running since October 2017, with five sites in operation. By the end of March this year, almost 120,000 people had received support through the programme, which redistributed 148 tons of food. The model provides a more significant experience than a food bank. In addition, it provides people with a pathway out of poverty by supplementing food with access wrap-around services, including debt, budgeting and healthy eating advice, as well as training skills and other opportunities.

A roll-out evaluation of the pilot programme up until March of this year was completed and it indicated that support was reaching those who are particularly vulnerable with low income, debt obligations and high levels of unemployment. The most common household profile has been that of lone parents. The evaluation also indicated that the programme is achieving significant outcomes for its users, with really good, positive impacts on well-being, healthy eating and food stability.

Additionally, the programme has provided a platform for collaboration. All five social supermarkets have connected with wider support networks to leverage their involvement. That includes my Department's Make the Call initiative, which ensures that individuals get access to all the benefits and support to which they may be entitled. The Member may be aware that my predecessor, Deirdre Hargey, decided to extend the pilot while a business case is undertaken to assess the case for rolling out a fuller programme.

**Mr G Kelly:** Gabhaim buíochas leis an Aire as a freagra. I think that the Minister has answered my second question. It is a wide-ranging programme, and the outcomes that she describes are very heartening. It is unfortunate that it took COVID-19 to see how these sort of projects work. Effectively, the pilot is being moved forward, and I hope that the assessment comes back on that fairly quickly. That was a comment rather than a question.

**Ms Ní Chuilín:** Fair enough. I appreciate that. I think that a lot of people will be asking for similar social supermarkets in their constituencies. In fact, most of us know of food banks and community and church support groups that have been instrumental throughout this crisis. What we have all learned from this is that we all need to pull together and work together. Providing food security for people is important but so is providing advice and guidance on areas such as debt management, mental health and employability. The Strategic Investment Board (SIB) did the review and evaluation, and that is being disseminated with a view to bringing more social supermarkets to many more constituencies.

### Local Government: COVID-19 Support

**Mr McAleer:** Ceist uimhir a trí. Question 3.

**Ms Ní Chuilín:** Question 4? Just keeping you on your toes, Declan. *[Laughter.]*

4. **Mr McAleer** asked the Minister for Communities to outline the support she has provided to local government during the COVID-19 crisis. (AQO 469/17-22)

**Ms Ní Chuilín:** Despite the current COVID pandemic, councils continue to play a key role in delivering essential services, such as waste collection and disposal, community support and the provision of registration and cemetery services. All Members will be aware of the severe financial challenges that each of the councils are facing. The funding of £20.3 million from DFC will help to assist councils with their cash flow and support them in the delivery of the vital services that they are providing to the community at this time, but it will also help to ensure that they are ready to play their role in our post-pandemic recovery and limit the financial impact on ratepayers going forward.

I also recognise that councils have unique community insight to reach grassroots groups and are really well placed to ensure that citizens receive as much help as possible. DFC has provided £1.5 million of additional community support funding, and this money is an initial tranche and more will follow. This is to provide assistance to those at risk due to financial stress, ensuring access to food for those in most need and helping to connect those living alone or living in rural areas, who are likely to experience greater challenges, and people from all walks of life. As I said, this is a step forward to help citizens to help neighbours with deliveries of food and medicines so that they can remain safely in their homes.

**Mr McAleer:** I thank the Minister for her answer to question 4. Will the best practice and the lessons learned from the pandemic be carried forward in future dealings with local government?

**Ms Ní Chuilín:** I think that they have to be. I know that this is probably a well-worn phrase, but COVID-19 presented us all with challenges, and we were literally trying to deal with those as best as possible. In the past, local government has always stepped forward in emergencies. I cannot speak for your constituency, but I can certainly speak for Belfast and for what Belfast City Council has done during the global pandemic. In the Department for Communities, our support and appreciation for the work of local government has been well recorded, and I want to take the opportunity on behalf of us all to do that. We must learn lessons. We must work out what we did not do so well but would like to do better, and we must work out what we did well and would like to do more of. I have absolutely no doubt that there will be a financial cost to that, but lessons learnt must be part of our post-COVID recovery.

### Social Security Entitlements

5. **Ms Ennis** asked the Minister for Communities for an update on the delivery of the legislation and amended provisions she brought forward to social security entitlements in response to the COVID-19 crisis. (AQO 470/17-22)

**Ms Ní Chuilín:** I thank the Member for her question. I am pleased to advise that my Department has moved quickly in response to the COVID-19 pandemic to relieve hardship and ensure that the people who are in most need get the help and support that they need. This has included

introducing measures to ensure that the social security system is more flexible and to reassure very vulnerable people about the continuity of their benefits.

In total, 16 sets of emergency regulations have been made in response to COVID-19. The immediate impact of these changes include increasing the amount payable under universal credit so that the average award will go up by approximately £90 a month, regulations to ensure that grants to self-employed people are appropriately treated in their universal credit award and temporary changes to statutory sick pay rules to ensure that support is available from day one for individuals who are sick, self-isolating or shielding. That also includes changes to the local housing allowance rates, which benefits private rented sector tenants. People in receipt of carer's allowance will continue to be paid the benefit even if they have temporarily ceased caring or because they have been affected by COVID themselves. Other changes are changes to maternity allowance and statutory maternity pay as well as the coronavirus job retention scheme. The specific discretionary support scheme has been enhanced by introducing the living expenses grant to help those who find themselves in a financial crisis due to the impact of COVID. An increase in the discretionary support annual allowance income threshold to £20,405 will also ensure that more people on low incomes can access emergency financial support.

**Ms Ennis:** I thank the Minister for her response. Is she considering continuing any of these mitigating factors once the crisis has passed?

**Ms Ní Chuilín:** A lot of these will have been direct Barnett consequential from DWP, and I think that everybody has recognised that the Executive have also found additional money and that DFC has spent it very well.

The existing mitigation packages will continue. Collectively, as an Executive, we need to look at what additional support we can give to people who are really vulnerable, particularly those who are on benefits. We are still working our way through this. We will look at any potential that we have that will not have a massive impact on the budget, to help the people who need it most.

2.15 pm

## Food Poverty

6. **Ms Mullan** asked the Minister for Communities to outline her plans to address food poverty. (AQO 471/17-22)

**Ms Ní Chuilín:** I am committed to delivering long-term, sustainable solutions to poverty in all its forms, including food poverty. There is no doubt that pre-existing inequalities have been exacerbated during the pandemic. The increased need for food support is evidence of that. The extent of food poverty in our society has been underlined by the response to the access to food programme. One of the key elements of our emergency response during the current crisis has been the delivery of more than 150,000 food boxes to those in most need since my Department launched its COVID-19 food parcel service in April. Alongside that, allocations of £1.5 million in financial support to councils enabled a significant community response, with the majority of interventions relating to food. There is also the increase in the use of food banks, with the Trussell Trust reporting

a 142% increase in demand for its services here. Given those issues, my predecessor, Deirdre Hargey, agreed a package of medium-term measures to support people experiencing food poverty, including the introduction of some grant flexibility to allow grant-funded organisations to respond to coronavirus and £3.3 million of funding for food-related projects delivered under the neighbourhood renewal People and Place strategy.

**Ms Mullan:** I thank Minister Hargey and this Minister for their sterling work and numerous interventions over the past number of months, particularly the measures that have protected and supported the most vulnerable. Many of those interventions, while welcome, have shone a light, as the Minister said, on many areas of poverty and need across society. Has the Minister engaged with other Ministers to develop a cross-departmental approach to food poverty?

**Ms Ní Chuilín:** I know that holiday hunger is an issue close to the Member's heart. Just this morning, Minister Peter Weir and I discussed last week's announcement and what we could do, given that the school term ends on Tuesday 30 June. It was a good, productive meeting, and we are committed to trying to address food poverty in the form of holiday hunger. The Member will be aware through her role on the Education Committee that, in the short, medium and long term, we need to bring forward an anti-poverty strategy that does not just look at holiday hunger during COVID but tries to address it in the long term. The phrase "heat or eat" represents the experience of many, and we need to put our best foot forward to get this sorted once and for all. In the interim, we are looking at getting free school meal supplements to families.

## Tenants' Rights: Private Rented Sector

7. **Ms Flynn** asked the Minister for Communities whether she is considering introducing additional and improved rights for tenants in the private rented sector. (AQO 472/17-22)

**Ms Ní Chuilín:** The role and regulation of the private rented sector is one of the Department's priorities and certainly one of mine. The Department's consultation exercise on proposals for change to the role and regulation of the private rented sector ended on 3 April 2017. To improve standards for the benefit of tenants and landlords, my Department is carrying out a comprehensive review of that sector's role and regulation. Areas included in the review are supply; affordability; security of tenure; tenancy management; property standards; and dispute resolution. Minister Hargey was considering how to take forward the recommendations of that review and what other measures may be necessary, including proposals that may warrant future legislation.

Since the outbreak, Minister Hargey has put in place legislation to ensure that private tenants are protected from eviction during the COVID emergency. It requires landlords to give tenants a minimum of 12 weeks' notice to quit. At this time, it is vital that those who live in private rented accommodation are not forced out of their home. My Department has issued detailed guidance to landlords and tenants. I also commend the services of Housing Rights, which the Department funds to provide expert housing advice, mediation and guidance.



**Ms Flynn:** I am not sure if the current health and safety regulations are included in the review that the Minister spoke about. If not, will the Minister commit to carrying out a separate review of those regulations in the private rented sector?

**Ms Ní Chuilín:** The honest answer is that I am not sure, but, when you look at security of tenure and standards, the key word for me is “standards”. We need to look at the conditions that tenants live in and look at things like when the electricity was last checked and whether there is mould or damp. More than half of the population in the private rented sector receive housing benefit. Those are public funds, and, unfortunately, there is a better standard of homes in public housing than in private housing. That is not to say that private housing is bad; it is just that we have an obligation to ensure that tenants live in a safe, clean and proper environment. I will see what that review covered and will write to the Member and share it with the Committee.

## Food Parcels

8. **Mr K Buchanan** asked the Minister for Communities whether there are plans for councils to continue issuing food parcels to vulnerable people beyond the end of June 2020. (AQO 473/17-22)

**Ms Ní Chuilín:** The Member has probably listened to some of the previous answers, so, if it sounds a bit repetitive, I apologise.

Access to the food programme, as the Member will know, has proven to be one of the key elements of our emergency response during the current pandemic. More than 150,000 food boxes have been delivered to those most in need since my Department launched its COVID-19 food parcel service in April. Alongside that, allocations of £1.5 million of financial support to councils have enabled a significant community response to those in need of food, income and connectedness. I am aware that there are a number of people across the community who currently rely on regular food parcels from DFC and are likely to continue to require its support when the present crisis ends.

As part of the transition from an emergency response, Deirdre Hargey decided to extend the food parcels beyond 26 June for people currently receiving a food box who have been told to shield by their GPs and have no other access to food. That support will be available for those who are medically shielding and in need of a food box until the end of July. For those who are not medically shielding, the Department recently made allocations of £1.5 million in support to councils. That enables them to make a significant contribution to those in need of food, income and connectedness. Furthermore, DFC, as the Member may be aware, has been delivering the social supermarkets pilot programme as part of its welfare mitigations package.

**Mr K Buchanan:** I refer to the Minister's letter, dated yesterday, regarding the information that she provided about carrying out an interim review. My question is obviously timely. Will she confirm who fed into that review: delivery partners, Advice NI, councils? There seemed to have been a different approach across councils where some people were getting them and some were not. I appreciate that it was put in at speed, but there is a different approach across areas. What did that review entail?

**Ms Ní Chuilín:** I will have a look. I agree: I do not think that anybody wants patchiness, where one area gets a really good service and another area gets a half-decent service. Regardless of where your constituency is, regardless of who the citizens are, they deserve the very best that we can provide for them. I will try to find out, and I will write to the Member. If he wants to share that correspondence with the officials up in the office, I will try to get him a quick response.

## Sports Sector: COVID-19 Support

9. **Mr McGrath** asked the Minister for Communities what support her Department has provided to the sports sector in response to the COVID-19 pandemic. (AQO 474/17-22)

**Ms Ní Chuilín:** The Department and Sport NI have provided both financial and practical support to the sector, including advice on accessing COVID-related relief programmes, maintaining the health and well-being of members and putting together specific protocols for a safe return to sport. In terms of financial support, Sport NI immediately paid the sector grants that were due under existing programmes. The Department and Sport NI launched the sports hardship fund, which now totals £1.245 million. That will enable 620 clubs to receive a £2,000 grant to assist with the cost of maintaining their facilities. In addition, Minister Hargey made the case for clubs to be included in the eligibility criteria for the £25,000 hospitality, retail, leisure and tourism scheme. I can advise that I have submitted a bid through the June monitoring round to help to prepare for further assistance to the sports sector. My officials continue to work with Sport NI on the return-to-sport framework, which provides vital guidance to sports' governing bodies as they develop their protocols for a safe return to sport.

**Mr McGrath:** I welcome the Minister's reference to a bid in the June monitoring round to get additional funds, because, as, I am sure, many Members are aware, within 48 hours of the scheme opening, it had to close. There will be hundreds of groups that were not able to access the scheme. If there are additional moneys, will the Minister commit to helping some of the governing organisations, as that might help to send funding out on the ground?

**Ms Ní Chuilín:** I remember it well, because I was on the Committee for Communities. We, particularly Jonny, remember the explosion almost of people who had had very little time to put their application in before the whole thing closed. Governing bodies are key. Any sport affiliated to a governing body providing advice, guidance and information is supported by Sport NI. It makes sense that Sport NI would use governing bodies to help to disseminate information and to support them so that, if they apply, they are in a good place. To be honest with you, in relation to previous questions, I think that a lot of local sports clubs, not so much the governing bodies, have been outstanding throughout this period, because they are all citizens and residents. They have experienced great hardship, yet, despite that, they have rolled their sleeves up and got stuck in.

## Public Spaces: Seating Capacity

10. **Miss McIlveen** asked the Minister for Communities what work her Department is undertaking to repurpose public spaces to allow businesses, especially those in

the hospitality sector, to utilise these spaces for seating while restrictions are in place on indoor capacity.

(AQO 475/17-22)

**Ms Ní Chuilín:** I acknowledge the contribution that the hospitality sector makes to the economy and to society more generally. I am keen to see that sector play its part in the safe recovery from COVID-19.

The outdoor spaces close to hotels, bars, restaurants and cafés could be utilised to maximise opportunities for businesses to deliver their services while ensuring the safety of staff and customers. I also emphasise that the needs of our citizens who are partially sighted or have disabilities or other mobility issues should be foremost in our minds when making any changes to our streets.

The Department for Communities owns a number of public spaces in our towns and cities as well as sites that have been acquired for regeneration purposes. The Department is willing to make those available, where it can be helpful, to support safe queuing, social distancing or to provide spill-out spaces for clubs, cafés, bars and restaurants. I am also grateful to my Executive colleague the Minister for Infrastructure, Nichola Mallon, as we have written to all councils asking them, as planning authorities, to take a flexible, pragmatic approach to the use of street seating.

**Miss McIlveen:** I welcome the progress made since the question was submitted, particularly in relation to correspondence with councils.

Can the Minister outline what plans her Department has to help to revitalise small towns, such as Newtownards and Comber in my constituency, as we move towards post-COVID-19 recovery?

**Ms Ní Chuilín:** I will look at the portfolio of regeneration schemes. As a former Minister, the Member will appreciate that I want to look at that, because I am aware that, in an area that she did not mention — Bangor — there has been ongoing regeneration. However, that is not to say that the rest of that constituency does not have bids or calls in. It is important that we use whatever time we have now to make sure that the i's are dotted and the t's are crossed, so that, when we go back to normal — whatever that may look like — we do not waste time doing things that we could have done earlier to speed the process. I will certainly look at what regeneration programmes there are.

I know that my Department and that of my colleague Edwin Poots could work on extending regeneration schemes to towns and villages, right down to small rural places of fewer than 5,000 people. I will certainly look at it and write to the Member to give her an update on what is happening in her constituency.

2.30 pm

### Waiting Times: Housing Executive Properties

11. **Mrs D Kelly** asked the Minister for Communities what action her Department is taking to reduce waiting times for the adaptation of Housing Executive properties. (AQO 476/17-22)

**Ms Ní Chuilín:** This is an important issue for my Department and me. On my behalf, it was raised by the permanent secretary, and I will discuss it with the chair

and the chief executive of the Housing Executive at the forthcoming accountability meeting.

Prior to COVID-19 and the subsequent lockdown, the Housing Executive took forward a pilot scheme with a view to streamlining a major adaptations process. Following the success of that pilot in the south region, the Housing Executive mirrored that approach in the north region, with timescales for improvement in both cases. In the 12 months prior to lockdown, the Housing Executive moved towards recruiting additional staff resources to undertake the design element of adaptations in-house. That has been proven to increase the quality and has definitely improved the time frames. While good progress has been made, there are still backlogs following the insolvency of a consultant who previously provided much of this work, along with other external factors.

To mitigate that kind of ripple effect from contractor insolvency in the future, the Housing Executive has gone to tender with the larger contractor framework, and is hoping to attract a larger pool of contractors, in order to limit the need for further procurement through the duration of any new contract framework.

**Mrs D Kelly:** I thank the Minister for her answer. The Minister will be well aware that any delays increase the applicant's dependency. Is the Minister confident that there is sufficient funding to tackle the backlog, so that whenever the systems are put in place and the consultants etc are engaged, we will be able to fast-track, especially given the importance to the construction industry as well as to the applicant?

**Ms Ní Chuilín:** To be honest, I cannot say I am confident yet, because I have not looked at all the details. I assure the Member that she should be confident that I will certainly make that a priority. That is the only commitment that I can give.

As well as the backlog I outlined, she and other Members will be aware that there has been a backlog in occupational therapists (OTs) doing the assessments that are passed on to the housing providers, either the Housing Executive or housing associations, so that adaptations can be carried out. Meanwhile, people who have to go from one place to another, for example the kitchen or the bathroom, are in sheer agony. Their quality of life has reduced, so I am with her. I want to make sure that we make the process as smooth and streamlined as possible, so that we are not sitting in this situation again.

As well as looking at contractor arrangements, I am also looking at reports about the staff side representatives and allied health professions who are needed. We need to unlock that; people are waiting too long. To be honest, their lives are miserable and I do not think that any of us want that on our watch.

### COVID-19 Shielding: DFC Support

12. **Mr Stewart** asked the Minister for Communities for her assessment of the effectiveness of the support provided by her Department to people identified as required to shield since the start of the COVID-19 pandemic. (AQO 477/17-22)

**Ms Ní Chuilín:** I thank the Member for his question and I also thank all those who have been involved in what has been a really great community effort.

Minister Hargey responded quickly. On 20 March she established an emergencies response leadership group. The group, which includes local grassroots community groups as well as the wider voluntary and community sector, has worked side by side with the Department, health and social care trusts, and local councils to ensure that tailored support is in place for the most vulnerable. The speed at which that cross-sectoral partnership approach was developed was particularly important. The COVID-19 community helpline was launched on 27 March, only a few days after shielding was announced.

I mentioned earlier, and the Member was present, that access to food has been one of the most critical elements to the emergency response. Access to medication is also particularly important for those who are shielding and those who support them. In partnership with the Department of Health, we helped match over 250 community pharmacies with voluntary and community groups that have delivered over 34,000 prescriptions. A further partnership has also seen the launch of a virtual well-being hub, providing mental health and well-being resources and support for those impacted by the crisis.

Throughout the response, the Department has ensured that financial assistance is successfully provided to those impacted by the pandemic. An enhancement to discretionary support was quickly put in place and over 99% of all universal credit claims have been paid on time each week, despite the caseload almost doubling.

**Mr Stewart:** Thank you, Minister, for your response. I congratulate you on your new position. I wish you well and I wish a speedy recovery to former Minister Hargey.

I know that the food hampers and packages have been discussed already. We all take our hats off to that scheme to help those most in need.

One of the success stories and positive aspects to come out of the whole COVID crisis has been the community across the country uniting to help the most vulnerable. It has been amazing to see big groups coming together. We talked about a post-COVID debrief. If we have to roll out such a scheme again, can we look at the quality of some of the food that is being put out, because, in the hamper scheme that we were running locally, we were seeing some out-of-date bread and damaged goods? It is never going to be perfect, but some of the most vulnerable were also being missed.

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

**Mr Stewart:** Thank you.

**Ms Ní Chuilín:** That is not good enough, to be honest with you. We all have dignity, and nobody wants to get out-of-date bread. There is a message when you get that: you feel like an afterthought, despite all of the good efforts and good heart behind it. I hear that.

What lessons can be learned? We have to learn lessons regarding access to some of the supports under the social supermarkets. They are looking at fresh fruit, fresh meat and fresh bread. We are all entitled to fresh food. Lessons will be learned. If we go into a second quarter, councils will be taking forward the support for money, but it is also about due diligence. Everybody knows what they do not want to do again, but we need to put a plan on paper for what we will need to do post-COVID, and, God forbid, if we

ever go through a second wave of this, to ensure that we are in a better position than we were in March.

## COVID-19: Voluntary and Community Sector

13. **Mr McGuigan** asked the Minister for Communities for her assessment of the role that volunteers in the voluntary and community sector have played throughout the COVID-19 pandemic. (AQO 478/17-22)

**Ms Ní Chuilín:** During the crisis, volunteers have been critical to the success of community-level response. They have been involved in a wide range of activities to support vulnerable people, from providing practical support, delivering food, delivering prescriptions and collecting shopping, through to providing emotional and well-being support. Sporting organisations and faith-based groups have stood out for their contribution. They have played a massive role, as have some businesses in their volunteering role.

Sporting organisations have been key stakeholders throughout the crisis. I commend everyone who has volunteered, particularly the grassroots organisations. In many ways, volunteers have been the first responders during the crisis. It is important to recognise the individual acts of kindness shown by many people: checking on their neighbours; picking up their neighbours' messages; chatting to each other across the fence; walking their neighbours' dogs, or whatever it has been. Those strong communities and strong bonds have been crucial throughout the emergency, and we will continue to ensure that their significance and contribution is recognised as we, hopefully, move into the recovery phase.

**Mr McGuigan:** I echo the Minister's kind words and praise for the support and contribution of the community, voluntary and sporting organisations during the crisis. Does the Minister believe that there are lessons to be learned from the mobilisation of volunteers across community, voluntary and sporting sectors and that it can be built upon?

**Ms Ní Chuilín:** The answer is yes: it definitely can be built upon. In North Belfast — my constituency, and Paula's — we had soup deliveries from north to west Belfast, from the New Lodge to the Shankill. Relationships, which had always been there and had worked through the most difficult times, shone throughout the pandemic. On Sundays, people on the Shankill made all the soup for the residents; roast chicken and roast beef were cooked in another kitchen; and the youth clubs tried to put it all together and deliver it safely. There were lots of groups involved. People from GAA clubs, soccer clubs and Scout groups, for instance, were out delivering. You would not have got that effort in the absence of a crisis, despite the fact that they all do good work. We cannot lose sight of those connections and friendships that will, hopefully, endure well beyond the crisis.

**Mr Deputy Speaker (Mr Beggs):** Members, we are coming to our final question. I hope to be able to take a supplementary question if anyone wishes to rise in their place.

## Food Parcels

14. **Mrs Barton** asked the Minister for Communities the criteria used to identify people eligible for the COVID-19 food parcel service. (AQO 479/17-22)

**Ms Ní Chuilín:** My Department is seeking to target and help those in most need. I am sure the Member has listened. The food parcel service has been critical and, in particular, has delivered to people who are vulnerable or have been shielded through notification from their GP. The boxes have also been available to people who are not shielding, but who are in critical need of food. People are able to request support through the COVID-19 community helpline. A triage system is operated locally through helplines to assess the needs of a person, regardless of whether they are shielding or non-shielding, or have already received support through other networks, such as family and friends.

**Mrs Barton:** Thank you for your answer, Minister. Some who were eligible for food parcels did not get them. With the service continuing, will there be a guarantee that those people will be considered second time around, if you understand what I mean, starting from July?

**Ms Ní Chuilín:** We were told that 40,000 people received shielding letters, and that figure more than doubled. In my constituency, people got their first shielding letter only four weeks ago, never mind the continuation letter. Granted, they were helped out by neighbours, but without their neighbours' vigilance, they may have been ignored.

I understand what the Member is saying. That is the sort of lesson that we need to build into the review to ensure that those people are not missed a second time. For those shielding, the food boxes are continuing until 31 July. After that, we need to look at other opportunities for support.

**Ms P Bradley:** I thank the Minister for her answers. My question is in a similar vein. How confident are you that the right people are going to get them, and what conversations have you had with the Department of Health? We know that the Department for Communities was not at fault for people receiving shielding letters only four weeks ago. Are you confident that the right people are going to get them and that GPs have done their job and sent out those shielding letters?

**Ms Ní Chuilín:** We discussed that at the Communities Committee and were really frustrated that some very vulnerable people had only got their shielding letters. We were worried that they were invisible, by and large. They had good community networks and neighbours, but if they lived in an isolated or rural area, such as Rosemary represents, that is a fear for us all. I will be having conversations with the Department of Health to try to ensure that something like that does not happen again.

**Mr O'Toole:** I welcome the Minister to her job, and well done for stepping up at short notice.

She will know, as a former Minister for Culture, Arts and Leisure, that the arts sector in Northern Ireland is on its knees as a result of COVID. Our arts and cultural sectors are critical to how we live across the island. They are also critical to economic recovery and tourism. I do not know if she has had a chance to look at detail of the letter that she will have got from the cultural sector. They want support —

**Mr Deputy Speaker (Mr Beggs):** The Member has asked that question, and is way by the issue of the delivery of food parcels —

**Mr O'Toole:** OK. Will she look at the proposals —

**Mr Deputy Speaker (Mr Beggs):** I will offer it to the Minister —

**Mr O'Toole:** — and will she form a cultural task force —

**Mr Deputy Speaker (Mr Beggs):** — if she wishes to make a response. Minister —

**Mr O'Toole:** — to help to aid the recovery of the arts and culture —?

**Mr Deputy Speaker (Mr Beggs):** Order. I will ask the Minister if she wishes to make a response.

**Ms Ní Chuilín:** The answer is yes, even though it has nothing to do with food. Yes, I saw the letter. We saw it at the Committee. It was detailed, so we are certainly looking at it. Again, it is about the Executive's five-stage recovery plan and how we can move forward. I fully understand the absolute pressure that the arts sector is under. It is about people's livelihoods, and people are having to go to food banks, so there is a connection — they are going to food banks. So, I understand.

**Ms Armstrong:** I will be quick. Minister, thank you very much for your answers. As we know, some who needed food parcels did not get them. Unfortunately, many who did get them did not need them. Are you considering having an easy version of how to decide who does need them, and I do not mean by means testing, and will you continue the priority slots in supermarkets?

**Ms Ní Chuilín:** I will take the last point first. The priority slots in supermarkets are important. Some supermarkets in north Belfast are keen to do that post-COVID, particularly for people working in education and health, but certainly for the elderly and children with autism.

In north Belfast, and I hate using north Belfast as an example, there is a lot of need and a lot of food was delivered. I am unaware of people getting food who did not need it. I am not saying that it does not happen, but I am not aware of it.

Do we need to tighten things up? Absolutely. We need to ensure that people who did not get, do get. That is where we are all coming from. Whatever the lessons and experiences, that is one of the things we will look at coming out of this.

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

2.45 pm

## Economy

### Universities: English Students

1. **Mr McCrossan** asked the Minister for the Economy what steps she plans to take in response to the UK Government's decision to restrict the number of English students able to study at local universities. (AQO 480/17-22)

**Mrs Dodds (The Minister for the Economy):** I am wholly opposed to the Department for Education England's intention to impose a student number control on full-time undergraduate English domiciles at Northern Ireland's higher education providers in the coming academic year. I am shocked that another jurisdiction in the United Kingdom is seeking to control student numbers in Northern

Ireland and concerned about the impact that it may have on our local sector. This intention runs contrary to what had been agreed amongst the four UK Administrations at the beginning of May on a number of measures relating to admissions for the coming academic year under the UK admissions package.

Local institutions will have already started to determine their recruitment of English domicile students without any indication that the Department for Education England restrictions would be imposed on them. For the proposal to be brought to the fore at this stage in the recruitment and admission cycle is not just unfair but unprecedented. Five local institutions are impacted on by the decision: Queen's University Belfast, Ulster University, St Mary's University College, Belfast Metropolitan College and South Eastern Regional College. I have raised my opposition to the action directly with the Secretary of State for Education, Gavin Williamson, and the Universities Minister, Michelle Donelan. On the basis of legal advice, it appears that neither I nor my Department can stop the Department for Education England introducing the measure. However, I continue to raise the concerns of the local sector with the Universities Minister and seek a solution for any local institution negatively impacted on by the decision.

**Mr McCrossan:** Thank you, Minister, for the answer to that important question. This year, the academic year has been hugely disrupted. Our every way of life has been hugely disrupted, but the academic year for students has been disrupted from start to finish. Has any consideration been given to the waiving of tuition fees for the students affected this year? Has your Department had any engagements with the universities on that? Student debt is a big issue, and I do not see why students should incur that debt, given that they have not benefited from the full educational opportunities.

**Mrs Dodds:** This is a very important issue for students. However, universities are autonomous financial bodies. It is up to the universities to decide whether they wish to pursue any return on the fee charged. In fairness to universities in Northern Ireland and unlike many universities in GB and the Republic of Ireland, Ulster University, Queen's and others have allowed students to opt out of their accommodation contract. They have not been charged for the third term of that accommodation. Universities have also been conducting a lot of online courses and online teaching. We have ensured that student loans will be paid in the third semester. We have also ensured that provisions for those in training or other similar programmes will be paid. Universities have done a significant amount to alleviate student hardship. Of course, in the last monitoring round, I was allocated £1.4 million from the COVID hardship fund, and, with the reprioritisation of resources in my Department's budget, I have been able to double that. An additional £2.8 million is going into the student hardship funds, and the universities will administer that because they know best the students who attend their universities.

## Derry City and Strabane: Economic Disparities

2. **Mr Durkan** asked the Minister for the Economy how she plans to address economic disparities in the Derry City and Strabane District Council area. (AQO 481/17-22)

**Mrs Dodds:** COVID-19 has had a devastating impact across Northern Ireland, and its impact will be felt in each council district. I have not tried to minimise or sugar-coat that position in any shape or form.

My Department recently published the 'Charting a Course for the Economy' document, which is a plan to restart our economy, and I am pleased to say that some of the actions outlined in the document are under way, such as the much-needed reopening of non-essential retail stores on 12 June.

A key aspiration for promoting economic recovery and rebuilding the Northern Ireland economy will be the development of a competitive, regionally balanced green economy with opportunities for all. Our longer-term economic policy objectives will be reflected in a new economic strategy that will set out how we will seek to drive growth and prosperity for the benefit of all the people across Northern Ireland. In that strategy, we will seek to continue to support the industries that are core to our economy — the tourism, agri-food and manufacturing industries — but we will also seek to identify new opportunities for growth for the Northern Ireland economy in areas where we are already world-class and in areas where we already make a significant impact across the world. We will seek to grab those opportunities for Northern Ireland.

For the north-west and for the council region there, I am pleased that we have recently, as an Executive, agreed the new city deal and the Inclusive Future fund, which will see over £200 million of investment in the city. That will provide, in the medium term, an important stimulus to economic and inclusive growth across the wider region.

**Mr Deputy Speaker (Mr Beggs):** I remind the Minister that she has two minutes for answers and, if she feels that she needs additional time, she can request an additional minute at the start.

**Mr Durkan:** The north-west is the worst-performing subregional economy on these islands. I could ask a supplementary question about the failure to expand the university, one about the tug of war that is ongoing with the medical school or one about Invest NI's record in the north-west, but all those issues are symptomatic of failed economic policy. The Minister talks about a new strategy: strategy is one thing, but policy is another. The last independent review of economic policy —

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

**Mr Durkan:** — took place in 2009. Will the Minister commit to a fresh independent review of economic policy here?

**Mrs Dodds:** I am committed to an economic strategy that is for all of Northern Ireland, that is inclusive of all of Northern Ireland and that gives us balanced regional growth across the whole of Northern Ireland but, importantly, an economic strategy that captures all that we do best and grabs the opportunities for the future. That is why I announced the Economic Advisory Group and why, this week, I will talk to a group of stakeholders in my Department, right across the full spectrum of the economy, about the important opportunities for the whole of Northern Ireland.

In relation to the important economic development opportunities in the north-west, on 22 May, the local council

submitted the strategic outline cases for two innovation and two digital projects to my Department and to the UK Government for approval. We are committed to assessing those projects and getting them back out, because they will drive economic growth in the council area.

### Internet Access for All

3. **Ms Ennis** asked the Minister for the Economy what engagement her Department has had with mobile data and broadband providers in relation to the #NoOneLeftBehind Internet Access for All campaign. (AQO 482/17-22)

**Mrs Dodds:** My Department fully appreciates the terrible impact that the COVID-19 crisis is having on all citizens across Northern Ireland, especially the most vulnerable. We are engaging with other Departments to ensure that the Executive's priorities to support citizens and businesses are implemented as quickly and effectively as possible.

On telecommunications matters, my Department maintains regular contact with the Department for Digital, Culture, Media and Sport (DCMS), which leads on telecoms policy, and with other key stakeholders, including Ofcom and industry bodies. As telecommunications policy is a reserved matter, DCMS is leading on a UK-wide basis regarding a cohesive package of support for the telecoms sector. The importance of connectivity has been underscored at this difficult time. The telecommunications industry, led by DCMS, has implemented a number of initiatives to ensure that customers, especially the vulnerable, can keep connected with work, family, friends and important services. I have met Mobile UK to discuss how some of those measures operate in Northern Ireland. That engagement is not directly related to the #NoOneLeftBehind Internet Access for All campaign. My Department is aware of the letter issued by Participation and the Practice of Rights (PPR) in April 2020 but has not been contacted directly.

The telecommunications industry has worked with a cooperative spirit in responding to the needs of vulnerable consumers during the COVID-19 crisis. Details of the various initiatives can be found on my Department's website. I am also happy to write to the Member about those initiatives, if that is at all helpful.

**Ms Ennis:** I thank the Minister for her detailed response. The 'Connected Nations 2019' report showed that, in the Newry, Mourne and Down area, only 7% of premises had ultra-fast broadband, compared with 92% in Belfast. Nine per cent of premises in Newry, Mourne and Down were unable to get broadband speed of even 10 megabits. That is a serious issue for students, families and businesses, notwithstanding the current crisis and the necessity to work from home at this time. Can the Minister ensure that Project Stratum will prioritise areas with the lowest coverage?

**Mrs Dodds:** I thank the Member for her question, which is, of course, incredibly important. I am delighted that we are currently assessing the bids for Project Stratum. The Member will know that that arose from the confidence and supply arrangement. Government continues to fund that important infrastructure improvement in Northern Ireland. I hope that we will be in a position to award the contract for Project Stratum in late September and that we would have operations on-site by late winter or the early spring of 2021. It is massively important to address the issue of

poor broadband connectivity. The COVID-19 crisis has made us more aware of how important it is for all areas of Northern Ireland to be connected. Reiterating my theme of a regionally balanced, more competitive economy, that is an important infrastructure investment that the Executive will make to ensure that we achieve just that.

3.00 pm

### Thompson Aero Seating

4. **Mrs D Kelly** asked the Minister for the Economy to outline the skills training programmes in place to assist workers at Thompson Aero Seating. (AQO 483/17-22)

**Mrs Dodds:** We are all, understandably, perturbed by the job losses in our constituency of Upper Bann in Thompson Aero Seating and the wider industry. Officials from Invest Northern Ireland are in advanced discussions with Thompson Aero Seating. They met recently to agree the company's training and business plan, which included a discussion on the skills and capabilities required for Thompson Aero Seating to implement its recovery plan and meet market demands. My careers department has also been in touch to offer the company assistance in the form of tailored careers advice for those workers who face redundancy. We all recognise that this is an incredibly difficult situation, in which many people face an uncertain financial future.

**Mrs D Kelly:** It is good to hear that the Minister's officials are working with the company on its sustainability and long-term future, but it is imperative to get the 500 people who have lost their jobs placed urgently on retraining schemes and into jobs that are available in the area. What specific action is being taken to match those people up with retraining schemes and available jobs? Will the Minister consider giving additional funding to the Southern Regional College or elsewhere to provide the classes and training schemes for those individuals?

**Mrs Dodds:** The Member made a really important point: for those individuals who face redundancy in the near future, it is important that we are able to offer retraining, if that is necessary, or further job opportunities. That is why all branches of my Department will be working with those employees, through, for example, a dedicated jobs fair or further careers advice. It is also very important that the local further education college is able to offer the appropriate reskilling and upskilling courses.

It is worthwhile noting that I spent most of this morning talking about skills in Northern Ireland and how to recover the local economy and protect it in the future by building the skills of our people, which are probably our greatest resource. I intend to bring to the Executive a package of measures that will detail how, as part of our recovery, we will invest in, and build on, skills. Crucial to that recovery will be the skills gap, which can be dealt with by our further education colleges in particular. I am really looking forward to bringing that package of measures forward and to working with our further education colleges to ensure that we address the skills gap. That may be about apprentices and making sure that we have a recovery programme for apprentices who have lost their jobs in Thompson Aero Seating or the wider manufacturing supply chain. These are really important issues that we need to get working on for our short- and medium-term recovery.

## Youth Unemployment

5. **Ms Dillon** asked the Minister for the Economy to outline her plans to address youth unemployment. (AQO 484/17-22)

**Mrs Dodds:** Youth unemployment is a particularly concerning issue and stretches across several Departments in addition to the Department for the Economy, not least the Department for Communities. A key response to youth unemployment is encouraging employment opportunities, and a priority for my Department is the promotion of, and support for, the apprenticeship system, which plays a key role in creating an effective and sustainable pipeline for skills development in the Northern Ireland workforce. Increasing participation in, and awareness of, apprenticeship training provision is another priority.

Through my Department's ApprenticeshipsNI and Higher Level Apprenticeships programmes, employers are encouraged to create apprenticeship opportunities that are open to all young people across a wide range of occupational areas. Colleges, universities and other work-based learning providers are funded by my Department to deliver apprenticeship training from level 2 to level 7. For those aged 16 to 24, ApprenticeshipsNI and Higher Level Apprenticeship funding is available at all levels without restriction. For apprentices who might lose their job or for young people unable to secure employment as an apprentice, my Department provides a guarantee of a full-time training place through its Training for Success programme to all those under the age of 18.

My Department has also implemented a package of supplier relief measures related to the retention of services across ApprenticeshipsNI, Training for Success and disability support provision, as a result of the ongoing COVID-19 pandemic, to ensure the continued viability of our skills infrastructure.

To support the rebuilding and renewal of the economy, my Department is developing an apprenticeship recovery initiative, with ongoing engagement with the UK Government and devolved Administrations to explore additional measures to support existing apprenticeships and apprenticeship opportunities through shutdown and recovery phases. Those will, of course, require investment, and I will make an announcement on the additional support needs for the arrangements in due course.

My Department also provides an all-age Careers Service, with a particular focus on youth, to support them in seeking employment but also to provide advice and guidance on the learning and progression options available to them.

**Mr Deputy Speaker (Mr Beggs):** Again, I remind the Minister that two minutes are allocated for answers. If she feels that she requires additional time for an important answer, she can request it.

**Ms Dillon:** I thank the Minister for her very detailed response. Does she agree that not every young person wants to be an apprentice? Some would like to be an entrepreneur. Many of those whom we encouraged to be entrepreneurs are now in a very disadvantaged position because they have been given no financial assistance as someone who is newly self-employed or a sole trader. Does the Minister have any plans to address that issue?

**Mrs Dodds:** I thank the Member for her question. She raises a really important point. One of the things that I would like to see us develop further is our thoughts on entrepreneurship and how we can develop that for young people in further education colleges and, indeed, throughout their education and training. That is one of the things that it is very viable and possible for us to introduce as a matter of great importance.

I understand, of course, the very deep problems that young people who are entrepreneurial and have started their own business have experienced over the last months. The Member will also be aware that, in my Department, I have been working through the various grant schemes that are available. I will, in due course, make recommendations and a paper available to the Executive. They can decide where any underspend or further funding might go to fit any particular group that feels that it has not been supported in this situation.

## Agency Workers

6. **Mr Gildernew** asked the Minister for the Economy whether she plans to introduce legislation to improve the rights of agency workers. (AQO 485/17-22)

**Mrs Dodds:** I thank the Member for his question. I have no immediate plans to introduce new legislation in relation to agency workers. As Minister for the Economy, I wish to work with Executive colleagues and the Assembly to ensure that measures relating to employment rights balance workers' rights with the flexibility that Northern Ireland businesses need to succeed.

The Agency Workers Regulations (Northern Ireland) 2011 already entitle agency workers to the same basic employment rights as employees after a 12-week qualifying period. That includes statutory sick pay after completion of the 12 weeks' service. In addition, recent legislation, introduced in the context of the COVID crisis by the Minister for Communities, allows employees to receive statutory sick pay on the first day of illness rather than on the fourth. That is in line with EU and UK-wide legislation.

**Mr Gildernew:** I welcome the fact that agency workers get statutory sick pay and the initiative taken by the Minister for Communities to improve their situation. However, the Minister will be aware, as is everyone in this House, of the unprecedented commitment shown by key workers at this time. Yet, after 12 weeks, those agency workers still do not qualify for maternity pay, paternity pay, lay-off or redundancy. Does the Minister believe that those workers are entitled to the same rights as every other worker?

**Mrs Dodds:** Of course, I support the Member when he refers to the sterling work that has been done across many sectors of the community in Northern Ireland during the difficult time that we have experienced. In food factories and various other parts of the economy, people have gone to work and served their community by making sure that essential supply and food chains are available to us in every situation. It also includes those people who have worked in small and large retail stores during a very difficult time.

I am committed to employment rights that are sensible, proportionate and extended to all. I encourage anyone, agency worker or otherwise, who believes that their employment rights have been breached in any way during

this difficult time, to use the Labour Relations Agency workplace information service for impartial information on employment rights. In addition, the Law Centre NI provides free independent specialist legal advice on employment rights, and those are important avenues people can use should they feel that their rights have not been respected during this period.

### Foyle Investment: Invest NI

**7. Ms Anderson** asked the Minister for the Economy, in relation to planning for an economic recovery after COVID-19, to outline the actions she will take to address regional imbalances and the lack of Invest NI-led investment in Foyle. (AQO 486/17-22)

**Ms Anderson:** I will take this opportunity to congratulate the Minister on her position. It is the first chance I have had to do so.

**Mrs Dodds:** I thank the Member. It seems a long time since the European Parliament and the end of January. It is only a few months ago and a lot has happened, but thank you.

I recently published my framework for rebuilding the economy into a more competitive, inclusive and greener economy that will benefit all parts of Northern Ireland. The framework focuses on delivering higher-paying jobs, a highly skilled workforce and a more regionally balanced economy. Addressing regional imbalance is integrated into all the work of my Department. For example, Project Stratum will address regional imbalance and broadband access, and it will bring broadband to those premises currently unable to access such services.

Delivering benefits for all of Northern Ireland is also integrated into the work of Invest NI. Invest NI is actively working with Derry City and Strabane District Council and regional partners to develop a coordinated approach to the development and growth of the regional economy in the Foyle constituency. Skills will also play a key role in our economic recovery, and the initiatives in this area will also help rebuild the economy of the Foyle constituency. I have been developing new initiatives to help sustain apprenticeships and support the pipeline of skills.

North West Regional College has been doing impressive work in continuing to deliver courses. The college has worked quickly to move delivery to an online platform and has developed new courses in response to the pandemic. The college is also delivering a range of fully funded online courses. That will assist those who have become redundant or who wish to upskill or reskill to secure employment.

**Ms Anderson:** Minister, I know that you were not in office but you have inherited Invest NI's woeful record for visits to Derry from 2016-19. Can you outline how Invest NI's overseas team engages with prospective foreign direct investors who might come to a city like Derry? How does it market the talent and skills that Derry has to offer? In the time ahead, will you market Derry, in the context of tackling regional disparities?

**3.15 pm**

**Mrs Dodds:** I again thank the Member for her question. Over the last five years for which figures are available, Invest NI has offered £81 million of assistance to local businesses located in the north-west. That is with the

north-west being defined as having Invest NI's regional area office, which covers the Causeway Coast and Glens Borough Council area and the Derry City and Strabane District Council area. That assistance will have delivered £439 million in support of the creation of 4,280 jobs across the region. I understand that Invest NI plan to publish its latest figures for 2019-2020 in the reasonably near future.

As I said, my economic strategy will be central not just to the recovery from COVID, but to Northern Ireland's future going into its second century. Central to that will be producing an economy that has greater skills, is more regionally balanced and greener and that looks to grab the opportunities of the future. We will invest in the core of our economy, which is our manufacturing, our agri-food, our tourism sector, but we will also look to where the new job opportunities are and to where we can create them. Central to that, of course, will be the work of the city deals. I have been to Magee university, and I was extremely impressed by the forward-looking approach to those areas of the economy that will bring more and better-skilled jobs and investment for the future.

### Childcare: Sectoral Bargaining

**8. Ms Flynn** asked the Minister for the Economy whether she has discussed the introduction of sectoral bargaining in the childcare sector with relevant stakeholders, including trade unions and the Labour Relations Agency. (AQO 487/17-22)

**Mrs Dodds:** To date, I have had no engagement with stakeholders on sectoral bargaining in the childcare sector, nor is my Department aware of any requests from them to discuss it. However, I note that the issue has implications for the Ministers of Education and Health in their respective responsibilities for childcare in Northern Ireland.

I am, of course, always open to working with Executive colleagues, the Assembly and stakeholders to make sure that the wider plans I have for ensuring that our employment legislation framework takes account of the needs of workers and businesses in these very difficult times.

**Ms Flynn:** I thank the Minister for her response. The Minister will be aware of the report of the Irish Congress of Trade Unions (ICTU) on childcare, which was published last year and which found that workers in this sector are underpaid, with almost half being paid below the real living wage. The introduction of sectoral bargaining would help to set minimum standards of pay and conditions to devise career paths for workers in the sector, which has been historically categorised as a low-wage industry. Will the Minister ask the Labour Relations Agency to convene a sectoral bargaining forum between childcare providers and trade unions?

**Mrs Dodds:** I thank the Member for her question. For me to do that would require the stakeholders to say that this is something that they, of necessity, want.

### UK/EU Trade Negotiations: Update

**9. Miss McIlveen** asked the Minister for the Economy for an update on the UK/EU trade negotiations, including the areas of priority for Northern Ireland. (AQO 488/17-22)

**Mrs Dodds:** I thank the Member for her question. The fourth round of negotiations concluded at the beginning of this month. Whilst it is clear that the UK and EU share



similar objectives in many areas, progress will need to be made on governance and on issues relating to open and fair competition. As negotiations proceed, the Executive continue to press the UK Government to do all that is possible to facilitate our trade within the United Kingdom and with the European Union, including the Republic of Ireland. A positive outcome to the negotiations will be particularly important for cementing our trade within the UK on goods, our trade on services with the EU and for electricity trading. I believe that a deal is achievable, but we clearly have some way to go in those negotiations, which will no doubt intensify in the coming months.

**Miss McIlveen:** I thank the Minister for her response. Her Majesty's Government is carrying out a consultation on free ports and, while it may not be for the Minister to respond to, I ask what consideration her Department is giving to that, and the associated benefits and potential opportunities for Northern Ireland?

**Mrs Dodds:** I thank the Member for her question. It is important that we respond to our national Government in relation to the free ports issue. We need to understand the economic benefit for Northern Ireland and how that will benefit all the people and regions of Northern Ireland.

I am committed to exploring any and all options to ensure that we have the policy tools to drive the Northern Ireland economy forward. That is hugely important, at a time when we are recovering from the pandemic emergency, and in a difficult space in trying to reopen and revitalise our economy, and ensure that, for the future, we are able to grab every opportunity to have a more inclusive economy.

**Mr Deputy Speaker (Mr Beggs):** Pat Catney has just entered the Chamber. Do you wish to ask the question? *[Laughter.]*

### Tourism Recovery Steering Group

10. **Mr Catney** asked the Minister for the Economy to outline any initiatives being developed as a result of her meetings with the tourism recovery steering group. (AQO 489/17-22)

*[Applause.]*

**Mrs Dodds:** Maybe they will also clap when I give the answer. *[Laughter.]* I am not terribly sure about that.

I thank the Member for his question. It is a really important issue and one that, given the statements made today in our national Parliament, is incredibly important to Northern Ireland and to the recovery of this particular sector.

The work of the tourism recovery steering group and its supporting working group is ongoing, and a number of key issues are being progressed by my Department, in partnership with the industry and other stakeholders. A key focus in recent weeks has been our work with the tourism and hospitality industry to identify a clear road map and timescales for the safe reopening of the industry.

This partnership approach has been crucial in informing the Executive's decision to begin the reopening of key sectors of the tourism and hospitality industry. I am delighted that, depending on the rate of infection, caravan parks, camping sites and self-catering tourist accommodation will be able to reopen on 26 June 2020, with hotels and other tourist accommodation being able to reopen from 3 July 2020.

The Executive's decision, to allow visitor attractions, restaurants, cafes and coffee shops to reopen from 3 July, is also an important step forward, as is enabling the reopening of pubs and bars for the provision of food, and the conditional opening of beer gardens.

The steering group and working group are also progressing work in key areas, such as the development of overarching guidance to the visitor economy on how businesses can operate as safely as possible once lockdown is eased, research on consumer sentiment to inform the industry and marketing plans including plans for marketing in our domestic market, Great Britain and the Republic of Ireland.

**Mr Catney:** Thank you very much, Minister. I am aware, from your previous answers to me, that an advisory group has been set up to look at the gaps in the COVID response funding. Our hospitality and tourism sectors contain a vast proportion of single-person businesses. How close are we to finding support for them?

**Mrs Dodds:** I thank the Member for his question. As I indicated in response to an earlier question, I am bringing a paper to the Executive and it will be for them to decide what is done with the underspend that is a result of the grant funding that we have had. We will know the outcome of that process in the reasonably near future.

These are important conversations and the Executive will make a balanced judgement on all the competing issues. I will say in general, however, that the greatest and biggest help that we can give to our tourism and hospitality sector is to allow it to reopen safely and in a way that makes it financially viable. I notice that, in our national Parliament, the Prime Minister has indicated that, in England, he would like the social-distancing measurement to go down to 1 metre-plus, with 1 metre being the minimum distance. I have made no secret of the fact that I am advocating 1 metre on behalf of the industry. At 1 metre, our restaurants, our hotels and our coffee shops are more viable than they are at the 2-metre social distance. Just after our Prime Minister's announcement this morning, I wrote to my Executive colleagues and indicated that we, too, should formally review the social-distancing advice, because we want our hospitality and tourism industry to be sustained and to be sustainable into the future. We need to make sure that the provision is there for it to do that, in a way that is safe, of course, with all the reasonable mitigation measures being in place.

### Childcare

11. **Miss Woods** asked the Minister for the Economy how her Department is managing the reopening of businesses alongside the need for employees to access childcare. (AQO 490/17-22)

**Mrs Dodds:** It is crucial that we move as quickly and safely as possible from the devastation wrought on our economy by the pandemic and that the Executive work collaboratively to that end. The provision of childcare for those returning to work is one of the key supporting measures for restarting the economy, and I am working closely with Executive colleagues, and in particular the lead Departments of Health and Education, to align work and childcare.

**Miss Woods:** The Minister will be aware that we have still to experience the brunt of the negative impact of COVID-19, with further business closures and redundancies to come. Those will affect not only employers but the livelihoods of many. In the light of the fact that people will be made redundant, what advice has the Minister or her Department given to date to employers on engagement with trade unions? Will she recommend that all employers across all sectors and regions of Northern Ireland have trade union representation, especially when decisions are being made that affect employees' futures?

**Mrs Dodds:** Of course I recommend that there be full consultation with trade unions on any or all redundancies, where that is applicable to the particular sector of the economy.

### **Economic Resilience Fund: Welsh Government**

12. **Mr Nesbitt** asked the Minister for the Economy for her assessment of the comparative merits of the Welsh Government's economic resilience fund compared to the actions taken by the Executive to protect the local economy from the effects of COVID-19. (AQO 491/17-22)

**Mrs Dodds:** The Northern Ireland Executive's business support grant schemes and the microbusiness hardship fund have now closed, with over £300 million of support to businesses having been paid out to date. Outstanding applications and payments are being verified and processed as quickly as possible.

The Welsh Government's economic resilience fund is still operational, so we do not have the necessary information to carry out a meaningful comparative analysis at this time. I have asked my officials to consider the outworking of the three support measures that have been managed by my Department. Along with Executive colleagues, I will continue to examine those areas of the economy that have been unable to avail themselves of financial support to date, as well as businesses' investment needs, as we move forward with attempts to reopen and rebuild the local economy.

**Mr Nesbitt:** If the Minister were an entrepreneur struggling to survive this public health crisis, would she rather have access to Welsh grants or Northern Irish loans?

**Mrs Dodds:** My Department has made significant amounts of money available to businesses right across Northern Ireland, including almost 24,000 businesses, run by very entrepreneurial people, that are in receipt of £10,000 from the small business fund and those businesses in receipt of £25,000 from the scheme targeted at tourism, hospitality, leisure and retail.

We have also looked at the businesses that are covered by the microbusiness fund. Of course, we will continue to look at other options that are available to the Northern Ireland economy as we go forward, not just at grants that mitigate the impact of COVID-19 but the recovery measures that will be important for the vulnerable but viable businesses that we will need to help and see through a difficult time.

### **3.30 pm**

I have done some reprioritising of my departmental budget in that respect. I have looked at providing funds

to Invest NI and InterTradeIreland around e-commerce. We have looked at how businesses can get online and at the support that we can give to them in relation to those measures. We will, of course, look at a whole-Executive package and we will speak, as an Executive, about that later this week.

**Mr Deputy Speaker (Mr Beggs):** That end questions to the Minister for the Economy. I invite Members to take their ease for a few moments.

# Question for Urgent Oral Answer

## Health

### RQIA Resignations

**Mr Deputy Speaker (Mr Beggs):** Colin McGrath 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 question, they should indicate so by rising in their place continually. The Member who tabled the question will be afforded an opportunity to ask a supplementary question.

**Mr McGrath** asked the Minister of Health, given the recent change of management personnel in the organisation and the resignation of all the non-executive directors, for his assessment of the capacity of the Regulation and Quality Improvement Authority (RQIA) to undertake its work and fulfil its statutory duty in the midst of the COVID-19 pandemic.

**Mr Swann (The Minister of Health):** With your indulgence, Mr Deputy Speaker, I ask for an extra minute to give my answer.

I am confident that the changes to RQIA's management personnel and board membership will have no impact on the organisation's day-to-day work. Let me make it clear that I continue to have total confidence in the staff who work in the organisation. I am grateful to those staff for their continued commitment to delivering on RQIA's priorities because this has been an unprecedented time and the organisation's staff have worked tirelessly and consistently with colleagues across health and social care (HSC) as an integral part of the regional response to support services during the COVID-19 pandemic.

Following the receipt of a request from the Department, and in response to an urgent need for support across the HSC, RQIA significantly reduced its inspection activity and review programme. That temporary measure was introduced in order to, understandably, minimise the risk of health and social care professionals and other visitors spreading infection in care homes. I remind the House that similar decisions were taken in England, Scotland, Wales and the Republic of Ireland.

The resignation of the board members is regrettable, especially coming at this incredibly challenging time. That is why, within hours of the former board members resigning, I moved quickly to appoint Christine Collins MBE as the new interim chair. I am confident that Christine will further strengthen the voice of people who use the health and social care system; something that I am very keen to see. As I said last week, I have asked officials to consider how, going forward, we might further strengthen the voice of people who use services in the field of regulation, quality and improvement, in keeping with our approach to co-production and partnership working.

In the light of the move to rebuild HSC services across Northern Ireland, and with community transmission of COVID-19 now significantly reduced, the Chief Medical Officer has written to RQIA seeking to enable it to increase its activity across all areas of work. RQIA has developed a revised, flexible inspection process that it intends to implement from July 2020, following engagement with

providers and trusts. I am confident that RQIA will continue to take a pragmatic and flexible approach to how and when inspections take place and will endeavour to meet the statutory minimum requirements where possible. In the immediate time, it is important that RQIA focuses its activity where it is most needed, following an assessment of all the risks.

I have today asked David Nicholl of On Board Training to undertake a review of the circumstances that gave rise to the recent events in RQIA. David has a wealth of experience in this area and is a highly respected independent figure, and I look forward to receiving his objective analysis of the position.

**Mr McGrath:** I thank the Minister for coming today to address this urgent matter and for his response to my question, which has at its core the protection of our vulnerable and elderly relatives.

It would appear that the management of RQIA was systematically dismantled in the middle of a global pandemic, without the consent of its board. Was this the sensible thing to do, Minister, given that our care home sector is on the front line of the pandemic? Who took these decisions, and do you stand over them?

**Mr Swann:** I thank the Member for bringing the matter to the House, because I think that it is something that needed to be addressed, not just publicly but in the Chamber.

With regard to the management changes that we made in the teeth of the COVID-19 pandemic, Members should always remember that this was just a few months ago, when we were looking at scenes across western Europe and in Italy where people were lying in hospital corridors waiting for treatment. In changes of management, the RQIA's chief executive, Olive Macleod, has actually taken up a temporary post within the Public Health Agency (PHA), which is another front-line part of our fight against COVID-19. Dermot Parsons, previously the director of assurance, has been appointed as the interim chief executive of RQIA, and Emer Hopkins, previously the deputy director, has taken up post as interim director of improvement. So it is not a completely new management team. We took Olive out to place her in the PHA at a time when we needed to strengthen what the PHA was doing with regard to test and trace and our entire system there. We used her expertise, and Dermot and Emer were promoted internally to retain the collective knowledge and management experience within RQIA.

**Mr Gildernew:** Given the quite unprecedented nature of the en masse resignation of the board, does the Minister accept that the Department's actions have called into question the independence of RQIA?

**Mr Swann:** I do not think so. I think that there are difficulties in relationships, which the independent inquiry that I have asked David Nicholl to take forward may tease out. I was made aware of tensions between the board and the executive management of RQIA at the start, while we were actually working through our response to the pandemic. Those tensions will be teased out and worked out, but I do not think that the independence of RQIA has been affected at all. The reaction, now that we have stood up inspections again as from yesterday, will actually strengthen that input as to how we manage the care home sector in the next few months and make sure that it is prepared for any second surge, should that occur.

**Mrs Cameron:** I thank the Minister for the opportunity to ask some questions on the subject. With hindsight, does the Minister accept that the Department's focus on minimising the risk of health and social care professionals from RQIA spreading infection within care homes was disproportionate, given the rapid spread of the virus in those homes at the height of the first wave?

**Mr Swann:** As I said in my earlier statement as well, the steps that were taken with regard to repurposing RQIA were the same steps that were taken in England, Scotland, Wales and the Republic of Ireland. It was not about stopping inspection or stepping it back. It was about a reduced inspection process, but it was also about utilising the professional talents and capacities of those people working within RQIA — social care workers, nurses and healthcare professionals — that we can actually put in place to support care homes with regard to infection control, the use of PPE and how they actually supported residents as well. It was about repurposing a cohort of highly qualified and reliable staff, who knew the sector, to aid us in the response and how we tackled COVID-19.

**Ms S Bradley:** Minister, given the critical need for a regulatory body at this time, can you outline how long you anticipate it to take for a new board to come together? Are you planning any interim measures that could, perhaps, bridge the gap until a full board can be put in place?

**Mr Swann:** That is a critical point. As I said, that is why I moved at haste to appoint Christine Collins, the current chair of the Patient and Client Council. She comes with experience, not just of the health sector but of chairing a board.

To clarify the point, I wrote to the Office of the Commissioner for Public Appointments for Northern Ireland on Thursday 18 June to inform her that, on the 17 and 18 June, the active non-executive chair and five non-elected board members had resigned. So I have already engaged with the Commissioner for Public Appointments. That process will now start, and I hope to have a full board in place by the end of July.

**Dr Aiken:** I thank the Minister for his response so far and for his swift response in setting up the independent investigation into the RQIA. However, can the Minister ensure that the terms of reference cover why the recent board of the RQIA did not action the many recommendations from previous investigatory reports and, particularly, those from the Care Inspectorate and the Commissioner for Older People?

**Mr Swann:** When looking at the terms of reference and what to ask David Nicholl to do, I would rather concentrate on this specific issue. I am aware that the Commissioner for Older People has raised a number of concerns around outstanding pieces of work that the RQIA were undertaking and are due to undertake. In the initial steps, I will ask David to look at this specific focus because I cannot afford to distract the current staff of the RQIA as we move back into the inspection phase that they are tasked and empowered to do.

**Ms Bradshaw:** Minister, in your press statement, from the last 24 hours, you said that you wished that the board members had approached you and raised the issues so that you could have resolved them. We now know that emails were coming forward from the former chair and the interim chief executive to your Chief Medical Officer and

permanent secretary as far back as the end of April. When did you become aware, and what have you done, to try and resolve the issues?

**Mr Swann:** I was made aware in early May that there were tensions between the executive and the board of the RQIA. I was not aware that it was to the extent that it was, neither was the Chief Medical Officer or the permanent secretary. When the resignations came through, they came as a surprise. I was due, that afternoon, to meet with the chairs of all the arm's-length bodies, including the chair of the RQIA. She resigned on the morning that I was due to meet her. That was actually in the diary and ready to happen but, unfortunately, events overtook that being possible.

**Mr Easton:** I thank the Minister for his answers so far. Will the Minister give us a guarantee that the RQIA will be able to function properly after these resignations?

**Mr Swann:** I can. I made it clear, in my statement earlier, that the staff of the RQIA are still doing the functions that they are meant to do; they are still doing that very well as a group of highly professional individuals who are tasked with the regulatory inspection side of our care homes and our health system. I am confident that they will perform the tasks that are part of their duty and role. I am also reassured that the oversight function is there as well, with the appointment of Christine Collins as the interim chair of the board until we get a full board in place.

**Mr Sheehan:** Go raibh maith agat, a Leas-Cheann Comhairle, agus gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for his statement. Given the fact that there has been a serious number of scandals in our care sector over the last number of years, particularly in Dunmurry Manor and Ashbrook, and the fact that so many residents in the care sector have died during the pandemic, what will the Minister do to ensure that a proper regulatory authority is there, in the time ahead?

### 3.45 pm

**Mr Swann:** The Member makes a valid point, and it is something that I have raised in previous statements. We need a root-and-branch review of what RQIA and the body does. We have restricted them in the legislation of the inspections that they could carry out, and there is an expectation that the inspectors with RQIA should look at more than they do. That is why the appointment of Christine Collins, who is coming from the Patient and Client Council, is important. I said in my statement that it is crucial that, in the appointment of the next board, we make sure that there are people on that board who have the lived experience and have the patient input, so that the board reflects wider society and those who rely on RQIA carrying out its inspections.

**Ms Bunting:** In light of the high-profile resignations from the board, what immediate steps will the Minister take to ensure that there is community and public confidence in the work of RQIA at this critical time for safety, support and care for those living and working in our residential care homes?

**Mr Swann:** I thank the Member because she makes an important point. All those who have loved ones in care homes have been through a trying time over the past 14 weeks, when they have not had visiting access or been able to get in to see their loved ones. There is a reliance

on the staff of the care homes and those inspectors. Inspectors from RQIA will now engage again with care home facilities to make sure that that reliance and reassurance is there.

With regard to reassurance, as, I think, I said in my statement, in the appointment of the interim chair with her experience from the Patient and Client Council, I hope that there is more of a merging of the thought process and a synergy of the two organisations that can increase the patient voice and input into what RQIA does.

**Mr Chambers:** Given the fact that similar decisions have been taken across the United Kingdom, does the Minister consider that the operational decision to reduce the number of routine inspections of care homes in March, which was designed to reduce the disruption of routines in homes and to curtail the introduction of the virus into care homes, and the decision to redeploy staff involved to other more pressing duties around the pandemic were justified and the appropriate thing to do in the circumstances at the time?

**Mr Swann:** I refer the Member to a previous answer, when I said that staff of RQIA were being redeployed and repurposed to support the care home sector and their residents and to provide their professional *[Inaudible]* should it be social workers, the nurses or even the pharmacists who were part of the RQIA inspection team. It is about enabling them to get into homes as part of the physical support that we were giving to care home workers, the management and the residents.

As the Member will be aware and as I referred to in my statement, what we did in March was in the teeth of the pandemic of COVID-19. We were seeing it spread not just across the United Kingdom but across western Europe and the world. The decision that was taken at that time was the same as the decision that was taken in England, Scotland, Wales and the Republic of Ireland.

**Miss Woods:** I thank the Member for asking the urgent oral question. The Commissioner for Older People has rightly described the resignations of the board as a worrying development. This morning, he said that the circumstances surrounding the resignations were a mess and that this could not have come at a worse time. Does the Minister agree that independence is vital to provide proper scrutiny? Did the Department undermine RQIA's independence, and does he think that RQIA should be given greater statutory independence in order to better fulfil its functions?

**Mr Swann:** I thank the Member for her comment. I also noticed that the Commissioner for Older People said this morning:

*"A new board must grasp the reform needed as a matter of urgency to ensure that we get a system of regulation and improvement that tackles the underperformance of providers swiftly and robustly so that older are better protected now and in the future".*

I fully concur with what Eddie Lynch said this morning, because that is the direction of travel that I am going in as Minister.

With regard to the independence of the RQIA as an inspectorate, I am keen to reinforce that. It is already there in legislation, but, as I said earlier, it is also about bringing the patient/user experience into that inspection and quality

process. That has maybe been missing in the past. When you engage with some of the families — Mr Sheehan referred to previous reports — and look at the findings and outworkings of many of those, the feedback was that there was a lack of family and user input. When we reconstitute a new board — I intend to do that — I hope that those voices are heard, to provide not just independence but insight into that lived experience.

**Mr Allister:** Knowing that he was coming to the House this afternoon, why did the Minister choose to announce the investigation by Mr Nicholl at a press conference, rather than to the House, given what some previous Speaker's rulings have said about the importance of Ministers giving the House its place?

When the board members resigned, they said that they had done so because of decisions taken by the Department into which they were given no input: is that correct? If so, does that suggest a degree of overbearance and interference by the Department that calls into question the perceived independence of the regulator?

**Mr Swann:** I assure the Member that no disrespect was meant to the House or anybody in it in the announcement of the inquiry. I have given the Executive press conference every Tuesday over the past two or three months. Today, I was asked and made a statement about what would be coming in regard to appointing David Nicholl to complete the inquiry. The issue has received much press coverage this morning, and many Members have made statements about what they were going to tell me today when I came to the House. When a member of the press asked me, I responded and made a statement. I apologise to the House for that, but I am here to answer a question for urgent oral answer and will speak shortly in a mental health debate, so, Mr Allister, time did not allow me to do anything different. The Member knows that I have great respect for the House and its Members.

With regard to the timing of the decisions that were taken on the repurposing of the RQIA and the inspectorate, it was a direction from my Department so that we were able to repurpose those members of staff in the RQIA and make sure that we reacted promptly and accurately to support those in care homes who needed that support. We did that by reducing the number of inspections that the RQIA was able to conduct. How many inspections the RQIA can carry out per year is mandated in legislation, so it required a change in legislation. My Department was mandated to do that to allow it to facilitate that operation.

**Mr Carroll:** I thank the Member for asking the question for urgent oral answer. Minister, does the resignation of the entire board of the RQIA, which oversees the handling of care homes, represent a damning indictment of your and previous Ministers' approaches to the handling of care homes?

**Mr Swann:** Since taking up my post on 11 January, my support for care homes has been expressed and demonstrated through the financial support that I have provided and the repurposing of trust and RQIA staff to go in and support the care homes. Through our interactions on the Committee, the Member will know well how I see and prioritise our care sector and its place in the health and social care family. I value it. During one of the engagements that we had with the Health Committee, I referred to the care sector as the "Cinderella service" of

our healthcare profession and one that has long gone unrecognised and unrewarded. That is something that I, as Minister, want to change. I want to bring recommendations to the Executive on how we can further support our care sector and the people who work in it, who are often working at if not below minimum wage with the way that their hours work. I aim to make sure that those who work in that sector are valued and recognised.

**Mr Storey:** I thank the Minister for coming to the House. His last comment may be a personal comment on how care homes are valued in society. I wonder whether that goes across the higher echelons of the Department, particularly as we look at any reorganised inspection regime. Can the Minister provide assurance that the resumption of statutory and non-statutory inspections will be carried out in a safe, coordinated and care-centred way and in a timely manner? It is extremely sad that, yet again, in the midst of these circumstances, care homes are at the centre of the story. I know your personal concern about that, but we need clarity about what the Department knew and what it did or did not do.

**Mr Swann:** I thank the Member for raising that point, because, for me, as Minister, it is a personal issue. I feel that every Minister should bring to their portfolio their understanding of and support for those working in their area and those who rely on it.

As regards what the Department knew, when it knew it and how it reacted, I fully intend to empower David Nicholl to bring all that to the fore so that it will be put in the public domain so that Members and those who rely on the services provided by RQIA get the full picture not just from the board members who resigned but from the staff and senior management team in the RQIA, who were on the other side of what is now, I suppose, a public debate. I hope that, today, I can bring some reassurance to those who rely on and those who work for RQIA that the Department and its Minister are doing all that they can to make sure that those who rely on the service get the support that they need.

**Mr Nesbitt:** I would be grateful if the Minister would correct me if I am wrong in my summary of what I hear in this session, which is that the reduction in inspections was common to all neighbouring jurisdictions, that there was no systemic dismantling of the management of RQIA, that the Minister has full confidence in the staff and executive management of the RQIA and that he anticipates that the new board will be more effective than the old one, pending a departmental review of arm's-length bodies.

**Mr Swann:** The Member has summarised the full discussion that has taken place in response to the question for urgent oral answer. I do not think that there is anything in what the Member said that anyone in the House could disagree with. We rely on RQIA to provide a service that reassures, reinforces and provides comfort to families who have loved ones residing in care homes.

**Mr Frew:** I welcome the Minister's presence today to answer the question. Given the repurposing and the restrictions on inspections, what consideration was given to adult safeguarding policies, particularly around the risk assessment of individuals and the retention of information possibly required for criminal investigations? What alternative was activated to ensure that risk assessments were undertaken?

**Mr Swann:** The repurposing of individuals was necessary at that time. The Member has asked a detailed question, and I will get back to him in writing with as detailed an answer. I could give him a high-level briefing from the notes in my folder today, but I do not think that it would do his question justice. There is, I suppose, a greater need for the detail that he is asking for, and I would rather provide it in a written response than try to answer verbally.

**Mr Deputy Speaker (Mr Beggs):** That is the end of questions to the Minister on the question for urgent oral answer. I ask Members to take their ease for a few moments, until the Temporary Speaker takes the Chair for the continuation of questions on the Education Minister's statement.

4.00 pm

*(The Temporary Speaker [Mr G Kelly] in the Chair)*

## Ministerial Statements

### Major Capital Works Programme

*Business resumed:*

**The Temporary Speaker (Mr G Kelly):** I call Sinéad Bradley.

**Ms S Bradley:** Thank you, Mr Temporary Speaker, and I hope that that is the correct title.

I thank the Minister for his statement, particularly because it includes the long-awaited announcement on St Louis Grammar School in Kilkeel. During our break, I did have a chance to have engagement with the vice-chair of the board of governors, Brendan Cunningham, and to say that he and the principal, Kevin Martin, are ecstatic is beyond anything that I could describe. The staff and the governors are absolutely delighted with today's announcement.

I also welcome from the Minister's statement what he said about ensuring that all future buildings are future-proofed to fit the green agenda. Minister, what consideration or assurance can you give that buildings will be future-proofed to provide a wide curriculum and educational offer? Particularly with the St Louis site, I have in mind the need for the inclusion of a junior school, a vocational school, modern special educational needs provision and upper-sixth capacity.

**Mr Weir:** I am always glad when I can make somebody ecstatic in this Chamber, albeit remotely. If we were to meet all of the demands that the honourable Member suggests, that may absorb the whole £156 million. I am sure that she would be happy enough if that were all spent in Kilkeel.

All school builds will be entirely fit for purpose, and they will cover the full range of potential with the entitlement framework. It is also the case that there will be work done. To determine precisely what is needed, there will be a process including a feasibility study and a business case. Work will be done between officials and the school to see what precisely is needed with the new build and the capital works. I give her that assurance that that will carry on, and I am glad that at least the people of Kilkeel will be happy tonight with the new build at St Louis.

**Mr O'Dowd:** A Leas-Cheann Comhairle Sealadach, I congratulate you on your elevation to this post.

First, I thank the Minister for his statement. It is welcome for all of the schools involved, particularly St Mary's in Aghagallon on the shores of Lough Neagh. I am sure that it is good news for that school. The Minister will be aware that it can take several years from announcing the school to getting the school built, despite the best work of people in the Department, of whom I have first-hand experience both in the Department and outside it, driving those processes forward. Will the Minister agree that the Executive collectively need to come forward with a mechanism that delivers public building programmes much quicker than we currently do?

**Mr Weir:** I think that there is a challenge for all of us on that. It is also about balancing out where we need

to ensure that there is also value for public money. Particularly with major capital works, one of the key aspects is ensuring that there is, for instance, a site search to make sure that it is on the most appropriate land and that we get the best value for money for the land.

The Member makes a valid point in that, broadly speaking, in a wider context of public works, we need to try to make sure that they are done in as timely a way as possible. Part of this is to try to ensure that, while there will be regular announcements, there is a pipeline of activity. That will be of significance to, in any individual case, the school itself to see that built as soon as possible and also for the pipeline and ensuring that we do not have undue delays in the system.

It is also critical to the wider economic situation regarding the construction industry. It is undoubtedly the case that, as a body, the industry has suffered, at minimum, a level of disruption because of the COVID crisis. It is critical to ensure that construction jobs are maintained and that the sector becomes a key driver in the economy. I am happy to work with a range of colleagues, particularly, when it comes to procurement issues etc with the Finance Minister, who has overall control of the broader brush of construction, to try to ensure that we move ahead as quickly as possible with any of these projects.

**Mr Sheehan:** Go raibh maith agat, a Leas-Cheann Comhairle Sealadach, agus gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for his statement. I welcome the fact that All Saints College in west Belfast is on the list. It is an amalgamation of three schools in west Belfast: St Rose's Dominican College; Corpus Christi College; and Glen Road Christian Brothers School (CBS). It is currently split across two sites that are quite a distance apart. Land has to be identified for a new build because it is believed that neither site is big enough to facilitate the new college. Will long-term funding be available while such a site is developed and a new school built?

**Mr Weir:** Any new build that has been announced will happen. As indicated, one of the key roles of any project board for an individual school build is the identification of the best, most suitable land balanced with what is best for the public purse. That will be moved forward.

On a broader level, there is always uncertainty about future budgets, particularly the capital budget, which is likely to roll forward for a number of years. There is always a level of confidence that that will be available. That is why the approach is, to a certain extent, cautious. It is about trying to get the balance right. In theory, I could have come here and announced 20 projects, but the funding may not necessarily be there. The idea is that anything that is being announced, whether through capital works or the school enhancement programme, is on a rolling basis that will enable costs to be met and ensure that finance is available. We can do that with a level of confidence.

**Miss Woods:** Thank you, Minister, for your statement. I welcome the fact that it says that you are conscious of the "Department's wider environmental responsibilities". Minister, will you outline what you mean by the "emerging regulations aimed" at this? What does best practice look like when reflected in the design and delivery of the projects? Are you looking at Passivhaus for energy efficiency, for example?

Further to Ms Bunting's question on Youth Service and summer provision, can you confirm whether face-to-face

activities can go ahead while adhering to current health guidelines?

**Mr Weir:** Ensuring that something is environmentally sound and, in a wider context, of an appropriate design contains a number of elements. Earlier, Mr Butler, for example, asked about ensuring that we have an environment that nurtures good mental health. It is about putting a range of things together.

On summer schemes, there will be different levels and particular actions. We might come back to this on Thursday, when I am due to make a statement to the Ad Hoc Committee. A number of schemes will be organised directly by the EA through its Youth Service. Those will include general schemes and interventions as well as schemes for special schools and at-risk children.

An additional issue is that a key test has been agreed for any community and voluntary organisations, uniformed organisations — indeed, I think that it would also apply to a private organisation — that want to seek to run a summer scheme. Simply, there will be some permissibility provided that the organisation follows the guidelines available at the time. The Education Authority will issue guidance to any organisation wishing to do that. Whatever scheme is compatible with public health and does not in any way endanger public health, the Department and the Executive will not stand in the way of that. A lot of the summer stuff tends, by its nature, to be outdoors. There is also a critical element in the contribution that can be made to our young people, given the very difficult circumstances that a lot of them have faced for the last number of months. They can, in a safe way, have some release during the summer, and a lot of communities will want to embrace that.

**Mr Allister:** I am sure that the Minister will caution against looking at the allocations in isolation, but it is difficult not to notice that it appears that eight of the nine successful applications are from the maintained sector. Was it a similar proportion of applications within the 68 schools that were considered?

**Mr Weir:** I thank the Member for the question. I do not have a detailed breakdown of the 68. I should say that 89 were initially put in, but 21 did not make the gateway. Let me make it clear: as we move forward, I will always try and make sure that any criteria used are fair, objective and educationally sound. Sometimes, schools will make a choice between applying for major capital works or for the school enhancement programme. The outworking of that across a range of announcements will show that there will be a fair representation across the different sectors. It will mean, though, that if you isolate it into any individual set of announcements, there may well be a higher proportion in one sector than in another, so I ask the Member to look at this not simply on the basis of what has been announced today but to look at the wider context.

If memory serves me right, from a couple of the most recent announcements on the school enhancement programme, a proportionately higher percentage of those were from the controlled sector. Sometimes, it is about the choice made by the school. Moving forward, I will ensure that fairness and objectivity is always at the heart of any decisions that are made on capital spend by the Department.

**Mr Carroll:** A few weeks ago in this House, I raised concern that the teacher and union bashing that we

witnessed in England would make its way here. It seems that the Minister's party colleagues have taken up that mantle of teacher and union bashing, and they are working very hard on it seemingly. Will the Minister take the opportunity today to disassociate himself from his colleagues' comments and praise and thank our education staff for working hard throughout the coronavirus crisis and for raising serious health and safety concerns?

**Mr Weir:** I have already made it clear to two previous questioners that not just teaching staff but non-teaching staff, parents and pupils all deserve credit for the action that they have been taking over the last number of months and will continue to take.

**The Temporary Speaker (Mr G Kelly):** As we have a few minutes remaining, I will give Members the opportunity to ask supplementary questions. Please stand and indicate if you wish to ask a question.

**Mr Humphrey:** I am grateful to the Minister for his statement and apologise for missing the start of it. In relation to fairness and equity, I will take this opportunity to remind the Minister that he was to visit two primary schools in my constituency — Seaview and Glenwood. Both schools need new builds. In Glenwood, the conditions are appalling. It is the hub school for the Shankill. Seaview is the hub school for the Shore Road area. I implore the Minister that, when it comes to the next tranche of investment for major capital works in education, those schools are considered very seriously. We cannot ask people to value education and we cannot talk about young Protestant males not valuing education and educational attainment in hard-to-reach communities and not invest in a good schools estate.

**Mr Weir:** I take on board what has been said. I hope to be able to visit a number of schools, and the Member has been assiduous in relation to the two that he has mentioned. All schools will be treated fairly in their applications. One of the slightly frustrating things, particularly as regards capital build, is the restrictions within the wider opportunities for construction and the budget. If we are to meet the needs of all our pupils from a capital point of view, the capital budget could be spent several times over.

#### 4.15 pm

When it comes to any future call, everybody will start on an entirely level playing field and will be given the opportunity to apply and be evaluated. I am confident that there will be, in 2021, a new call to which all schools will be able to apply. Hopefully, more schools will be able to get the support that they need for their pupils.

**Mrs Barton:** Minister, you spoke earlier about a number of schools that are in the process of getting money for various improvements. Can you give me an update on the new build for Enniskillen Royal Grammar School?

**Mr Weir:** Rather than try to give a short answer at this stage, I will correspond directly with the Member to give her a more detailed response. Having been at a school in Enniskillen, although not the Royal Grammar School, in the past couple of weeks, I was very encouraged to see that construction had started again. That school is getting a new build, and staff were on site continuing with its development.



As regards the specifics of Enniskillen Royal Grammar School, I will supply detailed information to the Member.

**Ms Armstrong:** I will not take too long. Minister, earlier you mentioned zero emissions, and potential new builds would be looking towards that. Apart from zero emissions for environmental benefits, has there been a cost-benefit analysis of the savings that schools could achieve through innovative ways of heating and lighting their buildings?

**Mr Weir:** We will always try to ensure that any proposals are as efficient as possible, on both the emissions and the energy efficiency sides. It is clear that one of the advantages of new build — using new technology and using space efficiently — is that it can deliver much more cost-effectively. It is undoubtedly the case with schools that that can create a certain level of efficiency. At one level, that should not be overestimated, because well over 90% of the general running costs of pretty much every school, whether the oldest school in the country or the world's most efficient school, will be staff costs. From a purely financial point of view, the amount will be of limited value. However, the more that can be saved in the system through energy efficiency or reduced additional costs, the more that is available for the school budget to be ploughed directly into teaching and provision for the children, and that is something that all of us should support strongly.

**The Temporary Speaker (Mr G Kelly):** That concludes questions to the Minister.

## Executive Committee Business

### Housing (Amendment) Bill: Further Consideration Stage

*Moved.* — [Ms Ni Chuilín (The Minister for Communities).]

**The Temporary Speaker (Mr G Kelly):** As no amendments have been tabled, there is no opportunity to discuss the Housing (Amendment) Bill today. Members will, of course, be able to have a full debate at Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

### Pension Schemes Bill: First Stage

**Ms Ni Chuilín (The Minister for Communities):** I beg to introduce the Pension Schemes Bill [NIA 07/17-22], which is a Bill to make provision about pension schemes.

*Bill passed First Stage and ordered to be published.*

**The Temporary Speaker (Mr G Kelly):** That constitutes the Bill's First Stage. It shall now be published. The House will take its leave for a moment or two until we change over.

## Air Traffic Management and Unmanned Aircraft Bill: Legislative Consent Motion

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

*That this Assembly agrees the extension to Northern Ireland of certain provisions within the Air Traffic Management and Unmanned Aircraft Bill, relating to the interference with unmanned aircraft (drones) over places of detention.*

**The Temporary Speaker (Mr G Kelly):** The Business Committee has agreed that there should be no time limit on this debate.

**Mrs Long:** Thank you, Mr Speaker, and congratulations on your temporary appointment to your new role.

The Bill was originally introduced to Parliament in autumn 2019 but fell prior to the general election. It was subsequently reintroduced in January 2020. The Bill started its parliamentary passage in the House of Lords and is at Report Stage. It covers three aspects of civil aviation, which, as Members know, is a reserved matter under our devolution settlement. These aspects are the modernisation of civil aviation to deliver quicker, cleaner and quieter flights; the modernisation of the licensing framework for air traffic control; and the conferring of new powers that will allow the police and prison authorities across the UK to tackle the unlawful use of unmanned aircraft.

The provisions relevant to the legislative consent motion (LCM) are contained in the last of those three. The Bill plans to allow the designation of senior officials in the Ministry of Justice, the Scottish Prison Service and my Department, who, in turn, will be able to authorise applications from staff in their custodial institutions to interfere with unmanned aircraft over such institutions.

While essentially a reserved matter and one overseen by the Civil Aviation Authority, the fact that the Bill will confer an ancillary new power on the Department of Justice has led the Department for Transport and the Northern Ireland Office legal advisers to conclude that an LCM is required to cover that particular and narrow aspect. I understand that the Department for Transport has taken a similar view in relation to Scotland. The authorisations may only be given if the authorising officer believes that it is to prevent or detect offences, as set out in the various UK prison Acts, including the Prison Act (Northern Ireland) 1953. Those offences are referenced directly in the Bill and include assisting an escape or conveying unauthorised articles into a place of detention.

Currently such applications have to be approved by a Chief Constable. However, the UK Government have taken the view that allowing these authorisation requests to be dealt with by senior departmental officials will allow a custodial institution in the country to take rapid action against real-time drone incidents, rather than making urgent, repetitive and recurring applications to senior police officers, responses to which have sometimes been delayed in England and Wales due to other policing pressures.

The part of the Bill covering the use of unmanned aircraft is considered necessary because of a number of factors, including the shutting of Gatwick Airport in December 2018 due to drone activity, and numerous incidents in and around prisons across England, Wales and Scotland, where unmanned aircraft have been used to convey items

such as drugs, weapons and mobile phones. I also note that prisons in the Republic of Ireland have reported a recent rise in similar problems.

The importation of such items place prisoners and staff at risk, impact on the good order and security of establishments and, in turn, undermine the rehabilitation of people in our care. It is also possible that drones may be used in the future to facilitate an escape, posing a direct threat to public safety and prison security.

To date, there have been no reported incidents of drone use in Northern Ireland in the vicinity of our custodial institutions. However, I am keen to take the opportunity that the Bill is presenting to future-proof us against a rise in such activity for criminal purposes, and, in doing so, give my senior managers and their staff the same opportunity and ability as their counterparts in the rest of the UK to act quickly and in real time against drones.

Members will appreciate that we are somewhat out of step with the normal process. Generally, Executive and Justice Committee approval should have been in place prior to the Bill being introduced in Parliament. In this case my Department was unable to follow that convention as the Assembly was not sitting at that time. However, my permanent secretary's agreement in principle was obtained. On the return of the Assembly, officials sought my views. I subsequently wrote to the Chair of the Justice Committee at the earliest opportunity and I also sought approval from the Executive. That was granted on 2 March. At its meeting on 14 May, the Justice Committee considered extending those provisions to Northern Ireland, and gave formal approval on 28 May.

Given the fact that the Bill, in its entirety, relates to reserved matters, it would not have been possible to legislate locally on the matter. Westminster colleagues are keen to have the request considered at the earliest opportunity. I am therefore keen to seek legislative consent today but I am, of course, willing to hear the views of the Assembly.

**The Temporary Speaker (Mr G Kelly):** I call the Chairperson of the Justice Committee, Mr Paul Givan.

**Mr Givan (The Chairperson of the Committee for Justice):** Thank you, Mr Temporary Speaker. I see that you are in your place, and I see that the other Temporary Speaker is in the Chamber. I am not sure when we are going to get the privilege of Mr Wells admonishing Members for bad behaviour, but I look forward to him getting his opportunity.

**The Temporary Speaker (Mr G Kelly):** As quickly as possible. *[Laughter.]*

**Mr Givan:** When I read the Speaker's letter, I could see that the club of '98 was a very exclusive club. There are not many of them left, but I am sure that Mr Wells will discharge the duties of the office —

**Mr Wells:** A vintage intake.

**Mr Givan:** — with great aplomb. I look forward to seeing him in the Chair, but that is no reflection on you, Mr Temporary Speaker.

I am pleased to speak on behalf of the Committee for Justice in today's debate. As the Minister said, the Department of Justice wrote to the Committee in March to advise of a proposed legislative consent motion for the Air Traffic Management and Unmanned Aircraft

Bill. The Bill aims to tackle the fast-growing problems that are associated with unmanned aircraft, which are more commonly known as drones. Members will recall the problems that were caused by drone activity around Gatwick Airport in December 2018. Drones have also been used around prisons in England, Wales and Scotland to convey drugs, mobile phones, weapons and equipment to facilitate the escape of prisoners.

The Bill extends across the United Kingdom, and, as civil aviation is a reserved matter, legislative consent is not required in respect of many of its provisions. However, the LCM that we are discussing is necessary to enable senior Northern Ireland Prison Service and Youth Justice Agency staff to authorise counter-drone measures in relation to the unlawful use of drones near custodial institutions. The Department of Justice advised the Committee that the use of drones that has been seen across other parts of the United Kingdom around places of detention has, to date, been rare in this jurisdiction. Nonetheless, the Bill provides an opportunity to future-proof against a potential rise in that type of drone activity.

Mr Temporary Speaker, the Committee considered the Department of Justice's written briefing, at its meeting on 14 May, and agreed that it was not necessary to have an oral briefing or, indeed, further written information on the proposed LCM. At its meeting on 28 May, the Committee considered the memorandum laid by the Department of Justice on 22 May and agreed that it was content with the proposal to extend provision in the Air Traffic and Unmanned Aircraft Bill relating to the interference with drones over places of detention to Northern Ireland by way of an LCM. While content with the legislative consent motion, the Committee requested clarification from the Department on whether drones, or the institutions to which the LCM will apply, are required to be registered, and the process for that. The Committee agreed that requesting that information should not delay the progress of the LCM, and, on 4 June, it approved the report on its consideration of the LCM.

Subsequently, on 17 June, the Department wrote to the Committee and advised that, from 30 November 2018, all drones operating across the United Kingdom with a mass of 250 grams or more must have a valid certificate of registration, and that the registration number must be displayed on the aircraft. The remote pilot must also have a valid acknowledgement of competency. The certificates of registration and the acknowledgements of competency are issued by the Civil Aviation Authority. The Department also advised that, in Northern Ireland, the provisions of the Bill relating to the interference with unmanned aircraft apply to a prison, a young offenders' centre, a remand centre and a juvenile justice centre, along with areas adjoining the boundaries of those institutions that are considered necessary and appropriate by the authorising officer.

I can confirm, as set out in the Committee report, that the Committee for Justice supports the Minister of Justice in seeking the Assembly's endorsement of the legislative consent motion.

I will now speak briefly as a Member and not comment anymore on the substance of the report provided by the Committee. Unmanned aircraft, or drones, as the public more commonly refers to them, are a new and emerging issue. It is an issue, which, I have no doubt, the Assembly will want to consider in the future.

There is, certainly, anecdotal evidence of public concern about the use of drones. On a daily exercise walk with my family around Stoneyford reservoir, a drone flew overhead. I did not know by whom or from where it was being controlled, for what purposes and whether or where any imagery might appear. That personal experience made me consider the issues of privacy, control and monitoring of drones as they become a fashionable toy to buy and use.

#### 4.30 pm

Having looked at this issue in terms of custodial institutions, there is a broader public interest when it comes to the use of drones and how that is being regulated and managed. That is not for today but is a novel issue that we are going to have to look at.

**Ms Dillon:** Mr Temporary Speaker, I join the Committee Chair in congratulating you on your appointment, and wish you the very best.

I am not going to repeat what has been said. There really is a limit to what can be said about this legislative consent motion. Our party supports it, the Committee supports it, and I think that it is non-controversial. However, it may well become controversial. The Chair is right in that there are privacy issues. I would like to think that the rules that apply if someone takes your photograph in the street would apply to where drones can be used. We will, no doubt, have to look at that. The Minister was right to bring this matter before the House to have future-proofed legislation.

**Ms S Bradley:** I will not add to the Committee report, which has been thorough, or the Minister's statement. It is about future-proofing. The SDLP supports the Minister on this issue. This legislative consent motion is important, and, potentially, is a first step in a much wider debate.

**Mr Carroll:** There has been little opportunity to scrutinise the LCM or the legislation in the Chamber, especially for opposition MLAs.

In the main, the legislation relates to bestowing extra powers to allow the security services to use air traffic control to combat drug use, particularly by restricting the flying of drones over prisons. Even if the LCM is implemented, it is highly unlikely that it will thwart or combat drug use in society, and, by extension, in prisons. The US has been fighting a so-called war on drugs for many years, with much vigour, through strengthening police powers and increasingly criminalising drug use. It is, clearly, not winning that war. Quite the opposite, in fact: it is losing it. That tells us a lot about how we challenge many of the problems that come with drug use.

No one doubts the problems that do come with drug use, and its damaging impact on society generally and in prisons in particular. A very different approach is needed: an approach that prioritises tackling poverty and the conditions that breed small-scale criminality and drug use and places rehabilitation programmes ahead of strengthening the police and security operations. That may be a conversation for another day.

The Department recognises that drones flying over prisons has not really been an issue in the North. The Department's report for the Justice Committee states:

*"The use of drones in Northern Ireland around places of detention has, to date, been rare."*

Therefore, the legislation suggests a potential strengthening of police powers without any real evidence that it is needed. I would like the Minister to address and expand upon that point.

Any strengthening of police powers always runs the risk of intensifying the existing problems of policing. For example, I note that the same report, while vague, states that its intention is to introduce powers of stop-and-search. As an MLA for West Belfast, where stop-and-search powers have been used and abused in the past, I believe that they constitute a harmful and unnecessary impingement on the rights of people, including children and minors.

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

**Mr Carroll:** I will not give way. I am finishing my comments.

Considering the problematic history of stop-and-search as used —

**Mr Storey:** You are pedalling falsehoods but you will not give way.

**Mr Carroll:** You have plenty time to speak if you want.

I do not believe that any form of additional or strengthened stop-and-search powers could be justified in the current context, especially as the report suggests, which I want to put on the record, that no perceived threat exists. It is my duty in this discussion to state my concern about how stop-and-search powers have been used in this city in the past. I urge the Minister to consider that and to work to ensure that such a situation does not arise in the future.

**The Temporary Speaker (Mr G Kelly):** If no other Members wish to speak, I ask the Minister, Mrs Naomi Long, to conclude and wind up on the debate.

**Mrs Long:** Thank you, Mr Temporary Speaker. I thank Members for considering the motion and for all the valuable contributions to the debate. I place on record my thanks to the Justice Committee for the work that it has done in its report and to Executive colleagues for their consideration of the issues presented in the LCM. The Chair of the Committee expressed clearly the work that was done in scrutinising the extent of the Bill and the need for the LCM.

It is drug use and rehabilitation within our prisons that we are addressing today as opposed to the wider issue, which would be a matter for me, the Department of Health and others to work on collaboratively. We do not take a single-pronged approach to the issue within our prison system. It is not simply about preventing drugs entering the prisons, though that is a serious part of the strategy. It is also about ensuring that the right support, rehabilitation and interventions are available in our prisons in order to support those who are seeking to stop and deal with their addictions and learn alternative ways to manage their health issues. It is important to stress that because, for me, it is important that those who come out of the prison system do so equipped to survive and thrive in normal society. A big part of that is dealing with addictions, mental health issues and other issues that had perhaps not been dealt with adequately before they entered the prison system.

With respect to why we are bringing forward this legislation, first, we should not assume that Northern Ireland is in some way immune to the problems that

are being reported elsewhere. We have seen a rapid increase in the number of drone incidents across England and Wales. We have also seen an increase in Scotland and this kind of activity now developing in prisons in the South of Ireland. It is sensible for the Assembly and the Government to ensure that the powers are there if this becomes an issue in our prisons. I caveat that by saying that, obviously, if nobody flies drones over prisons, these powers will not be required; they are only for use in those specific circumstances. However, if this becomes an issue, it is important that we can respond in a way that keeps the prisoners safe, keeps our prison officers safe and maintains good order within the prisons.

To be clear, we are not strengthening police powers in the Bill. These powers belong to the Civil Aviation Authority. It is already the power of the police to be able to say that those drones can be intercepted. The issue here is that doing so can take some time and, by then, it may be too late to intercept the drone in question. What we are actually doing is taking powers from the police and devolving them to those institutions where they will make the most impact. I do not think that we need to overly concern ourselves with police powers. This is about local action to protect prisoners, protect prison staff and ensure that people are kept safe when they are in our care. I, therefore, ask the House again to support the passing of this motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly agrees the extension to Northern Ireland of certain provisions within the Air Traffic Management and Unmanned Aircraft Bill, relating to the interference with unmanned aircraft (drones) over places of detention.*

**Mr Storey:** On a point of order, Mr Temporary Speaker. I thank the Minister for clarifying the issue in relation to police powers. We will be checking the Hansard report of the Member for West Belfast's inaccurate comments on the issue of stop-and-search. That is not relevant to this debate. I want to place on the record that independent scrutiny of that issue is not consistent with the Member's comments.

**The Temporary Speaker (Mr G Kelly):** That has been placed on the record.

## Domestic Abuse Bill: Legislative Consent Motion

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

*That this Assembly endorses the principle of the extension to Northern Ireland of the relevant provisions of the Domestic Abuse Bill, introduced in the House of Commons on 3 March 2020, relating to the provisions to extend the power of the courts in Northern Ireland to try in the home jurisdiction certain sexual and violent offences that have been committed abroad, so far as these matters fall within the legislative competence of the Assembly.*

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

**Mrs Long:** The majority of provisions in the UK Government's Domestic Abuse Bill apply only to England and Wales. Their aim is to further improve the effectiveness of the justice system, providing protection for victims of domestic abuse and bringing perpetrators to justice, and to strengthen the support for victims of abuse and their children that is provided by other statutory agencies. However, in addition to those objectives, the Bill seeks to make provision to allow the UK Government to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as the Istanbul convention. To do that, Part 6 of the Bill will extend the extraterritorial jurisdiction (ETJ) of the criminal courts in England and Wales, Scotland and Northern Ireland to include additional violent and sexual offences committed abroad. ETJ refers to the extension of a country's criminal law to conduct prosecution of an offence that takes place outside that country and is the exception to the general principle that the criminal law usually has effect only with respect to the jurisdiction within which a crime is committed.

The Istanbul convention is focused on preventing violence against women, protecting victims and prosecuting accused offenders. The convention opened for signature in 2011 and the UK became a signatory to the convention in 2012. However, formal ratification has not yet been possible. The convention establishes a series of offences that are characterised as violence against women. Article 44 of the convention requires states that ratify the convention to take extraterritorial jurisdiction over these offences to enable prosecution of their nationals and those habitually resident in the state when they commit one of those offences anywhere in the world.

The measures in the UK Domestic Abuse Bill will allow for formal ratification of the convention by including the necessary extraterritorial jurisdiction provisions for England and Wales, Scotland and Northern Ireland. Giving effect to the requirements of the convention will allow relevant offending behaviour to be prosecuted in our domestic courts when it occurs wholly or partly outside the United Kingdom as long as the offender is either habitually resident in Northern Ireland or is a UK national.

The courts here have extraterritorial jurisdiction with regard to a number of offences, including forced marriage, female genital mutilation, sex offences against children, murder and manslaughter. Provision is also being sought in the Domestic Abuse and Family Proceedings Bill,

which is currently before the Assembly, to include similar provision for the new domestic abuse offence. The Westminster Bill prescribes further offences for Northern Ireland that need to have ETJ provision in order to comply with the convention. The list of violent and non-consensual sexual offences is contained in clause 61, Part 3 of schedule 2 to the Bill.

While the ability to make these changes is within the legislative competence of the Assembly, the Executive have considered it appropriate that the amendments are enacted in the Westminster Bill. The provisions will cover all three jurisdictions of the UK and will enable the UK Government to ratify the Istanbul convention. Although it would be possible to legislate for the provisions through a Bill in the Assembly, that would take more time, and legislating through the UK Bill will ensure that the UK as a whole is in a position to formally ratify the Istanbul convention at the earliest opportunity.

We did consider using the Domestic Abuse and Family Proceedings Bill in the Assembly, but, like Scotland, we concluded that the most effective option was to approach these UK-wide requirements through a single UK Bill. In addition, the Assembly Bill will not reach completion until after the Westminster Bill, thereby preventing UK ratification of the convention until a later date.

The provisions relating to Northern Ireland set out the offences that, if committed abroad by a UK national or a person resident in Northern Ireland, can be tried in the courts here. These represent the equivalent offences in Northern Ireland to those being added for England, Wales and Scotland, except in relation to domestic abuse and stalking.

### 4.45 pm

ETJ provision for the proposed Northern Ireland domestic abuse offence is contained in the Domestic Abuse and Family Proceedings Bill that is currently before the Assembly. I intend to introduce a stalking Bill to the Assembly later this year. It, too, will contain provisions for prosecution of offences which occur overseas. However, in the meantime, the UK Government consider that the offence of putting people in fear of violence that is contained in the Protection from Harassment (Northern Ireland) Order 1997 and the inclusion of sexual and violent offences are sufficient to meet the requirements of the convention and allow for ratification.

The UK Government, the Scottish Government and the Executive believe that it is preferable to legislate for the UK in that single Bill. I appreciate that the Assembly's preference is to legislate on Northern Ireland matters where possible. Indeed, that is my default position. However, in this case, in the interests of an appropriate and timely process and given the UK-wide requirement for ratification of the Istanbul convention, my view is that it is preferable that those relevant provisions which fall within the legislative competence of the Assembly should be considered by the UK Parliament in order to ensure that the UK is in a position to ratify the convention without delay.

Members will have seen that the Committee for Justice's report on the motion endorsed that view. For those reasons, I ask that the Assembly supports the terms of the legislative consent motion.

**Mr Givan (The Chairperson of the Committee for Justice):** I welcome the opportunity to speak on behalf of the Committee for Justice in the debate.

In April, the Department of Justice wrote to the Committee setting out the details of the proposed LCM for the Domestic Abuse Bill that had been introduced at Westminster. While the majority of the Bill's provisions apply only to England and Wales, it includes provisions to allow the UK Government to ratify the Istanbul convention, as the Minister has outlined. As Members will be aware, that is the Council of Europe convention on preventing and combating violence against women and domestic violence.

In order for a state to ratify the convention, it must have extraterritorial jurisdiction in place for a number of specified offences; that is, it must ensure that national laws can be used to prosecute nationals or those who are habitually resident in the state when they commit one of the offences overseas. The specified offences are serious ones, for example psychological violence, stalking, physical violence, sexual violence, including rape, female genital mutilation (FGM); forced abortion and forced marriage.

The courts in Northern Ireland already have ETJ in relation to a number of the specified offences, such as FGM, forced marriage, trafficking, and sexual offences against children. They do not, however, have ETJ for a number of sexual and violent offences. The Bill, therefore, includes ETJ provisions for a range of offences in Northern Ireland for which the LCM is needed.

Not all the required offences are covered by the Westminster Bill. ETJ provision for the proposed Northern Ireland domestic abuse offences is included in the Domestic Abuse and Family Proceedings Bill, for which the Justice Committee is currently undertaking the Committee Stage scrutiny. In addition, a stalking Bill is scheduled for introduction later in 2020. Again, as the Minister has indicated, it is expected to include ETJ provisions. Until those offences become law, the UK Government consider the inclusion of the offence of putting people in fear of violence and sexual and violent offences to be sufficient to allow for ratification of the convention.

The Committee considered the Department of Justice's written briefing at its meeting on 30 April and agreed that an oral briefing from departmental officials was not required. Although the Committee was content in principle with the proposal to extend the necessary ETJ provisions in the Domestic Abuse Bill to Northern Ireland by way of an LCM, it sought confirmation from the Department of Justice that it would not interfere with the Domestic Abuse and Family Proceedings Bill or delay in any way the passage of that important Bill through the Assembly.

At its meeting on 4 June, the Committee noted the confirmation that was provided by the Department of Justice that the LCM will have no impact on the Domestic Abuse and Family Proceedings Bill and will not affect its passage through the Assembly. The memorandum that was laid by the Department of Justice on 26 May was also considered on that date. The Committee agreed that it was content with the proposal to extend to Northern Ireland, by way of an LCM, provisions in the Domestic Abuse Bill that relate to extending the power of courts in Northern Ireland to try, in the home jurisdiction, certain sexual and violent offences which have been committed abroad.

I can, therefore, confirm that, as set out in the Committee report, the Committee for Justice supports the Minister of Justice in seeking the Assembly's endorsement of the legislative consent motion.

I will speak briefly as a Member. The comments on extraterritorial jurisdiction have come up during the Committee Stage of the Domestic Abuse Bill — the Minister referred to that — and the issue will also arise in the stalking Bill. It is an area of law that I am favourable and amenable to in terms of offences that are created overseas, but there is some debate on the competence issue.

I note that the Minister said it was within the legislative competence of the Assembly. The Attorney General, who leaves office next week, is flagging up question marks around the legal competence of the Assembly to deal with this issue. He quite ably articulated the viewpoint that the United Kingdom Parliament, being sovereign in all things, can pass legislation in this respect that would not be challenged in court. However, he does question the legal competence of the Assembly, referring back to relevant legislation from 1920 that set up the Parliament when outlining its confines in legislating in this area.

That is something that we need to explore, so I am alerting the Minister to the fact that I anticipate the Committee, once we have completed our consideration, flagging up the competence issue in respect of extraterritorial jurisdiction. We need to bottom that out to ensure that legislation that we pass in this area will stand up to any test that may arise in the courts system.

I am putting that on the record today, but we will be formally following that up as part of the Committee's consideration. That is without prejudice to whether the Committee supports the extension of such types of offences that are committed overseas. My view is that it is something that we should be doing, but I want to make sure that legally we are within our remit.

**Ms Dillon:** I echo the sentiments of the Chair: the Committee are supportive. My party and I are very supportive of ETJ, particularly given that we have a land border. Many incidents take place on a night out in Dundalk between people who live in Newry, so it is extremely important that we have this legislation in place.

However, as the Chair outlined, the Attorney General raised some concerns on the competency issue, and it is essential that we negate any possibility of us passing legislation that does not have competence. I plead with the Minister to look at that to see whether there are issues around the legislation and whether it could be the subject of a legal challenge. The Attorney General highlighted what could be done in Westminster to deal with the issue, and we should look at that. If something needs to be done, either in Westminster or in this Chamber, we need to ensure that it is done because it is something that all Committee members spoke in support of. There is no one who would not be keen to ensure that if something happens outside this jurisdiction, whether it is across the border or involves people who are on holidays or honeymoon, we can ensure that the victim has some redress in dealing with the issue and the perpetrator in this jurisdiction. I ask the Minister to respond to that. If she is not able to fully respond today, we understand, but it is important that we get a full response.

**Ms S Bradley:** I echo the words of the Chair of the Committee. The SDLP has, since 2012, consistently called for the ratification of the Istanbul convention. It is therefore important that we all get behind and support this legislation. I take the point that there appears to be a question mark surrounding the competence of the Assembly, as opposed to Westminster, where there is no dispute on the LCM and the vehicle that can be used today. However, for our own Domestic Abuse Bill, which should be coming to the Floor sooner rather than later, the question has been raised. Now is a good time to get that question aired, because nobody wants to see any delay in bringing either forward.

**Mr Beattie:** I will be very brief. I welcome the Minister's bringing this forward. It is difficult to see anybody not being in favour of getting this legislation in place to be able to support victims of domestic abuse. However, it is really important that we scrutinise this, because the last thing that we want is to bring in legislation that does not work. I am fearful, as many Members may well be, that, when you raise an issue, people think that you are bringing about a delay, but we would be doing a huge disservice if we did not raise the issues that are concerning.

I absolutely support, as does the party, the LCM, which allows us to take clauses 61 and 62 of the Westminster legislation, covering the ETJ, without a shadow of a doubt. However, it is right and proper, and I know that I am repeating what others have said, that we look at what the Attorney General said to us when he said that he had one concern about legislative competence arising from clause 10. It is really important that we put that to bed and ensure that we get this absolutely right. If we do not, we will end up with legislation that does not work for the victims, and the victims must be important here. I am in no doubt that the Minister will look at this in great detail and will be able to report back to the House and the Justice Committee.

**Ms Armstrong:** I also thank the Minister for taking a practical and proactive approach to the Domestic Abuse Bill. Many people and families are extremely grateful for the Minister's focused approach on an issue that is far too prevalent in homes across Northern Ireland. The Domestic Abuse Bill, which was reintroduced at Westminster on 3 March, included provision for the whole of the UK. It is right, therefore, that the Minister makes best use of resources in the time available by legislating through the UK Bill, as it means that the whole of the UK is in a position to formally ratify the Istanbul convention. My colleague in the SDLP mentioned that.

It is appropriate that we endorse the extension to Northern Ireland of the relevant provisions of the Domestic Abuse Bill. That will extend the powers of the courts here to try certain sexual and violent offences that have been committed outside the UK. That includes offences such as forced marriage, sex offences, murder and manslaughter.

Having worked with an organisation that some Members may know called Invisible Traffick, I know that it is vital that we are able to prosecute offenders who are from here for the crimes that they do elsewhere. I had the privilege of being in the Long Gallery in this Building when I heard from a lady who had been taken out of this country by her partner and did not realise that, when she was plied with drink and drugs and was convinced to sleep with her partner's friend, that was the start of her being put into prostitution and used and raped, ongoing,

for up to five years. She escaped and was able to come back to Northern Ireland, but so did her partner. Nothing has happened about it because it happened outside this country, and the person lives with its scars every day. She is safe now, thanks to organisations that work with people who have managed to get away from their abuser.

I hope that the House can think about that woman and other men and women out there who are going through this and are taken out of this country to be abused. Some have been taken away to be killed. It is right that we send out a clear message to abusers that you cannot hide here.

**Miss Woods:** The LCM relates to the Domestic Abuse Bill progressing through Westminster, which has been described as a once-in-a-generation opportunity for our Government to ensure that all women are offered proper protection and as the vehicle through which the UK Government hope to ratify the Istanbul convention on preventing violence against women. Therefore, I welcome it and the way in which it relates to the work of the Assembly's Justice Committee in considering the development of our own legislation in Northern Ireland.

As other Members said, the Justice Committee was briefed by the outgoing Attorney General (AG) on his concerns that clause 10 of our Bill would fall outside the competence of the Northern Ireland Assembly. He referred to legal opinion that deems that clause 10 purports to change the domestic law of a country outside the UK in which domestic abuse occurs. The Committee, I am sure, will look into the issue of ETJ in more detail, but, today, I ask the Minister for some clarity.

The AG confirmed last week that the legislative method for introducing ETJ would be through a Bill in Westminster. He confirmed that that would give the Assembly competence. Indeed, clause 61 of the Westminster Domestic Abuse Bill appears to make that provision for Northern Ireland.

Can the Minister confirm if the LCM addresses the competence issue in clause 10 of our Bill, or does she intend to engage with those working on the Westminster Bill to ensure that the issue is addressed?

## 5.00 pm

This year, 8 June marked the eighth anniversary of the UK Government signing the Istanbul convention on the protection of women and girls from violence. It is still not ratified, which is extremely disappointing, to say the least. We must make sure that the Government protect survivors of abuse. That includes access to refuge and welfare and the creation of a firewall between support services and immigration control, which is particularly important for those who have insecure immigration status. Not only are they at risk of being reported to immigration authorities, but, if they have no recourse to public funds, they cannot access support from refuges, floating support or housing support and are extremely vulnerable. That is a horrific position for anyone to be in, and failure to provide protection for such victims is a contravention not only of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) but of the Istanbul convention.

I have asked the Minister for Communities what measures are in place and what specific assistance is available for people affected by COVID who have no recourse to public funds. However, I also appeal to the Minister of Justice,

the Minister for Communities and the wider Executive to enable those in such difficult circumstances to leave an abusive household or relationship. I welcome the work of the Step Up Migrant Women coalition, Amnesty and a cross-party group of MPs who are lobbying the Westminster Government to do something about this.

I also note that the Westminster Bill includes the creation of a Domestic Abuse Commissioner and a statutory duty on local authorities to provide domestic abuse support. It includes other provisions aimed at supporting and protecting victims and survivors. It begs this question: why does our Bill not include such measures? Is our Bill not as comprehensive in its approach to legislative provisions as that of our counterparts?

I note the Minister's comments that she would like to review how certain measures, such as protection orders and notices, will work in England. I note her assurance that she will bring forward a miscellaneous provisions Bill and stalking legislation to address outstanding issues. However, I also note that the draft Westminster Bill mentions the word "protection" 168 times, whereas our draft Bill mentions it only once. Is the Minister content to broaden the scope of the Bill if the Committee deemed that additional provisions were necessary to strengthen it?

I am fully supportive of the LCM, and I hope we can resolve the ETJ issue. However, it is also clear that there is more work to be done if we are to get this right for Northern Ireland.

**Mrs Long:** I thank all the Members who have contributed to the debate this afternoon. Understandably, it strayed from the LCM to wider issues around the Domestic Abuse Bill. That was inevitable, given that the two have a degree of overlap on timing and content. I put on record my thanks to the Justice Committee for the report it produced on the LCM and to the Executive for considering the issues.

The Justice Committee has been dealing with a number of LCMs in recent weeks, and they are also dealing with a significant amount of evidence in their scrutiny of the Bill. I look forward to their report on the Bill. Whilst we have scoped this Bill and worked with partners on our domestic abuse offence and how it will be implemented, it is important that we are open to listening to the voices that come through the Committee and to Committee members as well, otherwise the process would be rendered unimportant, which is not right. It is important that members of the Committee can raise their concerns, and I happy to work with them and listen to what, they feel, needs to be done to improve the legislation. We all share a desire to see the best possible Bill come forward.

I am pleased with the support that colleagues have shown for the LCM and the recognition that it is sensible that these provisions are carried in the Westminster Bill. I note the discussion about legislative competence, and I want to address that point, because, in all likelihood, we will return to it as we deal with our Bill. There will be the issue of introducing extraterritorial jurisdiction in our domestic offence. As you know, that issue has been raised by the Attorney General. The same point about the clause in the Domestic Abuse and Family Proceedings Bill that is almost identical to the clause here has been raised with the Committee.

The Executive and I agreed the Bill for introduction. Along with the Speaker, we are content that it is within the

legislative competence of the Assembly. The same will, therefore, apply to these provisions. I am content that the inclusion of the harassment offence without the need for criminality in other countries is also within the legislative competence of the Assembly. The question really turns on whether it is considered that the provisions, which legislate for behaviour that occurs outside the UK, form part of the law of a country other than Northern Ireland. I do not consider that to be the case. For any prosecution to be taken forward, there would have to be a linkage to Northern Ireland, and it would, therefore, be part of our law and not another country's law. In addition, similar provision is made in other legislation that applies locally, namely the Serious Crime Act 2015, which the Assembly approved a legislative consent motion for, and the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. It is something that the Assembly has agreed to on previous occasions.

In response to the discussion that has been ongoing in Committee, however, we have had further discussions with counsel and with the Departmental Solicitor's Office on the matter, and all remain of the view that clause 10 of the Domestic Abuse Bill and, by association, the harassment provisions covered by the LCM are within competence. Agreement to the LCM will further strengthen the arguments on what are devolved matters. In addition, the trafficking and FGM legislation were done on a similar basis. Furthermore, it could be argued that the fact that Westminster is seeking an LCM indicates that they believe it to be within the Assembly's competence to legislate on these matters, otherwise an LCM would not be necessary. Any change in that position would be seen as a challenge to the authority of the Speaker and, by virtue of that, the authority of the Assembly in terms of the matter being within our devolved competence. An LCM was also sought for Scotland, which indicates that it is seen that this lies within the devolved competence. I hope that that reassures Members, at least thus far, that it lies within our jurisdiction and competence to take these matters forward.

I ask colleagues to support the motion in order that these important protections for some of our most vulnerable people can be introduced and the UK as a whole can meet its obligations under the Istanbul convention. I take seriously the issues that Members have raised about those who are taken abroad to be abused or those for whom a period of abuse begins overseas. It is important that we have adequate protection for those people here and that they have the opportunity to pursue this through the law in this country when they live here or when the person who abuses them primarily resides here. That is hugely important. It is not the only support, and Miss Woods is right: it is not the only support or the only protection that we would wish to give people, which is why the wider Bill that will come before the House when the Committee has finished its consultation and scrutiny is so important.

The Bill for Northern Ireland is wider in scope than that in England and Wales, which is much more restricted in its content. However, specifically on commissioners and the other matters that have been raised by the Committee, I know that my officials will brief the Committee in just over a week's time on some of our thoughts on the emerging discussions in Committee. It is my hope that we will be able to work together in order to ensure that the Bill that we bring forward will be the best possible outcome for the



people of Northern Ireland and for those who are subject to domestic abuse and violence in this place.

I believe that, on this occasion, it is appropriate that the amendments are made to the Westminster Bill, so I ask again for the support of the House for the LCM.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the relevant provisions of the Domestic Abuse Bill, introduced in the House of Commons on 3 March 2020, relating to the provisions to extend the power of the courts in Northern Ireland to try in the home jurisdiction certain sexual and violent offences that have been committed abroad, so far as these matters fall within the legislative competence of the Assembly.*

**The Temporary Speaker (Mr G Kelly):** I ask Members to take their ease while Ministers change. At Paul Givan's request, we will change the Temporary Speaker as well.

*(The Temporary Speaker [Mr Wells] in the Chair)*

## Private Members' Business

### Mental Health and Well-being after COVID-19

**Mrs Cameron:** I beg to move:

*That this Assembly recognises the importance of prioritising mental health and well-being as part of the COVID-19 recovery; notes that the long-term impact of the pandemic on working practices, everyday social interaction and hospital or care home visiting will present new and substantive challenges to individual mental well-being, especially among the most vulnerable; stresses, therefore, the need for refreshed and reformed mental health and well-being service provision that is fit for purpose; further notes, to this end, the transformative role played by community and voluntary providers whose services are subject to increasing demand; and calls on the Minister of Health to outline plans to tackle COVID-19-related mental illness moving forward.*

**The Temporary Speaker (Mr Wells):** The Business Committee has agreed to allow up to 1 hour and 30 minutes for the debate. Two amendments have been selected and are published on the Marshalled List, therefore an additional 15 minutes has been allocated to the total time. The proposer of the motion will have 10 minutes, and those who make winding-up speeches will also have 10 minutes.

**Mrs Cameron:** At this stage, I will indicate that we will accept both amendments to the motion. I thank Sinn Féin and the UUP for their thoughtful additions to it.

While much focus in recent months has, rightly, been on the physical well-being of our population as we face the threat of coronavirus, the impact on mental health must not be forgotten. The restrictions placed on personal freedoms and everyday social interaction during lockdown have had a profound effect on the emotional and psychological well-being of people living in Northern Ireland. Worryingly, the cross-cutting nature of the impact of the virus and the subsequent regulations have come into direct conflict with established triggers of mental illness, including social isolation, loss of work and general financial concerns, medical trauma and work-related stress. The steps taken in good faith and on the basis of scientific evidence by the Executive to protect lives were necessary. However, we must ensure that the benefits are not overshadowed by long-term harm from unaddressed mental health issues. As we continue the pathway to normalisation, to reopening our health service, mental health and well-being must be at the forefront of the Department of Health's priorities. That is why we tabled the motion, and I trust that we can unite, as a House, behind it.

Poor mental health is not a new problem faced by our society. It is not one of the many new consequences of COVID-19. Pre-COVID, the issue of mental health and the need for targeted intervention was already clear. One in five of our population identified as having a mental health issue at one time in their life. Over half of the Health and Social Care (HSC) nursing staff reported being injured or unwell as a result of workplace stress in a 2019 survey. On

a daily basis, we hear in our news bulletins and through our contacts in the community of lives lost to suicide. Our community was already struggling.

The reality is that COVID-19 has exacerbated the problem. A study by researchers from the Stress, Trauma and Related Conditions (STARC) research lab at Queen's University Belfast surveyed 2,500 people living in the UK during the first month of the COVID-19 lockdown period.

It found that one third of those surveyed met the criteria for anxiety, one third met the criteria for depression and 20% met the criteria for PTSD related to COVID-19. Some 50% of those surveyed reported concerns about the financial impact of the pandemic.

### 5.15 pm

Professor Armour, who led the research, concluded:

*"Based on the figures reported in this study related to mental ill health during lockdown ... funding should be provided for an uplift to the mental health workforce to support the potential influx of individuals needing mental health support."*

A second study by Ulster University and the University of Sheffield reported that, in total, across the week of the study, 25% of women and 18% of men exhibited clinically meaningful symptoms of anxiety and that 23% of women and 21% of men showed signs of depression. Those aged under 35 living in the city, those living alone or with children, those with lower incomes, those with health conditions and those whose income has been hit by the pandemic had higher rates of anxiety and depression. Those who felt that they belonged to their neighbourhood and trusted their neighbours had lower levels of anxiety and depression.

Members, I am sure that, as it was for me, learning of those survey figures is sobering. It is a microcosm of the problem in our wider society, and something that must be tackled. The depth of the problem is stark, and it could well worsen as, for example, unemployment grows as a result of the economic tsunami that COVID-19 has wrought on our local economy. Financial loss and unemployment have strong links with mental ill health, with the risk doubling if people lose their job. That is why the support given to local businesses has been so vital. I commend my colleague Diane Dodds for all her work and, indeed, Her Majesty's Government for the vast levels of support.

Just as we have risen to the challenge of COVID-19, we must rise to the challenge of its mental health legacy. The onus falls on the Minister of Health in that regard. I hasten to add that the Minister and his officials have acted responsibly under unprecedented pressure during this crisis. The publication of the mental health action plan and its COVID-19 response plan annex provide a constructive platform on which to progress the debate. I welcome the plan brought forward by the Minister and know that it is a matter that he identified as a priority before coronavirus struck.

To take one issue from the plan, we are supportive of the proposal to establish a model for specialist perinatal mental health services by September. Northern Ireland is currently the only region of the UK without a dedicated mother and baby unit, and it is vital that we accommodate more compassionate care for bonding and development

at this critical time. One major concern with the plan as it stands, however, is that, to most intents and purposes, it is cost-neutral and therefore cannot hope to make the transformative reforms needed to mental health services without there being additional agreement on comprehensive funding to take forward the 38 actions. The total cost of the mental health action plan in the first year is up to £2.8 million. The recurring cost of the much-needed new specialist perinatal mental health service alone is expected to be up to £3.6 million a year. A strong signal from the Executive, including the Department of Health, and generosity of spirit are therefore required in order to move forward with the agenda to reform and refresh the current provision.

We need to look at solutions, and what is key to that is a cross-cutting approach being taken to mental health and well-being, given health inequalities and longer-term changes to how society operates. Health inequalities researched by the Department of Health have indicated strong links among deprivation, age and gender in COVID-19 infection and admission rates. Similar correlations between the virus and higher rates of anxiety and depression have been found among those aged under 35 living in a city, those living alone or with children, those with medical conditions and those in financial hardship. In that sense, when tabling the motion, we were acutely aware that it is not just an issue relevant to the public health response or health and social care but something that has to be tied to and targeted at the social and economic factors that lead to mental illness.

A one-size-fits-all approach cannot be effective. A cross-cutting, cross-departmental, cross-sectoral approach is required. Indeed, in DUP Departments such as Education, our Ministers are actively working on plans to address the legacy of COVID-19 for children who were already identified as being at risk prior to the pandemic and whose physical, mental and educational well-being may have been acutely disadvantaged by loss of contact and/or closure of schools. Although the Minister takes the lead, we want to work with him across the Executive to tackle the issues in a collaborative and effective way. A particular example would be to look towards our arts sector. I appeal to the Executive to recognise the huge contribution that the arts and culture make to mental health outcomes and to understand that the sector has huge challenges ahead and requires support if it is to survive.

That collaborative approach must go further; a vibrant and well-resourced community and voluntary sector is the key to success. The unprecedented demand on health and social care capacity has meant that mental health well-being charities and faith-based organisations have been a lifeline for providing early and skilled responses to those who are at risk of mental illness during the pandemic. Their contacts with vulnerable groups of people, including the elderly and those who have been shielding, have been an invaluable preventative tool against mental ill health.

That contribution has been made in the midst of increasing demand and fewer resources, which has put many organisations at risk of folding. There needs to be a serious look at what we can do to support the sustainable future of the sector moving forward. I wish to put on record my full appreciation for the mental health provision from the community and voluntary sectors such as that provided by Impact Network NI, which is based in Randalstown

and is a great example of an invaluable service to the community. Service providers in the community and voluntary sector must be at the heart of the recovery and reform process. The focus must be on co-design and co-production of the new services and regular dialogue. As Departments seek to wade their way through the financial outworkings of COVID-19 expenditure, any tendency to look for community providers as an easy target for more savings must be opposed.

In conclusion, it would be remiss of me not to make special mention of one group of people for whom we must deliver support, which is our front-line healthcare workers. What they have encountered and seen and have had to do on the wards and in care homes, having sacrificed family life, has had a huge impact on so many nurses, doctors and other healthcare workers. I urge the Minister to ensure that all necessary support is in place for our heroes. I am pleased to propose the motion and I urge Members to unite behind it.

**Ms Flynn:** I beg to move amendment No 1:

*Leave out all after "interaction" and insert:*

*“, individual coping strategies, and hospital or care home visiting will present new and substantive challenges to individual mental well-being, especially among the most vulnerable; stresses, therefore, the need for refreshed and reformed mental health and well-being service provision that recognises the structural barriers to addressing a dual diagnosis of mental illness and an addiction; further notes, to this end, the transformative role played by community and voluntary providers whose services are subject to increasing demand; and calls on the Minister of Health to outline plans to tackle mental health problems, mental illness and addictions related to COVID-19 moving forward.”*

**The Temporary Speaker (Mr Wells):** The Member has 10 minutes to propose amendment No 1 and five minutes to make a winding-up speech.

**Ms Flynn:** I thank the proposers of the motion. The challenge before all of us is how to improve mental health and well-being as we gradually emerge from the COVID-19 lockdown. That will not be an easy task but it is an essential one. Mental health and well-being are not just the responsibility of the Health Minister; they are the responsibility of all Ministers and their Departments. I believe that our amendment adds to the motion and, importantly, draws attention to the needs of addiction services and the challenges of a dual diagnosis.

I want to begin by paying tribute to all of the organisations and staff that are working in the field of mental health and all those who regularly attend the all-party group on suicide prevention, including many Members in the Chamber whom I know care deeply about the issue. I also want to pay a special tribute to all those across our communities who are struggling with their own mental health problems. I want them to know that, even when they feel most alone and isolated, there are people and services who want to help. Our new reality is that COVID-19 will be a part of our lives for the foreseeable future and it will have a lasting impact on communities across the island, even without a second wave. Anxiety is being felt across all communities and across all sectors of our economy and we, as a body, must be well prepared to deal with the challenges that that will pose.

I acknowledge that in the early weeks of the pandemic the Department of Health took on board my recommendation to create a dedicated page for mental health and well-being advice. I also acknowledge that the Health Minister has expressed to me, verbally and in writing, his commitment to progress and develop a new and improved substance misuse strategy, alongside and as part of the wider mental health action plan and the 10-year strategy. The question is now: how will the wider health and social care system respond to the mental health challenges that we face in the time ahead? Will there be a clear and dedicated mental health action plan that has adequate resources attached to it?

I note that the Minister previously announced the appointment of a mental health champion. Again, although that is very welcome, we still need the Minister of Health to be our ultimate champion for improving mental health services, including addiction services. I agree that there needs to be more resources for mental health and well-being. It is also important that we see mental health and well-being in every programme from every Department and not just from the Department of Health. For example, the resilience and well-being framework being developed by the Education Authority for young people in our schools is a step in the right direction. However, it must now also take into account the legacy of COVID-19. How will the Department for the Economy measure the impact of job losses and financial worry, and how will the financial stress being felt across our communities be factored into tangible supports for all our businesses and workers?

Every Department and every arm's-length body must be asked the same pertinent question: how are you promoting the well-being, health and mental health of all your staff and service users? Although there is clearly a need for all Departments to respond and collaborate, I believe that this will be best placed within the Executive working group that was established for mental health.

The Department of Health must also have its own detailed plan to respond to the need for greater mental health and addiction services. A few weeks ago, the Health Committee received an oral briefing from organisations providing these services, and I really urge all Members to go back and listen to some of the stark evidence from those groups, as it is a testimony to the struggle of providing addiction services to those suffering most from those issues, and with mental health challenges on top. It is very clear to see that the sector is deeply concerned about how the lockdown has affected those service users who are already seeking help, and indeed those who will in the future need those services due to COVID-19 and the lockdown.

I want to take a bit of time to explore a bit further the issue of dual diagnosis. A dual diagnosis is when someone has to first choose between addressing their mental health condition or their addiction. It is often the case that they are interlinked, but services are unable to respond or, worse, are not there to respond at all. I recently asked the Minister a question regarding dual diagnosis, and I thank him for his response, which was:

*“There are ... no legal barriers within the Mental Health Order ... 1986 prohibiting the establishment of a dual diagnosis service for addictions and mental health.”*

While that sounds positive, what it actually says is that the barrier to putting the person first is not actually because of the legislation but because they maybe do not fit neatly into a predefined box when they are looking for help and support. As services are rebuilt and commissioned in the future, it is vital that they be person-centred and take individual needs fully into account. We need to consider that the individual needs for many may require treatment for those who are battling with both a mental health problem and an addiction.

I will finish my comments by welcoming some more of the positive news coming from the Department of Health recently in and around the innovative programme towards zero suicide. That programme is going to be resuming in July. Again, that was one of the aspects of mental health and suicide prevention that had been impacted by COVID-19 and the pandemic and now must adapt, along with everything else, to meet people's needs post-COVID and the demand on services. However, I also raised concerns at the last Committee meeting that the Department put in a bid for only just over £2 million in additional moneys for mental health and suicide prevention in the June budgeting allocations.

Just to finish, in my view all of this needs to be considered in the context that our mental health services, as we all know, are already under pressure. The suicide prevention strategy, a big piece of work, still has to be fully implemented. On top of all that, we are now expecting a possible surge in demand for services as we exit the lockdown restrictions. I support the motion and, again, thank the Members for tabling it. I am happy to support it and hope that Members will lend their support to my amendment.

**The Temporary Speaker (Mr Wells):** I thank Mrs Cameron and Ms Flynn for the succinct way in which they moved both the motion and amendment No 1. That should, I hope, allow extra Members to take part in this debate.

**Mr Butler:** I beg to move amendment No 2:

*At end insert:*

*“; and further calls on the Executive to support a cross-cutting and outcomes-based approach to providing the funding and resources needed to maximise the health and social care and the community and voluntary sector's capacity to contribute to addressing poor mental health and promoting well-being.”*

**The Temporary Speaker (Mr Wells):** Thank you, Mr Butler. You will have 10 minutes to propose amendment No 2 and five minutes to wind up. All other Members will have five minutes each.

**Mr Butler:** Thank you, Mr Temporary Speaker, if that is the right terminology. I will not use my full 10 minutes.

As Van Morrison once said, in the final words of his spoken song 'Coney Island':

*“Wouldn't it be great if it was like this all the time.”*

On a subject as important as mental health and, ultimately, suicide prevention, we could not be talking about anything more important here tonight. It is one of the only subjects where I will not have written notes, because I am so passionate about it.

### 5.30 pm

I want to thank the party that tabled the motion, which was moved by Mrs Cameron, and Sinn Féin for tabling the amendment that was moved by Órlaithí. Another amendment was proposed by the SDLP, which very much mirrored our amendment. I will speak in favour of the motion and both amendments and I urge every Member to support them as well.

There is no doubt that mental health is everyone's business. I had written a few things down, in preparation for speaking, but the two Members who have spoken have blown me out of the water because they have got it in spades. They have accepted that mental health is everyone's business. Whilst the purpose and intent of the motion calls on the Health Minister, it recognises that, actually, this is across the full Executive. This is for the Department for Communities, the Department of Justice, the Department for the Economy and the Department of Education. If we are going to catch the tail of this problem and epidemic, which existed long before COVID, we have to act responsibly and in a collegiate manner.

I will get to the COVID-specific issues in a minute but I am particularly pleased with the contributions so far. Mental health is not new and poor mental health is not new. The problems that people are facing, out of COVID, existed before and are the same problems. Perinatal mental health has already been mentioned by Mrs Cameron. That is so important because if we cannot get off to the right start, with mums who are pregnant and babies in those early years, what are we storing up for ourselves in the future? The Minister has already made a commitment to that. I am sure that if he had the support of the Executive, with regard to the finance, we could do much more. I believe that if we work collegiately — to use the word again — we could achieve much more.

I am now a member of the Education Committee. I assure you that, if you were to sit in on the Committee, you would see that — as happened today in the Chamber with the Minister — every opportunity that I get, and other Committee members get, is used to ask, “What are you doing to tackle mental ill health?” The fabric of the building, the support that teachers can get, the support of our teachers, pupils, families and their children.

I became a Member in 2016, and we talked about the correlation between poverty, social deprivation, criminality, addictions and poor mental health. Those are all things that are in the fabric of our society in Northern Ireland that we really need to tackle and get to grips with. It is worth noting that a number of reports point out that, through the COVID pandemic, addictions — alcohol, gambling and drugs — are being targeted to those who are the most vulnerable. In their downtime, they are being exposed to even greater risk, and we need to do something about that.

It is my absolute privilege to chair the new all-party group (APG) on tackling gambling-related harm. I would like it to be noted that that is a real issue through the COVID pandemic: those people, who are gambling addicts, are coming to real harm. I look forward to the Minister for Communities looking at that with regard to new legislation.

I commend Órlaithí Flynn, the chair of the all-party group on suicide, on her work to target the message of the zero suicide figure, which is something that we support.

There are many reports on poor mental health across many communities and sectors. I urge everyone to not allow us to get to the point of paralysis by analysis. We are reported out. We have enough reports. We know what we should be doing and we need to target our resources, support each other and put our collective shoulders to the wheel, not just the Executive but in the Assembly, to see real progress. It was good to note that the first two Members to speak gave the Health Minister credit because he did not just look at COVID and say that he was going to sit here and look at it. He followed through with the pre-New Decade, New Approach commitments and said that we would have a mental health action plan, and that has started, and we are going to look at the mental health champion, a commitment since 2016, and I hope that that is delivered very soon. There is a further commitment for the mental health strategy, starting by December this year, and looking at a 10-year strategy. These are all very welcome, needed and will help us to save lives.

Now that we have the impact of COVID, and all the related matters that, whilst they do not complicate it, perhaps consolidate our focus on the need to do this together. That is what it does; It does not make it any more complicated, guys. What are the COVID implications? One of them, and the most stark, is the bereavement process. People have died, through COVID, and people have not been able to grieve or have the burial or wake in the normal manner that we are accustomed to. That is something that is going to have an outcome, with a cost to bear, and we need to support those people.

On loneliness and isolation, I commend Sinéad Bradley as the chair of the APG on preventing loneliness, and she has been leading the battle on that, but loneliness existed before COVID-19. It has been magnified and exacerbated, but it is about the society that we live in. It is a societal change that we need. We need to provide the leadership for that. There are the visiting restrictions in hospitals and nursing homes, and the inability to see those people who are probably on a palliative path, who are certainly ill, and could do with a cuddle, a handshake or a kiss. Those are things that should resonate with each and every one of us.

We have refugees and asylum seekers who already, at times, find it difficult to integrate into our communities. Have we forgotten about those people during the COVID-19 crisis? I hope not. I was on a call, I think on Friday, with a group and it was interesting. They were talking about the Northern Irish spirit and how much they enjoy being here, but, throughout COVID-19, did we do enough? We certainly need to try harder.

Like me, I am sure that, throughout the pandemic, your inboxes have been busier than before. There has been no respite for us. I am not asking for anybody to have any sympathy, but you will know that there has been an impact on everybody who has been contacting you. Whether it has been a business that has been struggling to work out the furlough and to work out whether they are entitled to grants, and great work has been done. However, all that stress and angst adds up into a toxic mix, and that is, sometimes, where mental health and ill mental health comes from.

As has been pointed out, we have to give thanks to those who have been standing in the gap and those who have been bridging the gap and meeting the need for those people who, for instance, perhaps already had poor

mental health. Those nurses, doctors, care workers and those people who are working in the community — who are still working in the community through very difficult circumstances — who are, in many instances, probably not being paid enough to do the job that they do in providing the link between the outside world and the loneliness of living alone or being in hospital for treatment and enduring sicknesses. Therefore, for those nurses and care workers, we say thank you. For those doctors who stand in the gap, we say thank you.

The biggest purpose of the motion is to talk about the community groups and charities that have shown great innovation over the past weeks, and it has been wonderful to see. They have had to adapt their strategies and their way of working to meet the differing needs of the people who have needed them. In Lisburn, there are a few that I will mention — forgive me, if anybody is listening, if I miss you out — the Atlas Women's Centre, Via Wings in Dromore, the Resurgam Trust and the COVID-19 Ballymacash Response. Those guys, when they went out with food, met a different need. They did not even know, sometimes, the benefit of what they were doing by just smiling at somebody and showing kindness. Kindness is a big part of this cure; it is better than a tablet, and I think that it is something that we can lead the way on. As Van Morrison said:

*"Wouldn't it be great if it was like this all the time."*

I told you that I was not going to talk for 10 minutes but I probably am. I am probably going to use the last minute and a half, and that is OK. To pull my contribution together, there is only one way that this will work and it is not just the responsibility of Robin Swann, as Minister, or the Department of Health. It is a collective responsibility. I see this as how the Executive might work in the longer-term, if we can prioritise mental health and protecting and saving life, does it matter whether you are a unionist, nationalist, other or neither? Does it really? Can we show the people out there that we have a priority that we share and that we are going to work collectively to achieve it?

I think that out of the legacy of one of our most regrettable circumstances — the level of poor mental health and the high rates of suicide — if we can look at one of our darkest marks and do something transformative, what a light this place could be. We will support the amendments and the motion.

**Ms Bradshaw:** On behalf of the Alliance Party, I support the motion and both amendments. I thank the Members for bringing these forward for discussion. It is very timely and absolutely crucial that, as we re-establish our health and social care services, time is taken to ensure that we include a firm understanding of the state of our nation's health and well-being as we emerge from the health crisis, and that we make decisions with that information going forward. To do that, we need to look at the needs of those most affected by the COVID-19 pandemic. We should look at the hundreds of families across the country who have lost loved ones to coronavirus, and who have been plunged into immense sadness and have been curtailed in their grieving process due to the health protection regulations. We also have the many others who became infected and ended up in hospital needing urgent treatment. They faced the prospect of death and now have a long road to recovery, physically and mentally.

Our doctors, nurses and the whole health and social care family have been working at the front line and have been dealing with the most critical conditions that have been caused by this new virus, which nobody could have predicted would sweep across our society. Further, we have to recognise that many of those key workers live with underlying health conditions or in households with loved ones who do. Knowing the risk, how incredibly scary and traumatic it must have been for them to just go to work during the pandemic.

We then need to focus on those for whom lockdown has been equally traumatic. We have to recognise that the isolation from mainstream society has had a devastating impact on them. Where, in ordinary circumstances, they could manage or, at least, cope with their pre-existing mental health issues through engagement and activity, suddenly they have been trapped in their homes and their conditions have worsened. That will have been particularly prevalent in homes in which carers look after loved ones with learning or physical disabilities and whose conditions will also have worsened due to a loss of daily routine and external support.

Sadly, we saw a spike in reported cases of domestic and sexual violence during the pandemic. As the motion suggests, the community and voluntary sector had to move quickly and very innovatively to reconfigure its services to respond to that spike, and we should be grateful to it. I am thinking of bodies such as Women's Aid, the Men's Advisory Project, the NSPCC, Barnardo's, Nexus and many more. I do not know whether we will ever know nor be able to estimate the number of unreported cases and the number of men, women and children who had to suffer in silence and live with their abusers during this time and, sadly, will have to continue to do so.

We also have to recognise the other societal and economic issues that will have been exacerbated by the pandemic and that will greatly impact on the nation's well-being. Those include the loss of employment leading to increased poverty and the rise in alcohol use, drug abuse and gambling addictions, all of which will have had a detrimental impact on feelings of self-worth and shame. The motion tabled by Sinn Féin reflects the need for a dual diagnosis and, as Ms Flynn outlined, the need to not compartmentalise issues. One further point that I would make is the need for specialised psychiatric treatment for extreme gambling addictions. That is not available here and the strategy should incorporate that going forward.

It is important that the action plan from the Health Minister, via his Department, for the development of a 10-year strategy reads across all aspects of society and looks at the causes and contributors. To achieve that, the public engagement aspect of developing the plan has to be extensive and creative. We know that, for example, there are high levels of mental health difficulties among young people with learning disabilities, which, as I said, will no doubt have been made worse during the pandemic. How can we ensure that they are properly included in the process and have their voice heard? How can the principles of co-design and co-production be configured to reach the hardest-to-reach sections of our society?

I will end by referencing the amendment that has been tabled by the UUP, which recognises the need for cross-cutting efforts across Departments and all public services and to find ways of measuring through outcomes and not

outputs. To seriously tackle mental health issues, we will need serious investment, and I fully support that. However, we need to ensure that the money is spent wisely and effectively. Thought will be required to put in place society-wide mechanisms to measure impact and our collective well-being.

**Ms Hunter:** The SDLP supports the motion and both amendments. I thank the Members who tabled the important motion and amendments. I also welcome the Minister's ongoing proven commitment to mental health.

COVID-19 has undoubtedly reshaped how we function as a society. It has shifted our coping mechanisms, our family dynamics, work practices, parenting methods and so much more. We agree fundamentally with Members that the period post-COVID-19 is a moment of opportunity to set priorities and define key action points to improve and enhance our mental health provision and address its gaps and implement improvements where necessary. New challenges require new solutions.

#### 5.45 pm

After talking with representatives of the voluntary sector in my constituency, I discovered that many were subject to increasing demand throughout the COVID-19 lockdown, especially groups that work with domestic violence victims. The pressures put on those services throughout the pandemic highlight and prove how crucial it is that voluntary groups and charities are well protected and funded correctly.

The conversation about addiction diagnoses and treatment is important. Recent figures announced by Addiction NI show that the number of men dying from drug-related causes has increased by 98% in the past 10 years. The emphasis in amendment No 1 further highlights how addiction and issues with alcohol dependency can be born of a lack of access to mental health support, leaving many to feel even more vulnerable.

We feel, of course, that there is also a rural dynamic to the conversation. Rural isolation causes barriers to accessing services. In Protect Life 2, the primary health and social care need of rural citizens is identified as availability and provision of timely and high-quality suicide prevention and self-harm services. Before COVID-19, many in rural areas were already experiencing mass changes, especially depopulation and migration in some areas, and such issues are having an impact with the sense of loss of community. Rural barriers to mental health support can also include more conservative approaches to help-seeking and heightened stigma around mental illness, and we must consider that, moving forward. Access and support require a collaborative and coordinated response.

Earlier this year, I wrote to the Minister of Health to ask that bereavement support services are well supported throughout and post COVID-19. Given the traumatic nature of recent deaths and the denial of regular burial ceremonies throughout the pandemic, I am deeply concerned about the mental health of those who have lost a loved one during the pandemic. The usual support of friends, family and community has been denied to those who have recently lost a family member. The past few months of restrictions have caused great distress for those who grieve. With the loss of so many lives, it is paramount

that bereavement support organisations and charities across the North are well supported.

Lastly, in striving to achieve the aims of the motion and the amendments, it is imperative that collaboration continues between private and public-sector organisations, academics, professional bodies, service users and community agencies. Many of my constituents have voiced their fear of returning to normal because “normal” was not working: now is our opportunity to change that.

**The Temporary Speaker (Mr Wells):** There has been some discussion about the vintage class of 1998. There are very few survivors, of course, but I call the youngest of the class of 1998: the honourable Member for East Antrim, Mr Hilditch.

**Mr Hilditch:** Thank you, Mr Temporary Speaker. I acknowledge your elevation from the Back Benches, even though it may be only temporary. Congratulations.

I support the motion and the positive merits of the amendments. The past few months have created a significant amount of fear, worry and concern among the population at large but particularly among certain groups, such as those with underlying conditions, older folk and care providers. We had already seen a significant psychological impact manifest itself in increasing levels of stress and anxiety pre-pandemic. However, after three months of lockdown, with changes to many people’s usual activities, routines and livelihoods, the levels of loneliness, depression, harmful alcohol and drug use and self-harm or suicidal behaviour are also expected to rise.

The restrictions placed on personal freedoms and everyday social interaction during lockdown have had a profound effect on the emotional and psychological well-being of people in our community. We can all experience mental health problems, whatever our background or walk of life, but the risk of experiencing mental ill health is not equally distributed across society. Those who face the greatest disadvantages in life also face the greatest risk to their mental health.

A study by Ulster University and the University of Sheffield reported that those under the age of 35 living in a city, living alone or with children, with lower incomes, with health conditions and whose incomes have been hit by the pandemic have higher rates of anxiety and depression. The distribution of infections and deaths during the COVID-19 pandemic, the lockdown, the associated measures and the longer-term socio-economic impact are likely to replicate and deepen the financial inequalities that contribute towards the increased prevalence and unequal distribution of mental ill health. Academic research has indicated that instances of mental illness in Northern Ireland during COVID-19 have continued to reflect the 25% higher prevalence than other parts of the UK.

The mental health risk from economic hardship starts early in life. Socioeconomically disadvantaged children and adolescents are two or three times more likely to develop mental health problems. The World Health Organization has determined that material disadvantage trumps emotional and intellectual advantages; in other words, people from poorer economic circumstances are more likely to have worse mental health, even if they have been supported to develop good personal coping and intellectual skills. People with an existing psychiatric diagnosis are also at greater risk of financial inequality

and are less likely to be in employment, fuelling their experience of multiple disadvantage. Furthermore, debt itself is an issue. People in debt are more likely to have a common mental health problem, and the more debt people have, the greater that likelihood is. One in four people experiencing a mental health issue face a problem with debt, and people with mental health problems are three times more likely to be in financial difficulty.

Studies have found that unemployment has a range of negative effects, including levels of poverty or a drop in standards of living for those who had a job, stresses associated with financial insecurity, the shame, sometimes, of being unemployed and in receipt of social welfare and the loss of vital social networks. The Organisation for Economic Co-operation and Development has described how loss has a traumatic and immediate negative impact on mental health and has noted that there is further damage where unemployment continues into the long term. A meta-analysis has shown that unemployment is associated with varieties of distress, including mixed symptoms of distress, depression, anxiety, psychosomatic symptoms and drops in subjective well-being and self-esteem. The same study found that 34% of unemployed people experienced mental distress, compared with 16% of those in employment. Importantly, the analysis showed that unemployment causes that distress. Research has constantly shown that unemployment has been associated with lower well-being. Furthermore, job insecurity and restructuring have negative impacts on employee well-being.

Unless action is taken to protect the economic security of vulnerable people and support them in dealing with the resulting stress, mental health inequalities are likely to increase as the pandemic and the economic downturn proceed. Thus, it is a necessity that a collaborative, cross-cutting, cross-departmental and cross-sectoral approach is created. No Department can tackle this alone.

**The Temporary Speaker (Mr Wells):** Can the Member bring his comments to a close, please?

**Mr Hilditch:** There is a need to address the social and economic factors that lead to mental illness. I support the motion, and I am happy to take on both amendments.

**Mr Sheehan:** Like others who have spoken, I commend the members of the community and voluntary sector who have done so much during the pandemic not just by delivering parcels and things like that but by keeping lines of communication open. One of the organisations in the constituency that I represent — Whiterock Children’s Centre — deals all year round with asylum seekers, refugees, immigrants and people like that, who are vulnerable to begin with, and many other families living in dire poverty. It has continued its operation and scaled it up while the pandemic has gone on. In the Ardmonagh Family Centre, there is a project called “Good Morning, West Belfast” that long predates the pandemic, where volunteers and staff phone up elderly and vulnerable people every day, sometimes twice a day, to make sure that they are all right and that they have someone to talk to. It is not just a quick 20-second call; sometimes, it is a yarn. It is a conversation with people who have no one else to speak to. I commend those organisations.

I want to speak about health inequalities. We were all surprised when the Minister said in Committee the other week that affluent areas had been affected

disproportionately by COVID-19. Now that there has been more drilling down into the data, it appears that that was not accurate. I am not surprised. Disadvantaged areas are disproportionately affected by conditions like obesity, diabetes, cardiovascular disease, hypertension and dementia, all of which have been flagged up as serious risk factors for COVID-19. Disadvantaged areas also suffer disproportionately from mental ill health, suicide and addiction. There was a serious mental health crisis before the pandemic arrived. I do not think that anyone here would disagree that the mental health crisis will be immeasurably worse as we move through the pandemic and come out the other side.

Whiterock is a ward in the West Belfast constituency. In previous years, it has been at the bottom of all the socio-economic indices. In the past couple of years, it has moved up the table a bit. It has improved, or maybe other wards have “disimproved” — I am not sure how it works. In any event, Whiterock has always remained rooted at the very bottom of the health domain. Mental ill health is a big, big issue, as are suicide and addiction. Often, as Órlaithí Flynn mentioned, the three are interlinked.

I ask every Member who is in the House today to imagine themselves living in grinding poverty. Maybe you are a single parent living in poor housing that is damp and cold. Your kids are getting ill because of the poor conditions in the house. They are missing school frequently and falling behind and will leave school without qualifications. As we know, kids who leave school without qualifications frequently end up in the criminal justice system. Children are taking their own lives. Parents are taking their own lives and leaving their children behind as orphans. That is the grim reality of life for some of our citizens today. That may be the extreme end of it, but that is what happens day and daily in disadvantaged areas.

Members have mentioned the need for a cross-departmental approach to these issues: I accept that. The Health Minister cannot solve the problems on his own. However, he has a responsibility to do his share of the heavy lifting. We need parity of funding between physical and mental health, and the urgency that has been employed in the fight against coronavirus should be employed in tackling the scourge of mental ill health. When Michelle O'Neill was Health Minister, I constantly said that we should work collaboratively on health, because health —

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

**Mr Sheehan:** Certainly, yes.

**Mr Swann (The Minister of Health):** Does the Member accept that the spirit of cross-Executive working is still in place between the former Health Minister and me? That will give him an extra minute to finish the point that he was making.

**Mr Sheehan:** I absolutely agree with that. The point that I was going to finish on was this: irrespective of who is Health Minister or which party they are from, all parties should work collaboratively to ensure that the well-being and health of our society improves.

**The Temporary Speaker (Mr Wells):** Thank you, Mr Sheehan. I just want to bring Members up to date. Five Members are left to speak. I think that, if everyone sticks to their time, we can get everybody in. I am conscious that Mr Carroll from People before Profit is a member of the Health

Committee, so I will give him priority now. Then, I will call Mr Middleton, Mr McGuigan, Mr Lyttle and, hopefully, the honourable Member for North Down, Miss Woods.

**Mr Carroll:** Thank you for calling me early. Sometimes, Members from smaller parties are not called to speak in debates, so I am glad that you did that. I thank the Members who tabled the motion and the amendments.

During a debate a few weeks ago, the Health Minister made the point that Stormont had failed to support the NHS properly for years. It is the view of many, including me, that Stormont has failed to properly invest in and support people with mental health issues. Over many years, it has failed to invest adequately in mental health services.

#### 6.00 pm

As has been mentioned already, people in the North suffer from higher levels of depression, anxiety and PTSD compared with people in the South or in Britain. Mental health problems are 25% higher here compared directly with England, but we spend less per head on mental health services than those places. As Action Mental Health stated, there is an actual 26% underspend overall in mental health services generally. So, we had a massive underspend in mental health services before the coronavirus crisis.

The Department's own language is that the mental health impact is likely to be severe, and GPs have warned of a tsunami of mental health illness after coronavirus. Unfortunately, I do not see wide-ranging or enough actions from the Department or the Minister to reflect that severity or the reality of that increase that people will face after lockdown ends. If we are to really support people with mental health problems with more than just nice, well-meaning words, we need serious increased investment in those services.

**Mr Butler:** I thank the Member for giving way. He does not often get a chance to speak, so this will get him an extra minute. Will the Member agree with me that the Minister has, in the very short period that he has been in place, taken exceptional steps to meet the epidemic of mental ill health and suicide, given that we had a three-year hiatus in this place when mental health was not the priority?

**The Temporary Speaker (Mr Wells):** The Member has an extra minute.

**Mr Carroll:** Thank you. I thank the Member for his question. I agree that the Minister has taken measures, but I do not think that they are wide-ranging enough, to be frank, and it is not just him; it is previous Ministers and the Executive as a whole. We have to be honest about that.

In our budget briefing in the Health Committee, we were told that there will be £72 million savings across the health service, or cuts as they are most commonly known, despite being told that we must learn the mantra of COVID-19 or learn the lessons from it. I do not believe that that lesson has been learned in terms of protecting public services.

On top of that, we have seen a 50% increase in significant stress for those people working with people who have had COVID-19. The people front and centre of supporting people with COVID-19 have seen an increase in their stress levels as a result of the work that they are doing.



It is important to recognise that the community came out and clapped for our NHS workers and thanked them for the crucial role that they played throughout the crisis. I am sure that most people here did that as well. It is still a disgrace that those workers have not been paid their strike pay — money that they lost out on because they had to go on strike because their work was not appreciated year after year by this House and Westminster. It is urgent that we press the Executive to cough up and pay those workers what they are owed. For my part, you cannot give vague messages of support to healthcare workers whilst not supporting them when push comes to shove.

Last week, the Health Committee heard from the RCN about the fact that we have at least 2,000 nursing vacancies across our health service. Not only does that create extra pressure and potentially exacerbate mental health problems for those nurses who are working harder than ever, but it does not address the fact that we need to increase our support and investment in the health service generally if we are going to seriously tackle the mental health problems in our community. We urgently need to see an increase in counsellors, psychiatric nurses, those working in addiction services and many more workers if we are to support people in need and the increased demand that we are likely to see at the end of this crisis.

Too often, when we talk about mental health, we talk about it in isolated terms and with very little reference to the environment that people live in, which hugely shapes their mental health. All predictions are that, if we continue along the usual economic path, we will be staring into an economic abyss with the worst recession in 300 years.

Historically, we know that suicide rates skyrocket in times of economic instability. In the 1929 stock market crash, suicide rates increased 50% in a year. There is a direct correlation between unemployment, deprivation, recession and, unfortunately, suicide. We want to see mental health not just as an isolated issue, as Members have said, but as something that is multifaceted and, ultimately, connected to economics and politics. How the Executive approach any new economic strategy needs to change rapidly, not only if we want to protect people's jobs, but to protect their mental health. Stormont needs to embark on an emergency jobs protection and creation programme that intervenes in the economy to —.

**The Temporary Speaker (Mr Wells):** Will the Member bring his remarks to a close, please?

**Mr Carroll:** I will bring my remarks to a close and I want to pay tribute to all those people in my constituency and across the North who have worked very hard to highlight mental health concerns and to help people throughout this period.

**Mr Middleton:** I thank my colleagues for tabling this very important motion and to those who brought amendments, because they add to the motion and put a greater emphasis on it as well.

I also thank the Minister for his attendance. In his short time in office he has already shown a genuine commitment to addressing mental health challenges and has committed to doing his share, as others have put it. It is important that all Ministers take their responsibilities for mental health seriously, along with us as MLAs because, as Mr Butler said, we can show real leadership through our actions in this Chamber by making mental health very much a priority.

COVID-19 has brought many challenges that impact on mental health, such as illness, the loss of life and bereaved families unable to attend funerals and be with their loved ones. Many of us took for granted being able to visit our families, our grandparents and our parents or to attend life-changing moments such as being able to be with our loved ones at baby scans, or visiting loved ones in hospitals and care homes. Those all impact on mental health.

The economic impacts, the job losses, the income reductions and the uncertainty will all go on long beyond the COVID-19 restrictions as and when they are lifted. The health impacts will also go beyond coronavirus itself and its physical health implications.

The mental ill health situation in Northern Ireland prior to the pandemic was already at a higher level than in other parts of the UK, with one in five adults here having a mental health problem at any one time. That is approximately 185,000 people. That is very worrying and something that we should all take very seriously.

Mental health issues can affect any one of us, irrespective of our backgrounds, our age, our religion our race or sexuality. None of those things make us immune from poor mental health, however there is a need for a cross-cutting approach to mental well-being, given the health inequalities and the longer-term changes to how society operates.

In terms of coronavirus, health inequalities research by the Department of Health has indicated strong links between deprivation, age and gender on infection and admission rates. Similar correlations between the virus and higher risks of anxiety and depression have been found amongst those aged under 35, living in the city, living alone or with children, health conditions, and those whose incomes have been hit.

The motion highlights that this issue is not only relevant to the public health response and health and social care, but is something that has to be tied to and targeted toward the social and economic factors that lead to mental illness. A one-size-fits-all approach cannot be effective. A cross-cutting departmental and cross-sectoral approach is very much required.

I recently met the chief executive and senior management of the Western Trust in my constituency regarding the trust's reset plan as we come out of COVID-19. The plan is about getting our services working again and allowing people to get back into our hospitals for all routine procedures. It is, however, deeply concerning that they have seen a 52% reduction in mental health referrals. That should absolutely concern us, given the evidence that has been produced that suggests that COVID-19 has had a severe impact on people's mental health.

The restrictions placed on personal freedoms and everyday social interaction during lockdown have had a profound impact on the emotional and psychological well-being of people living in our community. Some of the figures in the Queen's University study that Members have already touched on showed that a third of people have met the clinical criteria for depression. That is a very stark statistic. One in five meet the criteria for COVID-19-related PTSD due to the pandemic. The research also indicated that incidences of mental ill health in Northern Ireland during COVID-19 have continued to reflect the 25% higher prevalence than in other parts of the UK. My colleague Pam Cameron highlighted the conclusion of that report

and stated that funding should be provided to ensure that support is available.

Finally, I will mention the crisis intervention service in my constituency. It is a service for which we need to ensure funding is available.

All of these plans are welcome. I appreciate that the onus does not fall on just the Health Minister. I urge all Ministers to come together and, once and for all, to tackle the issue of mental health in such a way that we can try to get a resolution to it.

**Mr McGuigan:** There is no doubt that the measures that were put in place by the Executive during the pandemic would be considered intolerable by everyone in normal circumstances. That those measures had to be put in place to save lives, stop the spread of coronavirus and protect our health service is also not in doubt and, to that end, they have been successful.

One of the positive aspects of the recent period is that communities have rallied round and people have tried their best to support their friends, families and neighbours. However, the reality is that some have struggled during lockdown, some more than others. Nowhere is that more evident than in the cases of people who suffer from poor mental health. Lockdown measures have placed additional challenges on people who were struggling already, so I welcome today's motion and thank those who tabled it and those who tabled the amendment. It gives us an opportunity to talk about those with poor mental health and about how we can improve their situation as we move out of lockdown.

Mental health covers a wide range of issues. Members have dealt with many aspects of mental health issues and solutions, eloquently and with great knowledge and empathy. I agree with their contributions.

I support fully the call for a detailed plan, including on how to rebuild and provide enhanced mental health and addiction services. It is on the subject of addiction and its services, or, unfortunately, lack of services in some cases, that I want to talk. I will always congratulate the Minister, and my constituency colleague, on his good work, when needs be, but I have to say that I am disappointed to see little or no mention of addiction in his strategic framework for rebuilding services in his mental health action plan or in his post-COVID plans.

Lockdown has had a detrimental impact on the mental health well-being of many individuals who are recovering from addiction. I know that because I have spoken to them. There have, obviously, been difficulties in some sectors engaging with service users, due to restrictions. For many, access to support groups formed a key part of their coping strategy and, for some, it was the ability to see friends regularly or to receive routine encouragement and support from family. Others saw their structured groups and services having to close, or experienced staff being redeployed to COVID-19 duties. What concerns me most about the legacy of lockdown is the fact that it is a lot easier to close a service than it is to reopen it.

Having to stay in the house, boredom, and the added stress or worry, perhaps, in situations where more disposable income is available, or in cases where less disposable income is available, have all contributed to the daily struggles of those who suffer from addiction,

particularly those in early recovery. For the same reasons, lockdown will have exacerbated the problems for others who are not in recovery — practising alcoholics, prescription or illegal drug users, compulsive gamblers — and brought more despair to them and their families.

Addiction is an illness. It is, unfortunately, an illness that I have some expertise in, as a recovering alcoholic and compulsive gambler, but I am far from unique — far from it. Few families on this island are untouched by the illness of addiction. Statistics suggest that one in 10 people are dealing with alcoholism. Alcohol has become the third most common reason for why people are admitted to psychiatric wards. It is estimated that, every seven hours, somebody in Ireland — on this island — dies because of alcohol abuse. The statistics for illegal and prescription drug use are no better. It is similar for problem gambling, but problem gambling is not even recognised as a public health issue. That needs to be addressed urgently. Most health trusts do not keep records of those presenting with that illness. Despite that, we know that a problem gambler is 15 times more likely to take his or her own life as a result of their illness. We do not have any dedicated Health Department treatment centres here in the North to help problem gamblers. Some will have to pay for treatment in the South. That is not good enough.

Addiction not only ruins lives but costs lives by overdose or suicide. The outworkings of addiction on society costs our health service vast sums. It costs the police, judicial and prison services vast sums, never mind the societal damage. We are engaged in a false economy. If we are talking about doing things better, why not try better to treat the illness and not the symptoms? Why not treat the illness in the way that we treat any other illness in the health service, with proper funds and resources?

Most people, thankfully, can take a drink, bet in the bookies or online, take prescription drugs or even illegal drugs without fear or hinder. Good luck to them, but for those who cannot —

**6.15 pm**

**The Temporary Speaker (Mr Wells):** Would the Member bring his remarks to a close, please?

**Mr McGuigan:** — let us start to recognise addiction as an illness, start helping to treat sufferers and resource the services needed to do so.

**The Temporary Speaker (Mr Wells):** I will now call Chris Lyttle. If he is succinct, we may be able to get Miss Woods in for a brief period.

**Mr Lyttle:** I will be extremely brief.

I welcome the opportunity to speak in support of the need for the Northern Ireland Executive to prioritise and deliver improved mental health and well-being provision. I will speak briefly on the statutory duty on the Minister of Health to cooperate with Executive colleagues to deliver a joined-up, cross-departmental approach to improved mental health and well-being. I ask the Minister of Health to address the apparent failure to reference the Department of Education and Public Health Agency emotional health and well-being framework for children and young people in the Department of Health mental health action plan and to work closely with the Minister of Education to ensure that the framework is adequately resourced.

I also ask the Health Minister to meet the Northern Ireland Youth Forum and other young people involved in the “Elephant in the Room” campaign and to allocate officials and resources at his disposal to support the delivery of the substantive proposals made by that youth-led campaign. They include the creation of a youth mental health and well-being website to serve as a safe online space that would host relevant signposting information and provide an online support platform that would allow young people to ask questions and receive real-time support to meet their need at an early stage of intervention. “Elephant in the Room” proposals include the explicit inclusion of mental health in addition to physical health in the curriculum. I propose, therefore, that the Minister allocates a Department of Health official and coordinates the allocation of an appropriate official from all other relevant Departments to support the implementation of the youth-led “Elephant in the Room” proposals.

I hope that the Health Minister will take those proposals seriously and act on them. It is vital — indeed, it is a legal duty — that Ministers cooperate to improve mental health and well-being in our community. They will have the support of the Alliance Party to achieve that.

**The Temporary Speaker (Mr Wells):** Miss Rachel Woods, you have three minutes.

**Miss Woods:** Thank you. I was almost saying I was glad to see you up there giving us a wee bit more say, but not.

Despite the need, we do not talk about mental health enough, so I welcome the opportunity to do so in the context of the COVID pandemic, but a word of warning: we must not just talk about this; we need to deliver something.

There is strong evidence that Northern Ireland has very high levels of mental illness, and suicide rates are the highest in the UK, regardless of COVID. Despite that, Northern Ireland is the only region that does not have an overarching mental health strategy, and the delivery of mental health treatments and care is fragmented and not properly resourced. That must change.

There is not one of us in the Chamber who has not been directly affected or impacted by mental health issues personally or through family, friends or constituents during and before COVID. Many aspects of mental health can be discussed. Some have been, and there were issues before 2 March on what we need to do about perinatal mental health, tackling suicide, addiction, the absolute need for harm reduction, gambling, domestic abuse, living conditions, workplace stress, those feeling lonely and anxious, not to mention the fear that is very real at the moment because of the potential mass redundancies being talked about in certain sectors. The COVID crisis will have psychosocial impacts on people for years to come. As we emerge from lockdown, the changes will pose more difficulties for mental health. That is as true for everyone here as it is for children and young people. Like my colleague Mr Lyttle, I wish to use my brief time to focus on them and how they are still waiting.

According to the ‘Elephant in the Room’ report:

*“In July 2016 the United Nations Committee on the Rights of the Child recommended that the NI Government:*

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

At a follow-up event in October 2016, over 100 young people expressed their frustrations at the lack of mental health education and support services available here and called for the UN’s recommendation to be fully implemented. I reiterate that call in the Chamber today.

A number of months ago, some Members took part in a political panel organised by the Northern Ireland Youth Forum to try to answer young people’s questions and concerns about COVID. It covered issues such as the economic impact, homelessness, housing, exams and schoolwork. Continually raised in the young people’s survey and in the discussion was mental health and well-being, how young people are coping with COVID and what will happen after. Sixty-two per cent of respondents to the COVID survey said that mental health was the main issue that they faced as a young person right now. Some 332 responses said that it was loneliness and isolation, and 361 said fear and uncertainty, all of which we know have impacts on mental health.

This not the first time that we, as Youth Champions, have engaged on young people’s mental health. In January, we attended a meeting at its head office on the crisis that was being felt among young people. We heard horror stories about what people were going through and how important support was for them. We heard loud and clear that youth mental health services were unable to meet the demand. The Children’s Commissioner has also been clear about the need for a children’s rights-compliant mental health system that is responsive to children and young people as their needs arise.

The challenges of the aftermath of COVID-19 are very real in all aspects of our lives, but our health and well-being should be at the forefront of any recovery. As the Minister has said, we have a massive task in front of us. There are competing demands for additional spending across many key areas. The Government need to live up to the commitments that they made, but the Executive need to deliver and refocus the goals to where they need to be and properly resource services for people who need them.

**The Temporary Speaker (Mr Wells):** Will the lady bring her remarks to a close?

**Miss Woods:** I will.

There must be no more cuts to the very organisations that exist to help others and support must be available for people of all ages, especially children and young people. We must not continue to prioritise gross value added (GVA) or GDP as the marker of societal progress but see health and well-being as key to the just and green recovery for our generation and the generations to come.

**Mr Wells:** Thank you to Miss Woods and everyone who has kept to time. We are extremely grateful that the Minister, in a very busy schedule, has been able to sit through all of the debate. Mr Swann, you have 15 minutes.

**Mr Swann:** Thank you very much, Mr Temporary Speaker — or should I give you your proper title of “Father of the House”?

**The Temporary Speaker (Mr Wells):** Thank you. Make that 20 minutes [*Laughter.*]

**Mr Swann:** I was hoping that you were going to cut me to 10, to be honest. I congratulate you on the way that you have handled the debate. I thank the Members who tabled the motion and the amendments and all the contributors. It shows the commitment of all in the House, no matter where we sit, in what party or at what level, should it be the Executive, the Committee Chair, the Health Committee or non-Executive party representatives. The conversation in the House this evening reflects a dedication and commitment to truly tackle mental health issues in a way that the Executive and Assembly never have before. I thank the Members for tabling the motion and the amendments, which have provided us with the opportunity to consider the impact of the COVID-19 pandemic on our population's mental health and emotional well-being and to discuss the need to prioritise mental health as a key element of our society's wider recovery.

Since taking up post as Minister of Health, I have been clear that mental health is a priority for me. I am thankful that that has been reciprocated by all my Executive colleagues, as demonstrated by the establishment of the subcommittee on mental health, well-being and suicide prevention. Mr Lyttle asked if I could assign a departmental official to work with other departmental officials to take forward recommendations from "Elephant in the Room". I will go a step further. I will bring "Elephant in the Room" and its recommendations to the attention of the subcommittee the next time that it meets and make sure that that is on the agenda. There are pressures on our young people as we come out of COVID lockdown but also given the changes in society. The mental health pressures and stresses today are something that we never experienced when we were that age. I give you a commitment that we will take that forward at that point. For far too long, people have struggled to access appropriate mental health services when they need them. For far too long, suicide has cast a shadow over our communities and robbed us of too many young lives.

Ms Flynn, I think, made a comment about the legal barriers to dual diagnosis and quoted a response to a written question that she asked me. There are no legal barriers to dual diagnosis services. However, it is accepted that people with dual diagnosis sometimes experience difficulties accessing services. Work has commenced to plan service recovery for addiction services across Northern Ireland as part of the recovery planning process. Mr McGuigan referred to that. HSC trusts will now look at how they can improve the care offered to patients with ongoing and co-occurring mental health and alcohol and drug issues across the full range of existing treatment settings, and the issue of dual diagnosis will be considered in the development of a new substance misuse strategy and in the new mental health strategy. I want to make it clear to the Members who raised that issue today that we are aware of that and are working on it.

I note that Mrs Cameron's contribution at the start of the debate contained an acknowledgement of the officials who, throughout COVID and our responses to it, kept working on mental health and kept working on the action plan and the strategy. They kept it live and kept it in the central place in my Department, and I thank them for the support that they have given me in doing that.

The advent of the COVID-19 pandemic has brought into stark reality how much we value our relationships, our freedom and our health. The pandemic has changed lives around the globe to an extent that we could never have imagined. In Northern Ireland, the situation is no different. It has had a profound effect on our lives, and, for many people, the knock-on effects will be felt for many months, if not years, to come.

The starkest difficulty, as I said at the beginning — other Members referred to it — is for those who have lost loved ones due to the virus or during the pandemic. It changed how we looked at death and how we were able to respect death and support those who needed help at the most trying times. That challenge has affected many families across Northern Ireland. It will take a long time to recover, and they will have to catch up on that grieving process. People have missed wakes and missed visiting somebody's house. Those are big things that we do across these islands, especially on this island, in how we respect families who are mourning and the people who have been lost.

In particular, the impact of the pandemic on our emotional well-being and mental health has the potential to be significant. I know that many of my Assembly colleagues are hugely concerned about that, and I and my Executive colleagues share that concern. I reassure you that I and my Department have already taken steps to mitigate and address the impact on mental health and well-being. This issue will remain high on my agenda, going forward.

Members will be aware that, on 19 May 2020, I published my Department's mental health action plan, which included a dedicated COVID-19 mental health response plan. The response plan provides immediate actions across seven themes to support mental health and emotional well-being in the face of the pandemic. There is the formation of a mental health and resilience working group that is to coordinate the response to the mental health and resilience strategic working group that was established to drive this work at Department level. To support that work, a cell was established by the Health and Social Care Board to join partners across sectors, including the voluntary and community organisations, to take the work forward on the ground. I thank the Members who took the time to mention so many community and voluntary organisations in their communities and in their constituencies. There are so many more that were not mentioned tonight, and they are worth thanking as well.

In regard to the immediate COVID mental health response, much work has been taken forward already and is having a significant impact. I have published a workforce well-being framework that recognises the huge contribution that the Health and Social Care workforce, across sectors, has made to the pandemic response, often at the expense of their own emotional well-being. Ms Bradshaw, I think, referenced the strain and stress on our health workers going to work every day.

What is also apparent, and we must also be cognisant of, is the stress and strains on those who were left in the house when they went out to work. That fear and trepidation about what or who might come home was always in their minds. It is about looking at the entire health family.

**6.30 pm**

The framework that we have produced includes a range of measures to enhance the psychological well-being of staff. Those include access to psychological support helplines that are manned by psychologists. That is also accessible to care home and GP staff. It also includes a broad range of online resources and drop-in services in critical facilities. A staff well-being working group has been established to oversee service delivery and review implementation of the framework. My officials receive regular reports from the group.

We have also provided material to support students who have joined the workforce early in order to ensure consistent public health messaging on mental health. The Public Health Agency continues to provide the 'Take 5' messaging to help people to stay emotionally well during this time of social distancing.

The Minding Your Head website has been revamped to provide a wealth of information, support and advice to the public at this time, all centralised in one simple-to-access website. A range of online and printed resources have also been developed to support children and young people at this immensely difficult time. Psychological first-aid training has been approved and rolled out across Northern Ireland to ensure that help and support can be provided early. Stress Control classes have been provided free of charge online. The six sessions are delivered across three weeks on YouTube. The classes have proven to be very popular, with the uptake for the second class between 6,000 and 8,000 people across the United Kingdom and the Republic of Ireland. That is considered to be a very good uptake. Initial indications of outcomes indicate an improvement in the stress resilience of those who attend. The third iteration of Stress Control started on 8 June. Further classes will be available for the whole population across Northern Ireland, and will start every month from July through to December.

As I said earlier, it is recognised that a large number of people have suffered from bereavement during the pandemic. To support those who have lost a loved one and those who provide help and care to the bereaved, we have published new support material and are developing a bereavement care pathway.

Recently, the Department of Health and the Department for Communities jointly launched a well-being hub, developed by Inspire in collaboration with the Public Health Agency and a consortium of community organisations. That will ensure the consistency of messaging and support across sectors and will help to ensure the right information and advice is received by those who need it, especially those hard-to-reach individuals. Again, I commend those who work in the voluntary and community sector for the huge efforts that they have made and continue to make to support their clients and wider society.

I hope that that reassures Members that much help and support has been provided for mental health and emotional well-being during the pandemic. Mental health services during COVID-19 and service recovery have been mentioned. Mental health services have largely continued throughout the pandemic. GPs have continued to see mental health patients. Referrals to special mental health services have continued. There have, however, been changes in how services are delivered. Many face-to-face

meetings have been changed in order to accommodate remote working, including phone calls and video communication for those with the most severe mental illness. Mental health inpatient services have continued. All trusts have put in place stringent plans to ensure that patients and staff are safe. That includes monitoring of service usage at local levels.

The health and social care trusts' mental health services — as, I think, Mr Middleton mentioned — are reporting a reduction in mental health referrals, with one trust reporting a drop of over 60% in referrals to mental health services from GPs between the beginning and middle of March. However, since then, the same trust has seen a steady increase in referrals, with levels, now, higher than before COVID-19. Community mental health services have seen a change in usage. Services have been continued where it has been determined clinically suitable. At no point has there been a blanket stopping of mental health community services.

As we move towards the reset and recovery phase, all trusts have developed recovery plans to bring services back to normal. In doing so, they are incorporating the learning from the pandemic to make the services better as we go forward. I am only too aware that we are at the stage of a surge in mental health needs. Early intervention evidence indicates an increase in need, especially for low-level depression and anxiety. Our health and social care trusts are reporting increases in referrals, heightened acuity of patients and, in general, trends towards new and increased pressures across the secondary mental health services. Much is required to ensure that the mental health response to COVID-19 can meet and adapt to the new challenges and to ensure that all who need mental health care will receive it.

I recently announced the creation of a mental health champion who will support and inform our work on the mental health recovery from COVID-19. The champion will be a public advocate for mental health, communicating the collective voices of people with lived experience, their families and carers, and communities impacted by mental health inequalities. My expectation for the mental health champion is that they will work across public, voluntary and independent sectors and wider society to help better integrate mental health into policies and to provide advice to the stakeholders. To ensure that a champion is in post to help with the post COVID-19 mental health response, I hope to be in a position to announce an interim appointment within a matter of days.

As I have said many times, mental health is one of my top priorities. I am honoured and privileged to be in a position where I can drive strategic change and improvement to mental health services and to improve the psychological well-being and mental resilience of the population. I fully recognise the importance of a mental health response, and it is important that it is not forgotten in our recovery planning. The creation of a mental health champion, the implementation of the action plan and Protect Life 2, and the creation of a new mental health strategy will ensure that we have better services for the future.

When we do this, it is impossible not to recognise the immense work done by our dedicated mental health workers, in the health and social care system and in the community and voluntary sector. Without their dedication, we would be in a much worse place.

In the ongoing transformation of our mental health services, I am fully committed to co-production and recognise the importance of listening and including all who can help in transforming our services. That includes people with lived experience who know what works for them and have valuable lessons that we can learn from and the community and voluntary sector that can truly help us to transform services.

I am, therefore, happy to support the motion and the amendments, and I am thankful to the Members who brought them to the House and to all the Members who contributed.

**The Temporary Speaker (Mr Wells):** Thank you, Minister, and thank you for your acknowledgement that I am, indeed, the Father of the House, as the longest server not the oldest Member of the Assembly. There are people in the Chamber who are older than I am. Thank you very much for that acknowledgement. I will identify them later.

I call Mr Mike Nesbitt to sum up on amendment No 2. Mr Nesbitt, you have five minutes.

**Mr Nesbitt:** Mr Temporary Speaker, at the risk of sounding patronising, may I start by commending you on such a polished performance in the Chair? It makes me wonder whether you have ever considered a career in politics. *[Laughter.]* As ever, I look forward to the day when we debate and sign off the Programme for Government, which is still in draft form. I remind colleagues that the purpose is to improve the well-being of all by tackling disadvantage and driving economic growth. I can think of nothing more disadvantageous than poor mental health and well-being. In driving economic growth, what better could we do than to ensure that the tens of thousands who are economically inactive, not because they want to be but because they do not have the capacity to be otherwise, become active? If we could fix that, what a magnificent achievement that would be.

I thank Pam Cameron for bringing the motion because it is absolutely on message. As she made clear, one in five of us, at some time in our life, can expect to have a mental health issue. She gave us some shocking statistics to back that and made it clear that that is the current situation, before we get through this public health crisis. The impact of COVID-19 is certain to get worse when we exit furlough and enter what could be a recession or even a depression. I also thank Pam for making it clear, from the get-go, that she supports both amendments. It is hateful when the House divides on an issue of mental health, particularly when it is a non-binding motion, as this one is.

I thank Órlaithí Flynn for bringing her amendment and for making clear, as many Members have, that this is not just the responsibility of the Minister of Health. This is a cross-cutting issue. In the same way as the Minister of Education is not solely responsible for educational underachievement, healthier children do better in school, well-fed children do better, children in good housing do better. As Mr Carroll said: environment is an important factor in influencing poor mental health and well-being.

We need to look at this not just as a medicalised model. It is not all about pills and tablets. As Mr Butler said when moving the second amendment:

*“kindness ... is better than a tablet”.*

This is the same Mr Butler who said he would not speak for long as Pam Cameron and Órlaithí Flynn had covered it all, and then he spoke for 9 minutes and 41 seconds. However, it was good stuff.

It is not all about pills and tablets; it is about being sociable. These days, we are becoming used to social prescribing. What about the carers? Mrs Bradshaw mentioned the carers. There is a shocking number of young carers and, perhaps, because they are caring and missing out on a normal childhood, the development of mental issues is a slow burn. Cara Hunter mentioned the need for coordination, and we all agree with that. I thank her for, this time, not mentioning her age at the time of the signing of the Belfast Agreement in 1998.

Talking of contributions from youthful Members: Mr Hilditch — the youngest member of the class of 1998 — talked about debt. Debt is not tackled with a pill or a tablet. Often the best people to tackle that sort of thing are members of the community and voluntary sector. We need to look at them. As Ms Flynn will know from chairing the all-party group on suicide prevention, Protect Life 2 is the new strategy on suicide prevention. However, the big concern in the community is that small voluntary and community sector groups that have been dealing with mental health in the community, not for years but for decades, are fearful that the tendering process will knock them out, with big organisations, possibly from across the water, coming in because they are good at tendering but not necessarily so good at delivering the services.

Mr Sheehan talked about the Whiterock Children's Centre and Good Morning West Belfast. As a victims' commissioner, I discovered befriending is a simple and cost-effective way of engaging with people and making sure that they feel loved and are not alone. These things are important for their mental health and well-being.

Finally, I have known Robin Swann since we were both elected in 2011. We have a Minister who is serious and deeply committed to tackling mental health. I thank him for that and for being here this evening.

**The Temporary Speaker (Mr Wells):** I now call Colm Gildernew to make a winding-up speech on amendment No 1. Mr Gildernew, you have five minutes.

**Mr Gildernew:** Go raibh maith agat, a Leas-Cheann Comhairle Sealadach, agus comhghairdeas leat. Congratulations on your promotion to Temporary Speaker. I also welcome the motion today. It is a fantastic motion. I acknowledge the work of the proposer and the Members who put down amendments, and their work, individually and together, to bring the motion to the House.

A lot of ground has been covered, and I do not propose to go over it again at this time of the evening. There are a couple of issues that I will pick up on. First, the issue of carers and the additional burden that they have had placed on them throughout this very difficult time. It is an area that is often considered last, and support for that hard-pressed group is often not mobilised quickly enough, which can have a huge impact on their mental health. We should give carers some consideration in the time ahead.

I also acknowledge the Minister's commitment to mental health in his statements and actions to date. He is committed to working with everyone. I acknowledge the importance given by the House to making mental

health a cross-cutting measure and something that we need to get right if we want to improve our poor mental health statistics. As has been mentioned, our well-being, prosperity and economic growth all depend on us getting this part of the equation right. It is good that we have a collective will on mental health issues.

#### 6.45 pm

One of the issues for one of the all-party groups that I attend is loneliness. It was touched on today, and it is appropriate that it was. Loneliness is recognised more and more as potentially being as damaging for physical health as it is for mental health, and it therefore ends up putting a strain on not only mental health services but physical health services. It is important that we start to look at strategies across a range of sectors for dealing with loneliness in not only older people but younger people, who we have significant concerns about in regard to mental health and loneliness. We also need to look at how we can reach into rural communities to provide ways to support them on an ongoing basis.

I welcome the Minister's mention of early intervention. From my experience of working as a social worker on a crisis response team, I can confirm that early intervention is just as important for mental health as it is for physical health. That is the case not only for the outcomes for the individual concerned but for the complexity of treatment that is required and in how chronic the condition can be. If we could start to move resources into earlier intervention, we will, over a period of time, see significant improvements.

There has, rightly, been a huge acknowledgement in the Chamber for the community groups that have helped in this emergency crisis and that have stepped up and filled some of the statutory service roles or roles that, in the new reality that we face, were absent for a period of time. In my area, the Niamh Louise Foundation and a lot of the GAA and other sporting bodies formed pop-up COVID groups overnight and provided food and support to their local area. That was all very welcome.

I welcome the contribution on the community and voluntary sector, but I must say that I am slightly disappointed that we do not see more of those community and voluntary voices on the management board. I am hopeful that a way will be found to include a wider range of voices in that conversation. In rebuilding or, indeed, building new services, it is vital that we get as broad a range of perspectives as possible.

The other matter that I think we heard about — this is a theme that we have dealt with on the Health Committee — was addictions. I acknowledge the very personal experiences of addiction that were shared in the House today. Dual addictions and dual diagnoses are well recognised as some of the most difficult areas to get help and support into, and, again, that is where we need to put our resources.

I commend the motion and the amendments, and I once again thank everyone for tabling them today.

**The Temporary Speaker (Mr Wells):** I thank Mr Nesbitt and Mr Gildernew, who did, indeed, wind on and summarise what was said. Finally, I call Mr Alex Easton to conclude and wind-up the debate. You have 10 minutes.

**Mr Easton:** I just want to say a few words before I get onto Members' comments. I thank all the Members who are in the Chamber this evening for supporting the motion and the amendments. That means an awful lot to me, as you will maybe see we as go on. I think that the people of Northern Ireland will be delighted to see that we can all actually agree on a motion. That is the way to go, and I hope that it is something that we all remember.

How many times has the Assembly had debates on mental health over the years? Probably dozens, yet, despite all the debates and all the initiatives by successive Ministers, we never seem to be able to really get to where we want to and to get on top of mental health, but it is such a huge issue. That is why I am so pleased at the response from Members this evening.

This is not an easy thing for me to say, but I suffer from anxiety and depression, and at times it is difficult. At times every day, it can be a battle for me. Some will think that it is a weakness on my part to admit that. You can be the loneliest person in the world yet be the busiest, especially me, being a politician, yet you live your life helping others but are scared to admit your own vulnerabilities because of what others may think.

As we start to come out of lockdown and the world around us starts to crank up, the impact that COVID-19 will have on our mental health and well-being will be staggering. We in the Assembly must all come together to tackle what will be a huge task before us. The impact of COVID-19 on mental health is expected to be severe. International evidence indicates short- and long-term direct effects on mental health and psychological well-being and, in some cases, increased risk of suicide and post-traumatic stress. The causes that have had a direct effect on psychological well-being are clearly identified. These are social distancing, isolation, bereavement, unemployment, financial hardship, the inability to access health and social care services and increased work pressures. People who have had to shield for months may feel anxious and unsure about going outdoors. We need to help them.

Early indications in Northern Ireland showed that, for those with the most severe mental health, there was a drop in demand between February and March. However, since then, demand has increased significantly and the daily bed-occupancy level is around 95%, which is quite staggering. There is also an increase in new presentations of those seeking mental health services.

These are the problems we are experiencing because of COVID-19, but in Northern Ireland before the COVID-19 pandemic, mental illness was the largest cause of ill health and disability in Northern Ireland. Prior to the pandemic, Northern Ireland is estimated to have had higher levels of mental illness than other regions in the UK, with one in five adults affected, or 185,000 people — that is an absolutely immense number — having a mental health problem, all at the same time. Some 21% of women and 16% of men had mental health issues, and across Northern Ireland, 45,000 children had mental health issues and problems. In 2015, there were 318 suicides. Despite the Northern Ireland Suicide Prevention and Protect Life strategies, we continued to have a huge issue.

There are so many processes and initiatives out there that are good and positive, but at times it may be simplicity that will best help our mental health and well-being. In the

Assembly, we must support the Health Minister on this issue to do all he can to help our population. Minister, you have my support.

Challenges of how we work, are able to interact and even visit our loved ones, will all change, and have changed due to COVID-19. That is why the Minister's launch of the strategic framework for rebuilding services will be so important. It is vital that mental health and well-being are at the centre of it.

The Minister for Health has announced some good things and good strategies, such as the process for a mental health champion. That role will be vital over this period, and will be needed to support the community and staff in the health and social care sector, who must not be forgotten.

The new Executive working group on mental health and well-being has been established. It is going to be vital, also, and it must prioritise mental health as we work through the outcomes of the COVID-19 pandemic. I warn people that the COVID-19 virus is far from over. We have a long way to go and we cannot forget that.

It is vital that we provide advice through the mental health response plan. Support is important, such as online classes for stress control, apps to access libraries for reading, support for health staff, especially nurses and social care workers, and dealing with our past, which we, as an Assembly, have failed to do.

We must remember the independent sector, and those offering counselling services, to help us address mental health waiting lists. Their input and help is going to be crucial. Funding must be made a priority for them. We need them to be able to open, as a matter of urgency.

We do not have a happy population, and we have to ask ourselves why that is. Have we been part of the reason? What are we going to do to address it? Hopefully, this motion will go a long way to help. That is why I am delighted at the response of Members.

I will now address some of the Members' comments. I hope that I keep to time, as I work my way through them. I thank Pam Cameron for tabling the motion. She mentioned that mental health needs to be at the forefront of health, wanted to work with the Minister, and praised front-line health staff.

Gerry Carroll said that Stormont had failed to protect people's mental health and that there was a 26% underspend in mental health spending. That needs to be addressed.

Paula Bradshaw said that we should focus on those in lockdown and what they had been through. She mentioned the spike in sexual offences and praised the many organisations which had helped deal with it. She mentioned the mental health action plan and said that there needs to be serious investment. I hope that is accurate.

I will deal with the contribution by Colm Gildernew, the Chair of the Health Committee, last. Sorry.

Órlaithí Flynn said that there was a challenge to improve mental health and well-being. She mentioned the substance abuse strategy, and thanked the Minister for supporting her on that. She wants the Minister to be the

champion for mental health and is worried about the lack of funding for the mental health action plan.

Pat Sheehan commended the community and voluntary sector. He mentioned how affected disadvantaged areas have been throughout the COVID-19 pandemic. He said that he wanted to highlight the fact that there was a serious mental health crisis before COVID. He also wants to see parity of funding between mental health services and physical health services.

Rachel Woods said that we do not speak about mental health enough — I hope that I did today — and that words are no longer enough. I agree: words are not enough any more. We have been here too many times before, so we need to do something about it.

Robbie Butler, I have to say that I was impressed with you the most tonight. I was impressed with everyone, but you were outstanding. I am never saying that to you again, but you were. *[Laughter.]*

**Mr Butler:** It is in Hansard.

**Mr Easton:** Yes. It is a one-off. You mentioned how important perinatal health is. You said that we need to tackle addictions and poverty. You spoke about tackling gambling. You said that you want us to target a zero suicide rate. That is very commendable, if we could do that.

The Member said that he wants real progress to be made on mental health and the action plan. He mentioned loneliness and isolation and said that we need to try harder. He thanked the health staff and those in the community and stated that we cannot do this without them.

Miss Hunter said that we need to plug the gaps in mental health and mentioned the support that voluntary groups need. She spoke about the rural community, which not many Members did, so well done on mentioning its need for support. She also talked about the help that bereavement support services need.

David Hilditch mentioned the impact of the lockdown on the community's mental health. He mentioned debt and said that one in four people with debt has mental health issues. He also spoke about the stress of financial insecurity and unemployment.

Gary Middleton said, and I agree, that the Minister has shown a commitment to tackling mental ill health. He said that mental ill health was already a serious issue before COVID-19 and that it affects so many different people, right across society.

Philip McGuigan said that the community has rallied round as a result of COVID-19. He said that he is disappointed at the lack of addiction services and by the fact that the issue was not really mentioned. Well done on that.

Finally, I say thank you to everybody for supporting the motion. It has really made me very happy tonight to see that. Let us move forward together and improve the lives of our people.

**Some Members:** Hear, hear.

**The Temporary Speaker (Mr Wells):** We overran by 38 seconds, which is not too bad. It is the debate that overran, not Mr Easton.



I thank everyone who has made this such an easy debate to chair as Temporary Speaker. I pay tribute to Mr Easton and Mr McGuigan for the honesty and courage that they showed, which added to the debate. I also thank Mr Chambers and Mr O'Dowd, who sat through the debate but did not get a chance to speak. That serves as an example to other MLAs to show an interest in a debate even though they may not get the chance to stand up and contribute.

*Question, That amendment No 1 be made, put and agreed to.*

*Question, That amendment No 2 be made, put and agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly recognises the importance of prioritising mental health and well-being as part of the COVID-19 recovery; notes that the long-term impact of the pandemic on working practices, everyday social interaction, individual coping strategies, and hospital or care home visiting will present new and substantive challenges to individual mental well-being, especially among the most vulnerable; stresses, therefore, the need for refreshed and reformed mental health and well-being service provision that recognises the structural barriers to addressing a dual diagnosis of mental illness and an addiction; further notes, to this end, the transformative role played by community and voluntary providers whose services are subject to increasing demand; and calls on the Minister of Health to outline plans to tackle mental health problems, mental illness and addictions related to COVID-19 moving forward; and further calls on the Executive to support a cross-cutting and outcomes-based approach to providing the funding and resources needed to maximise the health and social care and the community and voluntary sector's capacity to contribute to addressing poor mental health and promoting well-being.*

**The Temporary Speaker (Mr Wells):** I remind Members that the next plenary sitting will be next Tuesday, 30 June. There will also be a meeting of the Ad Hoc Committee on the COVID-19 Response this Thursday, at which the Minister of Education will make a statement, commencing at 1.30 pm.

*Adjourned at 6.59 pm.*



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# Northern Ireland Assembly

Tuesday 30 June 2020

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

*Members observed two minutes' silence.*

## Matter of the Day

### Condolences to the Family of Noah Donohoe

**Mr Deputy Speaker (Mr Beggs):** Mr John O'Dowd has been given leave to make a statement of condolence to the family of Noah Donohoe, which fulfils the criteria set out in Standing Order 24. Other Members who wish to be called should rise in their place and continue to do so. All Members who are called will have up to three minutes to speak on the subject. I remind Members that I will not take any points of order on this or any other matter until this item of business is finished.

**Mr O'Dowd:** Thank you to the House for giving Members the opportunity to express their condolences on the death of young Noah Donohoe and to pass on their condolences to his mother, Fiona.

When news started to come through that a young boy was missing in north Belfast, people hoped that it would end up OK and that the young lad would be found, and our hopes and prayers were with him and his family. In a period when there has been so much bad news, sadness and grief in our community, Noah going missing caught people's attention, and the tragedy that unfurled before us is the nightmare of every parent. I am a parent of a young boy who is around the same age as Noah, and we all fear for their safety. We give them the freedom and the opportunities to go out and live their lives as best they can, but every parent fears that the circumstances that young Noah found himself in will come to their door. That is part of the reason why we have all taken a step back and had Noah in our thoughts since the announcement of him going missing and since the tragedy of his remains being found.

Noah's mother said that he would "change the world", and there is little doubt that he has changed all our worlds. Those photographs of him that beam out of our television screens and from the front of newspapers will be embedded in our minds forever. That infectious smile, that glint in his eye and the tributes paid to him by his friends, his school and particularly by his mother will live with us for a very long time.

I did not know Noah or his family, but it is only right and proper that the Assembly stops, takes a moment, and pays tribute to him and his parents. I also pay tribute to the emergency services, the search and rescue teams and all sections of the community who came together to help in the search for Noah. My thoughts and prayers are with them and with Noah's family.

With your indulgence, Mr Speaker, I will mention a young boy who lost his life over the weekend in my constituency.

Young Luke Lawson, a year 8 student at Lismore, died tragically over the weekend. Again, another nightmare for any parent. Our thoughts and prayers are with Luke's family as well. Thank you.

**Mr Humphrey:** On behalf of the Democratic Unionist Party, I extend our deepest sympathy to Noah's mother, Fiona, and the family circle. May God bless and sustain them in the days ahead. I also extend our sympathy to the principal, Dr Paul McBride, and the school family of St Malachy's College on the Antrim Road where Noah was a pupil.

This is a desperately sad situation. A 14-year-old boy, in the prime of his youth, taken from us far too soon. Noah Donohoe's disappearance united an, at times, fractured community in north Belfast. The many hundreds of volunteers who joined the search across the lower part of the constituency was a testament to that. They came from across the community and, indeed, some came from across the country, with the one aim of finding Noah and bringing him home safely to his mother and family. Sadly, on Saturday, we received the sad news that Noah had been found and his life had ended. It was the news that all of us feared, and none of us wanted to hear. The outpouring of grief was exemplified on Sunday evening at two services, one at Skegoneill and another on the Antrim Road outside his school, united the community.

Noah was very clearly a special young man and has left a huge gap in the life of his family, his school and his school friends. He will never be forgotten. He has a special place in the minds and now in the lifeblood of north Belfast and its people. They have united in grief as they united in the search to find him.

I, too, join in the thanks to the emergency services. In particular, I thank Superintendent Muir Clark, who led the team in such a professional way, and all the officers from the Police Service of Northern Ireland for how they conducted themselves in such a committed, professional and dedicated way. I also thank Sean McCarry, the regional commander of the Community Rescue Service. Through the week, I spoke to Sean, and I spoke to him again on Sunday evening to thank him and his volunteers. They are all volunteers, and they came at all times of the day to search for Noah. They gave leadership. The community also gave leadership — as I said, at times, it is fractured — with many hundreds of people coming together. I joined the search for two evenings last week, and hundreds of people turned up at the Hubb. I want to thank the Hubb — Jim Crothers and his team — for the leadership that they gave. I also thank two of my party colleagues, Pastor Brian Madden and Councillor Dean

McCullough, for their exemplary conduct and the role that they played.

Many people joined the search. It is a credit to that community and our city. I am deeply sorry about the outcome. I ask everyone to remember in prayer Noah's mother, his family and school friends in the days ahead. Thank you.

**Mr O'Toole:** No words that we say today will console Fiona Donohoe and Noah's family. The loss that they have suffered is simply unimaginable. John O'Dowd spoke eloquently about the fear that was struck into all parents and people who look after young people when they saw the news about Noah's disappearance. William Humphrey said, correctly, that everyone across this place longed for a positive outcome in the search for Noah. Indeed, people from across Belfast and across Northern Ireland went to north Belfast to look for Noah. I, too, pay tribute to the stellar work of the police and rescue services and to the work, commitment and sheer dedication of people from right across the community — people of different persuasions and none — who simply wanted to find a glorious, lost young boy and bring him home to his mother. Unfortunately, that did not happen, and all of us in this Chamber and across the community are devastated by the news that we heard on Saturday. Our devastation pales in comparison, however, to the suffering that is being experienced by Noah's mother, Fiona, and her broader family. We can say that our hearts go out to them, but surely that can hardly capture the enormity of the sorrow that we all feel on their behalf.

Noah and his mother were constituents in South Belfast. As I say, the entire community across Belfast and across Northern Ireland is thinking about them now.

William Humphrey said, correctly, that Noah will not be forgotten, and we can be sure of that. For those of us who looked at the beautiful words that were shared by the headmaster of his former school, St Malachy's, that pay testament to his leadership, his love of basketball, his commitment to music and his kindness, it is only more painful and sad to think of the life that we have lost. The motto of St Malachy's is "Gloria ab Intus", which, translated, means, "Glory from within". We can hope that some of the glory that clearly was contained within Noah during his short life remains and consoles Fiona Donohoe and her family in the years ahead.

**Mr Butler:** I pass on the sympathy, regret and prayers of the Ulster Unionist Party, and on my behalf as a father. There is no doubt, however, that through this tragedy you do not need to be a parent to feel the pain of that family and to feel the pain of the community, which is for the loss of a young life all too soon.

I commend the Members who have spoken so far. What you get is a real sense of loss and of the tragedy that it is. There will be no more important issue that we talk about here today, regardless of the topic.

As Mr O'Toole rightly pointed out, Noah has been painted by his teachers, his friends, his peers and his family as a uniquely talented young man. Mr O'Dowd pointed out his infectious smile. He was a beautiful young man, and I think that every one of us, having looked at the photographs of him, listened to this story and followed the proceedings, will have been brought to tears, or near to tears, at times. When you put yourself in the shoes of Fiona his mother

and his wider and extended family, I cannot think of a worse fear as a parent that you could be faced with than the loss of your child.

Our thoughts are with his school and with his family predominantly, but, as was rightly pointed out by Mr Humphrey, a community mobilised to search and to try to attain a miracle, where Noah would be found alive and well and returned to his family. As was rightly pointed out, the emergency services and the voluntary services provided much of the search resource and expertise. I can only say that if you have not been part of something like that, looking for someone who is lost is something that you do with fear and a knot in your stomach. The bigger part of you wants to find the person alive, but there is another part of you that does not want to find something tragic. You do it out of a sense of it being necessary to do in order to bring release and closure to the family or to achieve that miracle that we all prayed for. It is with regret that that miracle did not happen in the way that we know that miracles can. Noah himself was a miracle, however. Noah was a treasure to his family. He is the pride of his family, and that will never be lost. Look at the lives that he touched, through his multiple skills, which Mr O'Toole pointed out: his sporting prowess, his musical ability and his smile. He touched lives both in life and in death.

Mr Deputy Speaker, we will remember Noah Donohoe with absolute pride, and we thank his mother and his family for how they have allowed us to be part of his story.

#### 10.45 am

**Ms Bradshaw:** Thank you to Mr O'Dowd for proposing the Matter of the Day and giving us the space to express our sympathies. On behalf of the Alliance Party and the people of South Belfast, whom I represent, I express my sincerest sympathies to Noah's family and friends. We all hoped and prayed that this precious boy would come home to his loving mother, Fiona, and to his wider family circle. I hope that she finds the strength to get through these very dark days with their love and knowing that everyone across the country is thinking about them. It is very clear that he was a very special boy who was very energetic and full of life, and it just made it all the sadder when we heard the news on Saturday morning. Like others, I pay tribute to the sterling work of the PSNI, other rescue service providers and the wider community. May Noah rest in peace. Thank you.

**Mr Allister:** The loss of a child at any time is heartbreaking. There are Members of the House who have been in that position through the loss of children or grandchildren, and many of us have not, but I do not think that there is a single member of this society who could not and should not have been touched by the circumstances that befell young Noah and led to his death. That, of course, has piled on the agony for the family, and I have no doubt that they are in the thoughts and prayers, as they ought to be, of all of us.

I join and endorse the comments that have been made in expressing, for what it is worth, bearing in mind the deep, dark place where she must be, the sympathy of us all to Noah's mother, his wider family, his school community, who will feel this loss very severely, and to all his friends.

I join in saluting the tremendous efforts of the emergency services and the huge outpouring through community effort. I commend all and join with all in regretting that the

outcome was sadly as it was. I trust that that family will find the grace and the comfort that they so desperately need.

**Mr Carroll:** I offer my condolences and sympathy to the family, friends and those who knew Noah Donohoe. What happened to the young man was truly tragic and heartbreaking. I extend my condolences on behalf of People Before Profit to everybody who knew him and were related to him.

It is hard to imagine the heartache that the community is feeling after this tragic news. That is over last week, today and over the next few weeks, and we offer our sympathy and thoughts to them. Sadly, it seems to be too often that the Community Rescue Service has to carry out actions like this, particularly in north Belfast and that part of our city, but we want to thank them, as others have, for their work and efforts.

This young man had clearly touched the hearts of many people, and that was evidenced by the many heartfelt tributes that were paid to him online. It was also evidenced by the many people who came out to search for young Noah, with hundreds of people from all backgrounds and communities, right across Belfast and the North more generally. That spirit and community solidarity will be important for people to attempt to try to come to terms with this tragic event and grieve. We offer our sympathies. Thank you.

**Mr McCrossan:** I, too, echo the words that have been shared in the House by colleagues. Quite simply, there are no words that could ever comfort Fiona, her sisters Shona and Niamh, Noah's uncles Gearoid and Ronan, his granny, Margot, and his grandfather, Gerry, during this very difficult time. I cannot even begin to imagine the pain, worry, stress and anxiety that they suffered in the days prior to finding Noah. There are no words for such a tremendous and tragic loss of young life.

Noah's family are originally from Strabane. Many members of his wider family remain there. As a town and community, many gathered there over the weekend to pay tribute to the family, to offer our prayers, condolences or thoughts and to share in the family's grief at what is a very, very difficult time. Over the last few days, we have all got to know Noah a little bit better from the posts shared on social media; the videos of him cooking, playing musical instruments and sport and that infectious smile. His caring nature shines through in abundance in all those social media posts. There has been an incredible outpouring of grief to support Fiona and her family at this incredibly difficult time. The search for Noah united communities. I know that the prayers of our entire society, from one end of this island to the other, will be with Fiona in the days ahead.

Many young people across the island have lost their life in recent months. I pay tribute to the loss of young life in my colleague Dolores Kelly's constituency and in my constituency, where Dean McElwee tragically lost his life at the weekend. As Jim Allister rightly said, the pain of losing a young person is unimaginable and unbearable for many. My thoughts and prayers, and those of my SDLP colleagues, are with Fiona, her family and all those who are going through this tremendously difficult time.

**Ms Bailey:** On behalf of the Green Party, I want to take this opportunity to pass our sincere condolences to Fiona, Noah's mum, his family and his circle of friends. It was incredibly tragic to wake up on Saturday to the tragic news

that it was Noah's body that had been found. Not many people could even begin to imagine how this has affected his mum. As we just heard from the last Member who spoke, so much of Noah's life has been shared on social media. The clearest thing for me was how close he was to his mum and what a strong and warm relationship they had.

I know that they have not long moved to the Ormeau Road. If there is anything that I can say today to try to offer just a tiny piece of comfort, it is to let Fiona and the family know that the Ormeau Road community cares about what has happened and wants to do all that it can to try to share in their grief and support them through the unimaginable times ahead in dealing with the tragedy of losing such a beautiful boy in such horrific circumstances.

I thank Mr O'Dowd for bringing this to the Chamber today and wish Fiona and her family every strength and courage to get through what will be horrific sadness in the time ahead.

**Mr Deputy Speaker (Mr Beggs):** That concludes Members' contributions on this sad matter.

## Assembly Business

### Conferral of Functions on the Northern Ireland Assembly Commission

**Mr K Buchanan:** I beg to move

*That this Assembly notes that Members' salaries and pensions are determined by an independent body and that there should be no change to that arrangement; agrees that alternative provision should be made for Members' allowances; and, in accordance with section 47 of the Northern Ireland Act 1998, resolves that the Assembly Commission may determine the allowances payable to Members of the Assembly, the date from which such allowances are payable, which may be a date before or after the making of the determination or this resolution, and that the Commission shall publish any such determination.*

**Mrs D Kelly:** On a point of order, Mr Deputy Speaker. This is in no way a challenge to your authority in accepting the amendment. However, Assembly Commission members received further advice last night telling us that the amendment's intent cannot be implemented legally. I ask for your view on the matter.

**Mr Deputy Speaker (Mr Beggs):** Members should be clear: just because an amendment has been selected for debate does not necessarily mean that there is, currently, legal basis for its implementation. I am advised that the amendment purports to confer power on the Commission to issue guidance under section 47 of the Northern Ireland Act 1998 but that that is not a power that the Assembly has under section 47. Nevertheless, I am satisfied, having taken everything into consideration, that it is in order for me to use my discretion to select the amendment for debate and that these matters can be discussed. Therefore the amendment stands. Its intent can be explored further by all Members who wish to contribute to the debate.

The Business Committee has agreed to allocate one and a half hours for the debate, with 10 minutes to move the motion, 10 minutes to make a winding-up speech, and five minutes for all other Members who wish to speak. One amendment has been selected and is published on the Marshalled List.

**Mr K Buchanan:** Thank you, Mr Deputy Speaker. All parties represented on the Commission have engaged on this matter for a considerable time in order to reach a consensus, and the motion reflects that consensus, as agreed by all five parties. The motion will enable the Assembly Commission to ensure that Members can legitimately purchase basic items to help them to deliver service to our constituents, that an MLA's contact details can be promoted on the constituency office, and, most notably, to ensure that the terms and conditions of employment of the staff who work in our offices are fair and reasonable.

From discussions with a wide range of Members across the House, I know that there is considerable support for that point. We are talking about the things that every Member needs to deliver a constituency service that meets the needs of our constituents: rent and rates for offices, the electricity, gas and phone bills, and staff salaries. For expenditure on constituency offices, a Member cannot claim a single penny of what are termed "allowances"

in the 1998 Act unless a Member has already incurred that expenditure. In fact, the rents and rates bills, and the salaries for support staff, are paid directly to parties, be that to a landlord for rent, employees, or Land and Property Services. The Assembly is absolutely not being asked — I repeat not — to confer a function on the Commission to determine the salaries or pensions payable to Members or former Members. That function should, of course, fall to an entirely independent body.

The Commission intends to bring forward a Bill, subject to the will of the Assembly, that will change the remit and scope of the independent financial review panel (IFRP) to focus solely on Members' salaries and pensions, with a possible change to the name of the body to reflect its revised responsibilities. Members will know that the scrutiny of claims is rigorous and comprehensive; that will not change. I know that every Member, and every party, agrees that all our expenditure must be made according to the rules that have been put in place.

It is reasonable for people inside and outside the House to ask why the motion has been moved at this time. Members will be aware that the Assembly established the independent financial review panel in 2011. While the panel made significant improvements to the overall system, it is felt that the rules set out in the determination of March 2016 failed to grasp the realities that Members face as we try to deliver services to our constituents. The determination certainly did not provide our employees with fair and reasonable terms and conditions of employment for the difficult work that they undertake.

In 2015, even before the most recent determination was issued by the panel, the Commission began to review a range of options for the reform of the system of providing financial support for Members. It is the Commission's position, achieved through consensus from all five parties, that the support that can be made available to Members, especially to upgrade our constituency service, can best be delivered from within the Building.

Issues were raised by Members from all sides of the House. However, the changes to the terms and conditions of employment for support staff that Members were required to adopt is probably the issue that has caused the most concern for Members as responsible employers.

The last determination dramatically reduced sick and maternity pay for employees, even for those who were off work at that time due to illness or maternity, which is a highly unusual practice. Annual leave was also reduced for those employees to the minimum statutory level.

The terms have to be adopted by Members if staff salaries are to be recovered and are considerably less than the terms offered by most public and private-sector employers.

#### 11.00 am

Other issues included the prohibition on letting constituents know our telephone number and email address from our office signage. While that might be a small thing, I have yet to hear any rational explanation for why that is the case or why it is desirable to have the prohibition in place.

The formula for assessing the level of rates for an office that can be paid in any year is another issue. Members may wish to know that almost one sixth of Members in this

House had to pay, personally, part of the rates bill for their office in the 2019-2020 financial year. Members will also be aware of the bar on operating a surgery somewhere else in the constituency, maybe by renting a room or a hall once a week or once a month. Again, the purpose of that prohibition is unclear.

The current determinations provision, if untouched, will prevent Members recovering the cost of any expenditure incurred with a supplier who is resident in the United Kingdom once the implementation period for the UK's exit from the EU ends. When we look at the other legislatures across the British Isles, we see a variety of systems in place to assess the types and levels of expenditure that elected Members can recover. In Dublin, TDs' allowances are determined by a statutory instrument made by the Minister for Finance. At Westminster, MPs' allowances are set by the Independent Parliamentary Standards Authority. In Wales, they are set by the independent Remuneration Board, and, in Scotland, allowances for MSPs are set by the equivalent of the Assembly Commission. There is no single mechanism for determining the allowances paid to elected Members.

Should the Assembly resolve today to confer on the Commission the function of determining the allowances payable to Members, the Commission would bring forward and publish a new determination to deal with the aforementioned problems. Any such determination would continue to apply best practice and ensure value for money for the public purse. Let us be clear: this is the only mechanism presently available to create a new determination. If the motion is not carried, the current determination will remain in place until a successor panel is appointed and a new determination is made.

I want to briefly address the amendment tabled by Mr Allister. Members may wish to note that the only functions that can be conferred on the Commission by the Assembly under section 47 of the Northern Ireland Act 1998 are to determine the salaries and/or allowances that are payable to Members. The Assembly cannot confer a function under section 47 of the 1998 Act for the Commission to direct the panel; indeed, section 3 of the 2011 Act that facilitated the formation of the panel codifies the independence of the panel. In short, the Commission has no power to direct the panel.

When considering the matter, the Commission identified a possible scenario in which the 2011 Act could be amended to require the panel to align the terms and conditions for Members' support staff to a reasonable comparator. While that might resolve the issues relating to terms and conditions of employment for a member of staff, it will not resolve any of the other issues that Members and parties have raised about the 2016 determination.

Today's motion is much clearer and, in the Commission's view, offers the most effective approach to determining the allowances that should be payable to Members, allied with the robust and effective scrutiny of all claims that is already in place and the Commission's ability to adapt more quickly to external circumstances and the changing needs of Members than an external body. The Commission is firmly of the view that the motion sets out the best way forward.

The motion is about setting reasonable and fair levels of financial support for offices and conditions of employment for constituency staff in a way that fully understands the challenges that Members face each and every day. All

parties represented on the Commission have engaged in the matter for a considerable time to reach a consensus position. The motion reflects that consensus position. On the basis of the views of all parties represented on the Commission, I commend the motion to the House.

**Mr Allister:** I beg to move the following amendment:

*Leave out all after "salaries" and insert:*

*" , allowances and pensions are determined by an independent body and that there should be no change to that arrangement, save that, in accordance with section 47 of the Northern Ireland Act 1998, the Assembly Commission can issue guidance to the independent body on the subject of allowances, with the exception of the quantum thereof, but only in circumstances where the implementation of the arrangements set by the independent body are causing practical difficulties or inequities, and the Commission shall publish all such guidance."*

**Mr Deputy Speaker (Mr Beggs):** The Member has 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who speak will have five minutes.

**Mr Allister:** Those who tabled the motion must have short memories. I do not think that the public have. The public well remember that, when the system that is proposed in the motion was in operation, namely that MLAs controlled, through the Commission, their own expenses, it was abused and the product was scandal. In the face of a tide of public outrage, the Assembly passed the Act in 2011 and, in doing that, recognised that it was untenable for Members to be in control of their salaries, pensions or allowances. Today, we are asked to retreat from that and recreate the circumstances that gave rise to such scandalous behaviour as Sinn Féin Members pouring £700,000 of their expenses — unknown, it was claimed, by some of their MLAs — into a body called Research Services Ireland Limited, headed by Sinn Féin's finance director. When the BBC's 'Spotlight' did a programme, they could find no website for Research Services Ireland. They could find no phone number. They could find not even one sheet of paper of research ever produced. It was a scam. It was a rip-off of public money.

Michelle O'Neill, the current deputy First Minister, paid £18,000 of rent to a so-called cultural society for an office in Gulladuff: the South Derry Cultural and Heritage Society. One of the six trustees of the hall for which the money was paid let the cat out of the bag. A Mr Michael McGonagle claimed that Sinn Féin had raised the money to buy the building 30 years ago, and here was a Sinn Féin MLA, now the deputy First Minister, paying £18,000 per year — a colossal rent — to that supposed cultural society. Mr McGonagle went on to say that he had never heard of the South Derry Cultural and Heritage Society and that, as a trustee, he had never received any rent for the use of the building. Those are facts as established.

We had the Church Street office in Ballymena and the scandal of £50,000 in one year claimed by a father and son — Members of this Assembly — to go into an office of which the first director was Seymour Sweeney of "I know of him" fame. He was replaced as sole director by Ian Paisley Jr's father-in-law, who was then replaced by a DUP councillor who, when asked by 'The Belfast Telegraph' about the matter, said:

*"I haven't a clue. I know flip all about it ... I know nothing about it, I'm only the landlord."*

He later told BBC 'Spotlight', however, that the sole beneficiary of the rent was the bank. What does that mean? That means that rent for expenses was being used to pay off a mortgage to create a party asset.

There was the Sinn Féin MLA who could not drive and who, apparently, was making a claim for £5,000 in mileage allowance. He said that he had never signed the form; someone else had done it for him. We had £9,000 claimed for oil in a former Speaker's constituency office that was not used there. We had an MLA who claimed £7,000 for electrical equipment to create a paper-free office — iPads, laptops and computers — and then went on to claim £8,200 in stamps for his paperless office. What a farce. Such are the circumstances to which we are invited to return.

I know that the panel has been guilty of some of the most irrational decisions, such as not being able to put your phone number on your office signage — I tried to take them to the ombudsman over that — or not being allowed more than one office; I suffered from that. I know that they made some ridiculous decisions and were most bumptious in trying to defend them. However, the principle here is whether we, as MLAs, should set our own salary. No. Should we set our own allowances? No. So why do we want to do it, particularly in circumstances where the body to which we want to give the powers did nothing about the £700,000 to Research Services Ireland, the Ballymena Church Street office or the fictitious claims to cultural societies? It swept it all under the carpet. Those are the circumstances that we want to recreate.

I respectfully suggest to the House that we are headed very much in the wrong direction. That is why I say that we need to leave the quantum — the amount — of the expenses with the independent panel but we need to take enhanced powers to give guidance to that panel when it makes irrational, unjustifiable or absurd decisions.

I heard the proposer of the motion say that there is no legal power. Has he never read section 2(4) of the 2011 Act? It says:

*"The Panel may consider any other matter which is relevant to the discharge of its functions, either on its own initiative or at the written request of the Commission."*

The Commission already has the power to write to the panel to say, "You made a decision about not MLAs not being able to put their phone number on their office signage. Would you please reconsider that for the following reasons?". It can make a written request to say, "You have made a decision that is prejudicial to the maternity or paternity leave rights or sickness rights of our staff. Would you please look afresh at it?". The power is there. Why is it not being exercised? Indeed, why has the panel never been reappointed? Why is it that a panel that ran out of office in 2016 has never been replaced? Did some people want the situation to fester so that they could reach this point of saying, "We have to do something about it"?

The Member who proposed the motion left me unclear about what he intends. He said, at one point, that the Assembly Commission would bring forward a Bill to change the range and scope of the panel, and then, towards the end, he said that the Commission would

bring forward a new determination. Which is it? Are you just going to wipe out the panel or override it by a determination on foot of a mere resolution of the House? There is legislation. Are you going to change the legislation to do the very things that, you said, you would not do a few years ago? We need some clarity. Are you thinking that, by mere determination, you can override the decisions made under the 2011 Act, or are you going to change the 2011 Act?

If you want to do something, you have to change the 2011 Act —

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

**Mr Allister:** — and, when you change it, you can do exactly what is proposed in the amendment and thereby maintain the sanctity of separation between Members and allowances that gives the authority —

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

**Mr Allister:** — to make sure they stay on the rails at every turn.

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

**11.15 am**

**Mr McCrossan:** I thank the House for the opportunity to contribute briefly to what is an important debate. As we have heard already, the public are, rightly, annoyed about the prospect of any increases to expenditure. However, clarification needs to be put into the public domain as to what the motion is about. It is not about Members' pay, and we cannot blame the public for being angry, especially after we had been locked out of the institutions — certainly against our will — for the last number of years. There is no change to Members' pay and nor should there be. Members' pay will still be independently determined and that should always be the case. The SDLP would not support the motion if that was the case. The motion is about how we treat members of staff, deal with complex problems and offer a service to the public every day.

There is a real lack of common sense in the current determination and Mr Allister was right to touch on that in his contribution, even around signage, phone numbers or a very small crest on a door — very simple things that were fineable under the current determination. Even a broken-down printer could not be repaired locally; you had to send for someone to come from Belfast at a cost to the public purse that made no sense whatsoever. When you tried to have those discussions, you were shot down and told, "It is in the determination". That made things very frustrating for a lot of Assembly Members to continue in their duties.

Many of us in the Chamber proudly support the advancement of workers' rights. Each and every day, I hear Members of the House speak about the importance of protecting those rights. In order for the public to have confidence in us, we need to ensure that we practise what we preach. We are in a situation where our staff are being failed because their rights are not being protected under the current determination. Whilst I understand and appreciate the reasons for the determination, given the previous abuses of some in relation to MLAs' expenses, it is vital that we, as employers and as MLAs, protect the rights of our staff.



I am not proud that we give our staff the minimum legal amount of sick and maternity pay. I am not proud that annual leave is at the minimum statutory level. I am not proud that, under the current rules of the determination, there are staff in MLA offices who could be earning less than the living wage and are struggling. I know full well that we are living in very tough times and that every penny of public spend needs to be accounted for, but I stand here today for my staff and the hard-working staff of many other Assembly Members in offices who deserve fair pay and fair terms and conditions. My office could not run without my staff working more hours than they are paid for, alongside the many volunteers who, daily, help me in my duties as a public representative. They are making an invaluable difference to the communities that I am elected to serve, and all that I want for them is fairness.

We are not seeking a dilution of scrutiny or accountability; the opposite is true. The proposed measures will demand enhanced scrutiny of every penny that is spent in this place. My party is committed to robust transparency measures to ensure that there is no return to the abuse of public money, as was clearly outlined very articulately by Mr Allister, in relation to Research Services Ireland. I have mentioned that in the House on many occasions in previous contributions. The SDLP will be making that position clear and at the Assembly Commission as well.

Now, more than ever, constituency offices are needed to help the many vulnerable people who contact us each and every week and the many businesses that are struggling to make ends meet and to support those who are seeking to improve our communities. The motion is about MLAs deciding what we want to be responsible for, which is the well-being of our staff, and for running an effective and efficient office that delivers for people. That is vital in supporting our communities at this time. It is not an easy debate, but there are issues with the determination that need to be addressed. Our staff deserve fairness. We cannot go out into the public domain and stand up for the rights of workers if we are not going to practise what we preach ourselves. That is our reason for supporting the change and the motion.

**Mr Beattie:** I sense a nervousness about the motion in the House and in wider society. We ought always to be mindful that, as an Assembly, we must have the confidence of our society. If we do not have that confidence, we will always fail.

The Independent Financial Review Panel (IFRP) determination felt flawed; it felt irrational. It felt like all MLAs were being punished because of the abuses of some. It felt like a collective punishment meted out to every single one of us.

Mr Allister raised a compelling argument about abuses of the system as it stood. That resonates within the society that we represent, and we must be mindful of that.

We have looked at the ludicrous position whereby we cannot put our telephone number on our signage. So, for the last three months, when your offices have been closed and the shutters were down, nobody has seen the phone number that would enable them to call you. That is the irrational piece in all of this.

The issue has been debated at length by the Assembly Commission, and it is right to bring it before the Assembly for debate: for people to make their arguments, for people to make decisions on the basis of those arguments and to try

to explore whether, through the motion or the amendment, there are other ways of achieving the same thing.

Personally, I do not need any extra expenses. My office does not need any extra expenses. I cut my cloth to meet what I have, as every other business does. I have been working quite happily since I became an MLA in 2016. However, I have a real concern about the pay and conditions of my staff. They do not have the right pay and conditions. Their pay is scandalous. They deal with civil servants who get paid nearly twice as much as they do.

The Ulster Unionist Party's Chief Whip, who sits on the Commission, wanted to adopt a NIPSA model. That was not deemed cost-effective, but at least people were exploring other ways of doing this. I know that other parties did similarly — in fact, I think that other parties did similarly before coming up with the motion. So, it is right that the motion is before us and that we debate it and put our points across. However, let us not just throw out Mr Allister's amendment because it does not match what we have gone through and talked about. Let us use it to test our ability to talk and think, and maybe to push back and postpone what we are trying to do here, in order to have the confidence, transparency and accountability that we have been lacking for quite some time.

I said it before: Mr Allister puts forward a compelling argument. Nothing stops us creating a new panel, and nothing stops us having a new determination. I am not saying that we should set aside the IFRP determination, but it certainly needs to be amendable. As an MLA, my nervousness about the motion and the nervousness of my party is that, in the months and years to come, it will be abused, we will forget the lessons that we learned in the past, and we will lose that confidence. We will lose that confidence individually and, as a House, collectively.

I go back to where I started: it is right to debate this in the Chamber and to get your points of view across, no matter how popular or unpopular they are. We need to do that, and, if we have to change direction, we have to change direction. I believe that Mr Allister's amendment enables us to change direction. I think that it enables us to look at this in the long term and to create a new panel that can make a new determination. Therefore, my party and I will support the amendment.

**Ms Armstrong:** Interesting issues were raised by the other Members who have spoken. I attended a Commission meeting at which this matter was debated. Alliance has maintained throughout that it would prefer that an independent body look at all aspects of payments to MLAs: salaries, pensions and allowances, even though the allowances do not go into our pockets, which some people do not seem to understand, but are to pay our staff and our rent. However, we were voted down that day, and, that day, the collegiate approach was the motion that is before us.

**Mrs D Kelly:** Will the Member take an intervention?

**Ms Armstrong:** I will.

**Mrs D Kelly:** Can the Member recall that no such vote was taken? This is a narrative that is absolutely shameful on the Alliance Party. No such vote was taken. Can you confirm that?

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

**Ms Armstrong:** Thank you very much. On the day that I was there, there was a call around the room and each of the parties was to say yes or no to whether they would support having an independent body like the body in Westminster. The Alliance Party was the only one to support that, and everyone else decided that changes needed to be made.

We have in front of us a motion that the Alliance Party, on a collegiate approach, could support, but we will take any available opportunity to support an independent body to look over all of the money that goes to MLAs.

Today is the International Day of Parliamentarism. The United Nations General Assembly resolution states that the International Day of Parliamentarism should celebrate giving confidence to the public, and its resolution states the need for transparency. We would not give our staff the power to dictate their own salaries, but we would be giving ourselves that power. We are saying that we are going to set out salaries for our staff. We are the employers, but we are using public money. They need to be reviewed. The treatment of staff in MLAs' offices by the existing determination is deplorable and would not be put up with in any other place. An independent body such as there is in Westminster would be appropriate.

We were not successful in the Commission, and that is why we say today that we could have gone with the motion, but there is an opportunity with the amendment. The amendment gives us the opportunity to look at an independent body and to bring into scope someone else who will help scrutinise and set standards for payments to MLAs.

**Mr Givan:** I appreciate the Member giving way. The Member has articulated the view that she wants an independent panel to deal with these issues because of the failures of the previous independent panel. She acknowledges all of those failures. If the previous panel did not treat our staff fairly, what confidence can MLAs have that a new panel would treat their staff fairly?

**Ms Armstrong:** The Member has helped me to confirm why it is so important. The previous panel was not independent. It was brought forward through a recruitment process that determined people who could not be on the panel, but did not determine people who should have been on the panel. Where was the expertise in accountancy, HR or HMRC issues? It was not there. We have the opportunity now to have an independent body like the one at Westminster — a body that will include all of the professional qualifications that we need to ensure fairness for our staff and the public.

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

**Ms Armstrong:** If you let me carry on, I will bring you in in a moment. The recruitment of the panel would be key. We can no longer allow our staff to be treated like second-class citizens because people wanted to get at the MLAs. We need people with expertise in business management and HMRC issues. In the period in which the IFRP has not been in place, the Commission has handed over the management of the determination to staff in this place. That has been unfair, because that determination has been unpleasant to deal with, and staff have had to deal with MLAs in that. We should, therefore, be looking at the amendment; we should be considering alternatives.

We should be looking at transparency, and we should be above and beyond.

**Mr Givan:** I appreciate the Member giving way again. She has indicated that another independent panel should have the professional expertise to look at this issue. Is she saying that the former chairman of the Belfast Health Trust and the assistant Chief Constable did not have the requisite qualifications to consider all of those areas around HR and financial accountability, given what was on their CV?

**Ms Armstrong:** I was not here when that panel was chosen. I can go only by what happened when that panel brought forward its determination: when HMRC had to come to this place and say that the way in which the panel was paying expenses to MLAs was wrong; when there was a recoupment of costs from all MLAs, as otherwise this place would have faced a fantastic tax bill. Something, therefore, was going wrong. When the Alliance Party has an opportunity to go for an independent body, we will take it.

We respect the collegiate approach of the Commission, but I am sure that everybody can respect the fact that, as a party, we have been pushing for this. We put it in our written submission and said it at the Commission meetings. We were not given the opportunity to take that forward. We would be happy enough to vote for the motion as it stands, but, when there is the opportunity for an amendment for an independent body, we will take that.

### 11.30 am

**Mr Wells:** I contribute to the debate as one who has been around the Building for a very long time. I served on the Assembly Commission for 14 years. I have been an Assembly Member's pension scheme trustee for 16 years. I have served on the Audit Committee, and I have been a Member of the House for 26 years. There are people in the Chamber who were not even born when I was first elected to the Assembly. Therefore, I speak with some experience.

In our wisdom, we appointed an independent review panel, and there were two individuals on that panel who had absolutely no time for public representatives, and it showed in their determination. Where they lost my respect in totality was when they had clearly botched the report and made major errors, they did not admit it but tried to defend the indefensible. We had a situation where a very experienced and respected Member of the Assembly was fined almost £10,000 out of his pension because he had the temerity to put his phone number on his sign.

How dare we put our phone number on our signs so that our constituents, particularly during lockdown, can come and find out how to contact us? Would there be a major democratic deficit, would a tragedy occur, if our constituents could find out our phone numbers? What did the two spokes-gentlemen do, when they were asked about this mistake? They defended it when they knew it was wrong. Then they told us we could not have our email address on our office signs because, obviously, that would bring democracy crashing around our ankles. Their argument was that an email address could read something like, "jim\_wells\_themostwonderfulmlasincetimebegan.com". They said that it could be abused. Why could they not accept that, if we all had our Assembly ".gov.uk" email addresses on our signs, it would have avoided that? However, again, they defended the indefensible.

We had a situation in North Down where a young lady, who went off on maternity leave, was forced to return, as a result of the determination, because of the change in the regulations, which are much less favourable to fathers and mothers. It goes on and on. Indeed, there is a case at the moment where an MLA is facing a £20,000 fine for something so minor that most employers would have shrugged their shoulders and forgotten about it.

We have so many issues where they have got it wrong. Unlike the honourable Member for North Antrim, I have no confidence whatsoever that another panel can deal with this situation. We are not, and I repeat not — I hope that the public and the BBC get this, because the reporting of it has been far from accurate, in my opinion — asking for a pay rise, and we should not. We are not asking for a change in our pensions. We are asking for fundamental fair treatment of our staff, none of whom have had a pay rise for five years. They have had their pensions slashed and basic rights undermined, and there is nothing we can do about it. That is the difficulty.

I have to say that Mr Allister was very eloquent. He raised some points about the appalling abuses of the past, and I agree with him. However, he should remember that there is a fundamental difference between now and 2011. Every penny that we spend, in our office cost allowance, will be published and scrutinised by the press. A few years ago, a local newspaper contacted me and asked, “Mr Wells, how can you justify spending £1.50 a week on a local newspaper?” I said, “That is your newspaper.” He said, “That is a very good use of taxpayers’ money.” The point is that that is how minute the available detail is at the moment.

We have learnt our lessons. There is no problem, for instance, with the Commission setting a limit on the amount of rent that can be paid. However, we have the obscenity, at the moment, whereby MLAs have to forcibly go to their landlords and plead with them to increase their rents, so that they can recoup the rates that are payable, because they are tied to the level of rents. We have the obscenity where Members cannot share offices because of the punitive controls that are placed upon them for doing so. They have got it completely wrong.

**Mr Givan:** I thank the Member for giving way. He makes a valid point about the sharing of offices. In my constituency, my colleague and I share an office with the Member of Parliament. It would be to the detriment of the taxpayer if my colleague in the House and I were to open up our own office and access greater amounts of taxpayers’ money. We are saving the taxpayer money by sharing an office, but are, then, penalised for it by the determination.

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

**Mr Wells:** Thank you, Mr Deputy Speaker, for the extra minute. Clearly, the panel, when they made that determination, got it wrong, but have they ever had the honesty to go on ‘Talkback’ or ‘The Nolan Show’ etc and actually admit that they got it wrong? That is why I have lost all respect for that determination.

What we are doing here is not feathering our own nests, but looking after the people who have had to deal with the abuse and the irate constituents who have come in to complain. Many of those staff have drifted off, saying, “If that is how we are going to be treated by the legislators of

Northern Ireland, we are no longer interested in working for them”. Those are the people who count. I believe that we, as MLAs, must stand by them even if that is unpopular with the public.

**Mr Middleton:** I support everything that my colleague Mr Jim Wells said. He has clearly articulated some of the many issues with which all Members in the Chamber will agree. Today, we stand with our staff, who have put in a huge number of hours and a huge amount of effort for very little thanks. We need to look at those determinations.

I must say that I am bewildered but, I suppose, not overly surprised by the reactions of some Members in the House. Mr Butler has signed the motion, as has Mr Blair, yet they, obviously, do not speak to their party colleagues. Clearly, there is a communication issue.

**Ms Armstrong:** Will the Member give way?

**Mr Middleton:** Yes. Go ahead.

**Ms Armstrong:** I just want to make it clear that, when I gave my speech on behalf of the Alliance Party, I said that we had worked with a collegiate approach in the Commission but that, when there was an opportunity for an amendment after the Commission had put forward its motion, we chose to back the amendment. Therefore, there is no issue with Mr Blair’s having signed the motion.

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

**Ms Armstrong:** He has the full support of the Alliance Party.

**Mr Middleton:** I thank the Member for that intervention. However, the Alliance Party’s position is far from clear, because it has one position behind closed doors and another one publicly. Unfortunately, that has been the case with more than just this issue, but that is a matter for the Alliance Party. The public will judge that for themselves, as, indeed, will the staff of our Assembly offices.

The people of Northern Ireland have the right to a clear and reasonable explanation of exactly what has been proposed. My party remains firmly of the view that MLAs should have no role in setting their salary or, indeed, their pension. They must continue to be set independently. Nobody is questioning for one second the fact that that is done independently. However, we also acknowledge that striving for the highest standards in public office means enabling the highest quality of representation. That is why I entered politics; to get results for my constituents and to make a lasting difference. It is, however, a matter of regret that the use of an independent body to decide office and staff allowances has hindered rather than helped that cause; not our cause per se, but that of the people whom we collectively represent. Local communities deserve constituency services that are flexible and responsive to their needs. They are also entitled to have appropriately skilled staff working on their behalf. Sadly, the current circumstances and system do not allow for that.

**Ms Bunting:** I thank the Member for giving way. Does he agree that there are two fundamental principles that people never seem to bear in mind, or of which they seldom take account? One is that two full-time equivalents, or 74 working hours per week, puts Members in a situation where they have zero flexibility with staffing and that, in times of staff sickness or leave, that often results in lone

working, when members of staff, who are often female, are left in a vulnerable position? Secondly, does the Member agree that it is deeply unfair that a very experienced member of staff who happens to move to work for another Member must automatically go the bottom of their pay scale?

**Mr Middleton:** I agree completely with the Member. Those are disgraceful situations that would not be tolerated anywhere else. Again, although the House is absolutely unanimous on those issues, when it comes to it, it is unwilling to deal with them. That is deeply regrettable, given the fact that all parties have supported the motion. It is an unacceptable position and one that we must rectify.

The reality is that different constituencies across the country have different needs. The singular approach that was decided independently cannot appreciate or address those issues. That is why we support the changes put forward in the motion. We do not believe that the measures set out in the selected amendment would have the necessary impact or influence in addressing core concerns around the level of service afforded to the public. Indeed, we all had the opportunity to write to the Commission. We all had the opportunity to raise the concerns, but that alone clearly had no impact on the independent panel.

The independent panel met with MLAs. It knew the issues, but as Mr Wells clearly articulated, it did not take those views into consideration. Obviously, setting up a new independent panel, hoping that we will get the right result for our staff, is not the way forward because, as some Members have said, that did not work out well in the past.

I want to emphasise the fact that MLAs will not receive —

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

**Mr Middleton:** Yes, go ahead.

**Mr McCrossan:** It is also important that we discuss staff safety. Throughout the last mandate, there was a series of incidents in MLAs' offices where staff did not feel safe. In my office in Omagh, that happened to one of my members of staff who was on her own because we could not provide cover for the person who was off, and she suffered a threat that day. Surely, there needs to be some allowance for staff safety as well.

**Mr Middleton:** I thank the Member for that. I completely agree. Staff safety is something that we have had to deal with in our office on many occasions, and it is frightening. We owe it to our very hardworking staff who have been on the front line throughout the COVID-19 crisis. They deserve the respect. This is not about MLAs; this is about our staff and showing support and appreciation for them. I urge everybody to support the motion and agree to get behind it.

**Ms Bailey:** I was elected in 2016 after the financial review happened and after the stories of the expenses scandals had broken. The public lost so much faith and trust in us. There is no doubt that there are problems with the independent financial review determination and how we can access and use our office cost expenditure. They are much bigger than putting a phone number on a sign. Ms Bunting was absolutely right when she pointed out the restrictions in flexibility that we can allow our staff: the maximum working hours, the setting of salaries, and, if there are any changes, they go back to the bottom of the pay scale or even have to reapply through open

competition for their own job. There are many problems with that, but, again, we have to remember why we are here.

There are even issues around setting a cap on office rental costs. That applies to everyone equally right across Northern Ireland. It is a very different rate and rent setting in Strabane high street, for example, from South Belfast, but that is not taken into consideration either. Our staff are treated differently. Every single staff contract that I have signed since being elected, I have handed it back to the staff with a recommendation that if they are not already in a trade union, they should join one and that they should challenge me on it. To date, they have all been so nice that they have not done that, but I still recommend that they do.

**Ms Bunting:** Will the Member give way?

**Ms Bailey:** Certainly.

**Ms Bunting:** Does the Member agree that we are also in a situation where not only are the terms and conditions infinitely better in the Northern Ireland Civil Service but they are infinitely better for Assembly staff? Party staff and our local MLA staff have the worst terms and conditions of everybody who works in this sector.

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

**Ms Bailey:** Thank you. Those issues have been very well made in this Chamber, but what I am hearing is an awful lot about having no trust and no faith in an independent financial review panel because the only one that we have had to date got it so wrong.

Sometimes, the House gets it wrong. Sometimes people in the House get it wrong, yet we always have another chance to get it right. That should never stop us from ever trying to keep getting it right. We have had no independent financial review panel since June 2016. It has not existed. So, what is going on in that process? Why have we been left all those years with no one there?

We really, really need to keep public confidence and public trust in us, because we have not done an awful lot to get over the absolute scandal of 2015 and 2016. We need our independence, and we need to keep building trust, and I believe that we can do both. The Green Party will support the amendment to the motion.

**11.45 am**

**Mr Carroll:** It is worth remembering the consternation that the MPs' expenses scandal and the local version caused across communities here a few years ago. People were outraged in the middle of economic austerity, when they were told that they had to tighten their belts, that MLAs — some of them, at least — were involved in unsavoury financial practice, to put it nicely. Never again should we tolerate a system in which people can funnel extremely large sums of public money into research companies that did not do any research, if they even existed in any real sense at all, or questionable heating bills, claiming multiple times for offices and much, much more, as we have heard. I hazard a guess that, if somebody on benefits were accused of that kind of activity, they would probably be in jail now or facing a small claims court case. The same did not happen to MLAs or party reps.

The motion says that “alternative provision should be made” but does not state clearly what that is or should be, and we are left to believe that it will simply be the Assembly Commission itself deciding. Again, are we to have blind faith that a fair and transparent system will be set up if we just take the word of the bigger parties on the issue? Where is the accountability with the proposed alternative system? ‘New Decade, New Approach’ states:

*“The parties have therefore agreed to an ambitious package of measures to strengthen transparency and governance arrangements in the Assembly and Executive in line with international best practice.”*

Not here, not with this proposal. I am not sure whether the proposal that we are discussing was agreed as part of New Decade, New Approach, but we can safely say that it certainly does not represent a transparent or best-practice arrangement. Many people will be left scratching their heads at that assertion. It falls well short of best practice to have a situation, it seems, where MLAs can decide constituency expenses for themselves and their fellow MLAs. Many would take the view that that does not appear to be an open system and that it could be exploited in favour of MLAs.

It is worth mentioning that many workers would welcome the opportunity to set their own expenses in relation to office costs and support staff but, of course, cannot. Why should there be a different arrangement for MLAs? The last survey showed that at least 15 MLAs employ family members in different roles relating to constituency work and research activities. Can we honestly say that there will be no conflicts of interest in MLAs setting the allowances and wages of, if not their own, then their party colleagues’ relatives? How can we accurately and truly declare this to be an independent, transparent or fair system? Again, I am sure most workers, such as the health workers who had to go on strike recently for fair pay, would love to have family members setting their wages, conditions, allowances and so on.

To emphasise, I believe that all workers deserve a fair wage. I am open to a fair system that treats office staff and other staff who work in the political sphere in a fair and equal way, but the proposed system does not do that. It is worth remembering that we are looking into an economic abyss, with many people unfortunately losing their jobs, and we will have a situation where it is one rule for MLAs setting their own expenses and allowances while people lose their jobs and go onto the dole queue.

We still do not know the clear political rationale for the proposal. Presumably, there have been discussions about the current level of expenses at the Assembly Commission. Can anyone clarify whether that has been the case? If so, have Members indicated their willingness to increase that or to reduce it? Otherwise, what is the point in changing the set-up? The Assembly needs to avoid another situation in which Stormont operates a slush fund for political parties. I do not see how the proposal, coming from the bigger parties, will address the possibility of that happening again. I oppose the motion, and I support the amendment.

**Mr Lunn:** I say straight off that I support the motion. I have a fair bit of sympathy with Mr Allister’s amendment, but, frankly, the motion goes straight to the heart of the matter, whereas there seems to be some doubt about Mr Allister’s

amendment, its legality and its enforceability. I will just talk about the motion.

It is a no-brainer that we need an independent review panel to deal with our salaries and pensions. As chair of the pension trustees for many years up until a few months ago, I had some dealings with the panel on the subject of pensions, but, naturally, we ranged more broadly than that in those discussions. Quite frankly, Members, I agree with Mr Wells completely. I might as well have spoken to the nearest oak tree as speak to that panel. They did not want to know about amendments and did not want to know about the glaring inconsistencies in their determination on allowances. There were one or two points, which I will not dwell on, to do with pensions that they could have tidied up. If a new panel is established — I hope that it will be — I hope that it will talk to us again about the pensions side of things. I will have one or two suggestions for it.

I also suggest that, if we are to have an independent panel, it might do no harm if there were a retired MLA with no axe to grind advising it, rather than a sitting MLA. I am not looking at myself, because I have not retired, but who knows? That has been suggested before, and it has merit.

Members have mentioned most of what I wanted to raise on allowances, but, if this goes ahead, the Commission will have a valid template to work from. It is not all bad, but it needs tidied and it needs inconsistencies dealt with in a way that the previous panel refused point-blank to listen to us about. The question of signage is much rehearsed. Apart from not being able to put your phone number or email address on a sign, you are not allowed to have a protruding sign that people can see much more easily when they are driving down the street. Apparently, that is a mortal sin as well. You can put your phone number on your window, apparently, and your email address, but, if you had a bomb at your office, as I did, you probably would not want to leave the shutter up so that people could see the phone number. So it goes on.

There is a question about mileage. Let me say straight away that I do not claim home-to-Stormont mileage because, the past few years, it has been too complicated. If I were a Member from one of the more extended constituencies — East Antrim, perhaps — and I lived somewhere near Cushendun, I would get the same mileage allowance as a Member who lived in Jordanstown. I would find that ironic. One Member would be getting too much, and one would be getting too little. Pointing to something called a “centroid” in the middle of the constituency does not solve the problem, but that is the way that it is at the moment.

**Mr Wells:** Will the honourable Member give way?

**Mr Lunn:** Yes.

**Mr Wells:** Would the honourable Member also say that one of the errors of the determination is that we cannot pay staff travel allowance as they carry out their functions, for instance for attending a planning appeal or a social security tribunal? We are forbidden from claiming for and paying them a small mileage rate for attendance at those events.

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

**Mr Lunn:** Thank you. That is one that I had not thought of, but I take the point.

Twenty-eight days sounds like a reasonable, average type of holiday allowance for constituency staff until you take off the 11 statutory days that have to be counted in that. In fact, they only really get 17 days plus days when the office is closed anyway. That is not reasonable. It is not sensible.

The pay scales are set in stone. If I were to retire, a senior member of staff would have to become redundant straight away. The next MLA would, perhaps, move into the same office with the same staff, once you had gone through a totally independent and transparent selection procedure, of course. That person would have to take a £5,000 drop if they were at the top of the scale to retake their own job. If they did not do it, you would lose all the experience that they have garnered. In my case, I have had the same staff for over 13 years. I could go on.

With regard to rent and rates, we need a rent cap, but we do not need a rates cap alongside it. The differential across the country in that respect is stark. If somebody can find an office at £8,500 a year in some areas of Belfast, in particular, and other big cities, good luck to them, because they will then hit the rates cap. I see Mr Stalford nodding at that fact.

There is plenty to be going on with. I encourage the Commission to take this forward but caution them that we are under scrutiny. Everybody is watching this and watching what they do. The things that need to be done are not necessarily totally dramatic; they are to tidy-up wrongs and make this a better place for us to work —

**Mr Beggs:** Will the Member draw his remarks to a close?

**Mr Dunne:** — and, particularly, for constituency staff to work with some confidence in the way that they are being treated. I support the motion.

**Mr Allister:** I am disappointed that, in the course of the debate, we have not had any clarity on the key question from the proponents of the motion. Do they want us to move forward on the basis of amending the 2011 Act and legislating to do that, which is above board and in order, or do they want the Commission to supersede the legislation — a remarkable suggestion — override it and create a determination of their own? I hope that, when we come to the winding-up speech, we will have an indication of which course it is setting, because both were pointed to by the proposer of the motion.

I understand the temptation to hide behind making this all about staff. I have as many concerns as any other Member about the foolishness of the determination that was issued by the panel. There is a fundamental question here: do we value and want to have independence in governing the amount of our allowances, or do we want to take that ourselves? When the House last did that, it was grossly abused. There is a middle way, and it is quite simple. Pursuant to the amendment, we should introduce a Bill to amend the 2011 Act, to strengthen the powers of the Commission to give guidance and direction to the panel on practical issues and on inequities that they create.

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

**Mr Allister:** I will in a moment.

That is the middle way: to commit ourselves to legislation to do that but to leave the setting of the quantum of the allowances exclusively with that panel.

We seem to have got to a position where we had one bad panel, so to speak, so we never appointed another one to see if anything could be done better. We never issued any directions under the 2011 Act. We were happy to let it all fester. Creating a situation where we use the abuses of the panel of the past simply to supersede the panel and take it all back and obliterate the independence is the wrong way to go. I ask those who tabled the motion to take the motion back to the Commission, without pushing it to a vote, to consider the alternatives, to consider amending the 2011 Act, to give the Commission authority to intervene where it is right. Why do you not do that? If you do that, I will not press my amendment. Trying to keep the Assembly in the dark about what you really intend to do and then, maybe next week, issuing a sudden finding that changes all of this is, legally, very questionable, given the 2011 Act. Is that the intent?

I am saying to the Assembly Commission, or those members of it who are pushing this, let us go for the middle way; let us amend the 2011 Act to curb the excesses of the panel, give the Commission the status that it should have and strengthen its ability to give some direction, where it is necessary to do so. If we did that we would capture public confidence rather than squander public confidence, which is what this motion, unamended, undoubtedly will do.

I give way to Mr Wells.

#### 12.00 noon

**Mr Wells:** First of all we did not have a poor panel, we had a dreadful panel. Secondly, as Mr Lunn quite rightly said, attempts were made by Commission members and individual MLAs to try to influence the decision made by the independent panel, but the panel totally ignored them. If we go down the route that the Member is suggesting exactly the same could happen again. The panel could say, “we are independent, we have a right to make a decision and, frankly, we are going to ignore what you say”.

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

**Mr Allister:** That, of course, is why I suggested that we need to amend the 2011 Act to give the Commission the status to indicate guidance to the panel. The problem is that we had a panel that did very many foolish things, but the Commission never seems to have challenged them under the terms of clause 24.

Now we are in a situation where the motion is saying to get rid of all the independence — all of it. That is the essence of it. The motion is taking away any independence, scrutiny and surveillance of expenses and giving it all to the MLAs, through the Commission. It is going back to where we were. I am simply cautioning this House that to go back to where we were is a dark place. It is a dark place open to abuse and scandal.

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

**Mr Allister:** I do not want to see this House, whatever else I think about it, go to that place. That is why I am offering an amendment, which I think steers a middle way and projects a route whereby we can make the changes, but make them while attaining public confidence.

**Mr Deputy Speaker (Mr Beggs):** I call on John O'Dowd to make a winding-up speech on the motion. You will have up to 10 minutes.

**Mr O'Dowd:** I thank the Members who contributed to today's debate and I will try to cover the points made and the questions posed by Members. I suspect that the best way to sum up today's debate is that success has many fathers and failure is an orphan.

Let me be clear that success, in this case, is about rectifying the wrong of the past and all the Commission parties have debated this at length over many years, and more intensely since the Assembly resumed, because all the parties around the table wanted to rectify the wrong. There may be different versions of what happened at Commission meetings and different opinions on what happened at them, but no one, and I mean no one, can deny that there is a motion before the House today, signed by all the parties on the Commission, so what was right on Friday, has to be right on Tuesday.

**Mrs D Kelly:** Will the Member give way?

**Mr O'Dowd:** I will.

**Mrs D Kelly:** I appreciate that the Member does not want to get too much into what was discussed, but I am sincerely baffled by the claim of the Alliance Party that there was a vote that was voted down by the other four parties. That did not happen. Is that your recollection?

**Mr O'Dowd:** I do not want to get into Commission meetings, but I have no recollection of a vote. I certainly have evidence in front of me of a motion before the House.

Members, you have been informed by some why they think that the amendment is competent, but I think that it is unworkable. Those who want to back the amendment, and they are perfectly entitled to do so, cannot back it with the view that it is going to bring a resolution to all the issues that have been expressed across the Chamber this morning, and by many Members over many years. That will not resolve the issue.

The fact is that when you go back to your constituency offices and meet your constituency office manager and your other members of staff, you will have to look them in the eye and tell them that you had the opportunity to right the wrong and you did not take it. If you back Mr Allister's amendment, it will not solve the issues of workers' terms and conditions, or pay. Go back to your staff in your constituency offices, and some of your staff may be sitting in offices in this Building, sit down in front of them, look them in the eye and say, "I had the opportunity to correct a wrong, but I backed an amendment in the full knowledge that it would fail".

**Mrs D Kelly:** Will the Member give way?

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

**Mr O'Dowd:** I am sorry, but I have a number of things to say; I may give way later in the debate.

The idea that there is a middle way is a myth. There are always alternatives, but the questions that you have to ask yourself are: what is workable and what do we need to do now to ensure that the terms and conditions and pay of our staff are rectified? What you need to do is back the Commission's motion. If you want to prolong the situation, back the amendment. If you want to move towards the

2011 Act, that can be done, but it will take about a year and it will take significant discussion. However, as a Commission member, given my experience around this motion, am I seriously expected to believe if I negotiated a Bill with other Commission members it would pass through the House? I would have serious doubts about that, given my experience over the past 72 hours. So, folks, the choice is simple: you either act now or you delay. That is the choice; there is no middle way.

Quite rightly, members of the public and some commentators want accountability in this area, and so they should. Mistakes were made in the past and things should have been done better, but there are things in the IFRP report that we should continue with. Many of the accountability mechanisms recommended in the report should be retained in any fresh Commission determination. It will not be the Commission managing MLA allowances and claims; it will be the finance branch of the Assembly. The body that will manage the claims and expenses of MLAs will be the same body that does it now; it will not be the Commission members. The finance body here had a very difficult task and I am sure faced challenges from many Members over the previous determination, but I have to say one thing; they stuck rigidly by the rules, and I am confident that they will continue to do so. So, it will not be the Commission managing the affairs of Members; it will be the finance branch of the Assembly.

Some Members have suggested that it is an unusual set-up for MLAs to set their own allowances, but it happens in Scotland. Is Mr Carroll suggesting that the Scottish model is unfair, that the Scottish model does not have accountability or that the Scottish model is being abused by MSPs? I have no account of that happening, and if he has an example I would like to hear it. The Scottish model is what we are following. We follow the Scottish model in many other areas; it seems to be the in thing to do. So, there is accountability at the heart of this.

Members have also said, and quite rightly, that the public are angry about this. Maybe they are not right, because I do not know if the public are angry about it. I know that some commentators are angry about it, but some of them have something in common with us: they are paid from the public purse. That is where what we have in common ends, because I do not know how much that they are paid and I do not know what expenses claims they make. I do not know anything about that. Quite rightly, MLAs are held to a higher standard, and over the past number of years we have learned lots of lessons from the mistakes of the past as well as the opportunities, and that should continue.

I have already expressed my disappointment at the parties that signed up to the motion but are now backtracking from it. It is up to them to explain that. Ms Armstrong said that today is International Day of Parliamentarism. What confidence does it give the general public when the Commission of the Assembly agrees a motion on Friday and walks away from it on Tuesday? The one thing that the public are not is stupid; the public will see through all of that. If political parties have genuine concerns —

**Ms Bunting:** Will the Member give way?

**Mr O'Dowd:** I will in one moment.

Do political parties have genuine concerns about the interests of the public or are they reacting to the latest commentary show, radio show, TV show, article or

whatever it may be. As Mr Allister said, the public will not forget the past, and nor should they, but they will not be fooled either. They are not foolish; they will examine these matters. The public who come into our constituency offices on a daily basis or phone us appreciate the work that we do for them, but, nine times out of 10, the first people they make contact with are the staff in our constituency offices. Those staff have to deal with some very harrowing cases. We can all recount them. People sometimes come to us when they are at their very lowest, and those staff are paid low wages, have terrible terms and conditions and listen to casework that goes home with them at the end of the day.

**Ms Bunting:** I thank the Member for giving way. Is he aware that a person's grade-3 member of staff will take 19 years to reach the top of their pay scale?

**Mr O'Dowd:** Yes, and some of those who are criticising us for doing this would certainly not work under those terms and conditions. We owe it to the staff.

I am shocked at Mr Carroll. People Before Profit: the clue is in —.

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

**Mr O'Dowd:** No, I will not.

The clue is in the title: People Before Profit. Mr Carroll will go back to his office today and sit in front of his member of staff and say, "I had the opportunity to bring your terms and conditions into line with the other staff who work in this Building and I did not take it". How can he stand on picket lines and support —?

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

**Mr O'Dowd:** No, I will not. You had your chance.

How can he stand on picket lines for public-sector workers and demand proper terms and conditions when he has the opportunity to do it today for female workers in particular, who are terribly discriminated against in this institution? How can you stand on a picket line and say — *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order. I ask that remarks are addressed through the Chair.

**Mr O'Dowd:** How can he stand on a picket line and tell them that he stands up for workers' pay? He has an opportunity today, as an employer — he is the employer, as everyone else in the Chamber is — to go through the Lobbies and vote to improve terms and conditions for staff.

I will close on this. I am happy, as a Commission member, that, as part of the terms and conditions of the next determination, those Members who want to be set to an independent body can have the ability to sign out of it. They can wait for the independent body, but I —

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

**Mr O'Dowd:** — and other Commission members are determined to right the wrong now.

*Question put, That the amendment be made.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** Clear the Lobbies. The Question will be put again in three minutes. I remind

Members that we should continue to uphold social distancing and that Members who have proxy voting arrangements in place should not come into the Chamber.

## 12.15 pm

Order. Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that, during a Division, social distancing in the Chamber continue to be observed. In order to facilitate that, I ask Members to do the following: any Members in the Chamber who are not due to vote in person should consider leaving the Chamber until the Division has concluded. Those Members who wish to vote in the Lobbies on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first, and any Member who has voted may then wish to leave the Chamber until the Division has concluded. If a Member needs to vote in both Lobbies, he or she should not leave the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing.

*Question, that the amendment be made, put a second time.*

*The Assembly divided.*

*Ayes 20; Noes 67.*

## AYES

*Dr Aiken, Mr Allen, Mr Allister, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Beattie, Ms Bradshaw, Mr Butler, Mr Carroll, Mr Chambers, Mr Dickson, Mrs Long, Mr Lyttle, Mr Muir, Mr Nesbitt, Mr Stewart, Ms Sugden, Mr Swann, Miss Woods.*

*Tellers for the Ayes: Mr Allister and Mr Beattie.*

## NOES

*Ms Anderson, Dr Archibald, Mr Boylan, Mr M Bradley, Ms P Bradley, Ms S Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Catney, Mr Clarke, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mr Lunn, Mr Lynch, Mr Lyons, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Miss McIlveen, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Ms Mullan, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Gildernew and Mr Givan.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Blair*



The following Members' votes were cast by their notified proxy in this Division:

Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.

Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan [Teller, Noes], Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Storey and Mr Weir.

Mr Butler voted for Mr Stewart and Mr Swann.

Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.

Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew [Teller, Noes], Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.

Miss Woods voted for Ms Bailey.

Question accordingly negatived.

**Mr Deputy Speaker (Mr Beggs):** I wish to pause for a few moments to allow any Member who may have left the Chamber to return.

Main Question put and agreed to.

Resolved:

*That this Assembly notes that Members' salaries and pensions are determined by an independent body and that there should be no change to that arrangement; agrees that alternative provision should be made for Members' allowances; and, in accordance with section 47 of the Northern Ireland Act 1998, resolves that the Assembly Commission may determine the allowances payable to Members of the Assembly, the date from which such allowances are payable, which may be a date before or after the making of the determination or this resolution, and that the Commission shall publish any such determination.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments to allow us to make some changes at the Table.

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

## Executive Committee Business

### Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020

**Mr Principal Deputy Speaker:** Before we move to the item of business, I thank all those Members who were in touch with me during my recent illness. It was very much appreciated. I also thank the wonderful staff of ward 5B in the Ulster Hospital.

The next two motions are to approve statutory rules relating to the Health Protection (Coronavirus, Restrictions) Regulations. There will be a single debate on both motions. I will ask the Clerk to read the first motion, and I will then call on the Minister to move it. The Minister will commence the debate on both motions. When all who wish to speak have done so, I will put the Question on the first motion. The second motion will then be read into the record, and I will call on the Minister to move it. The Question will then be put on that motion. If that is clear, we will proceed.

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

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 be approved.*

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

**Mr Lyons:** Thank you very much, Mr Principal Deputy Speaker, and I welcome you back to your position. It is good to see you in better health again.

There are two motions before the Assembly today. With your permission, I will address both of them in my remarks. The pattern of these debates is now well known to Members. We bring a motion regarding the relaxations of restrictions that have already been made and Members then studiously avoid discussing the amendments and instead talk about the further restrictions that they would like to see or, indeed, any other COVID-related matter that they wish to discuss, testing, in the meantime, the patience of the Principal Deputy Speaker. I do not expect today to be any different.

**Some Members:** Hear, hear.

**Mr Lyons:** Let me begin by outlining for Members the changes brought about by these regulations and the reasoning behind the Executive's decision-making. Regulation 4 was amended to allow those who provide holiday accommodation, such as hotels, bed and breakfasts, apartments, campsites and caravan parks, to prepare for their reopening by taking advance bookings. Whilst it is not subject to the motions being debated today, I am delighted that the Executive moved quickly thereafter to give the hospitality sector specific dates when it could reopen.

Our caravan parks and camping sites opened last Friday, and our hotels and other holiday accommodation, as well as restaurants, bars and coffee shops and visitor attractions, will reopen later this week. I am sure that

all Members will agree that that is a positive step for a sector that has been particularly hard hit by the lockdown, especially at this time of year when everyone's mind turns to holidays.

Regulation 4 has also been amended to allow places of worship and community centres to open to provide day care for children. That relaxation allowed more parents and guardians and those providing childcare services to return to work, as well as improving the well-being of parents and children and increasing a sense of normality.

#### 12.45 pm

Significant and important amendments have been made to regulation 5, which is concerned with restrictions on movement. People who live alone have been able to form a small support unit with one other household, enabling the person to visit, stay over and spend more time with their support network. That is an important step to help to tackle isolation. The housing market has been opened up, allowing people to move house, visit estate agents, view properties and make arrangements for removals. That relaxation removes the negative physical and mental health impacts on households by not restricting house moves for longer than was absolutely necessary. People can leave their homes to attend to the needs or welfare of an animal or animals. Outdoor sports facilities are now open, and elite athletes can resume their training and use outdoor facilities as they prepare for major competitions.

Regulation 6 has been amended to allow marriages and civil partnerships to take place outdoors where the number attending is limited to 10. Members will agree that that relaxation offers benefits in personal well-being. We send our best wishes to couples who are now able to undertake those celebrations.

Regulation 6A was amended to allow outdoor gatherings of up to 10 people from different households, a relaxation that offers benefits in personal well-being.

Changes were made to Part 2 of schedule 2 to the regulations, which is concerned with businesses subject to restriction or closure, to allow for non-food retail to reopen. The changes were initially limited to certain sections of the retail trade and subsequently updated to include all retail. Those steps have brought about much-needed recovery for the retail sector, which has been particularly affected by the COVID-19 crisis. It is good news. People can leave their homes to buy goods, improving personal well-being and increasing the sense of normality as well as protecting the jobs of those who work in retail outlets and restoring livelihoods.

Technical amendments were made to correct a drafting error in the amendment (No. 3) regulations, which came into operation at 11.00pm on 19 May. They mean that it was not an offence to breach the restriction in regulation 6A relating to outdoor gatherings of up to six people.

We have been clear all along that the Executive will not be rushed into making decisions as a result of artificial deadlines. Equally, we have moved quickly and decisively, as circumstances have allowed, to bring about changes to help to restore our economy and society. The regulations have worked and continue to work. They have saved lives and have prevented our health system from being overwhelmed. However, the pathway out of lockdown and towards recovery has not always been smooth. It is

regrettable but probably inevitable that inconsistencies arose when making such detailed regulations. We have addressed those at the earliest opportunity and will continue to do so.

Of course, not all changes have required new legislation. We have striven to ensure that the guidance is up to date and is available to everyone. In recent days, that has included guidance to the many who have been shielding since mid-March. They can now look forward to being able to meet others from 6 July and further relaxation of the shielding guidance after 31 July.

Strong communications are vital so that the bases for our decisions are understood, sectors have time to prepare and citizens clearly understand what we are asking them to do. While the approach so far has not been to take decisions on the basis of a timetable, we have recognised that some sectors benefit from indicative future dates. That means that our decisions are taken on the basis that sectors and citizens will have the information that they need, including some indicative dates, guidance where necessary and strong messaging.

Since the regulations that are subject to today's motion, the Executive have agreed further significant relaxations. Last week, we announced that indoor meetings of up to six people could take place within the home. We agreed that places of worship could reopen from 29 June and that hairdressers, barbers and other close-contact activities could reopen from 6 July.

**Some Members:** Hear, hear.

**Mr Lyons:** I know that many Members are particularly pleased to hear that.

Additionally, we have agreed indicative reopening dates for a range of sectors and activities, including indoor gyms and sports courts — not as much enthusiasm for those, I see, Mr Principal Deputy Speaker [*Laughter*] — libraries, playgrounds and open-air museums. There will also be a gradual return of spectators at outdoor events. Those further indicative dates will allow the sectors involved to make preparations for safely restarting and reopening.

Another key tool is the Department of Health's test, trace and protect strategy, which will continue to play a key role in containing transmission as more relaxations are introduced. I urge us all, if contacted by that service, to play our part and act on the information provided and self-isolate or get tested, as appropriate.

I am pleased that we have been able to relax many of the restrictions that have had such a detrimental impact on the social and economic well-being of our citizens. However, the risk from COVID-19 remains, and it is still the case that citizen behaviour will determine outcomes in terms of transmission, morbidity and mortality.

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

**Mr Lyons:** I give way to Mr Allister.

**Mr Allister:** Will the Minister agree that the Executive's credibility in making requirements of citizens, particularly about social distancing and the number of people who can gather outside, is substantially undermined today by the fact that the deputy First Minister and other Members of the House were photographed and seen in flagrant breach, it would appear, of some of those regulations at the funeral

of a terrorist? Does that not undermine the status of what the Executive require of others?

**Mr Lyons:** First, I note that many people across Northern Ireland, have had to forgo family funerals and the traditional way in which they would grieve and mourn. That has come at a personal cost to many people. Therefore, although I have not seen any of the footage that Mr Allister refers to, I think it essential that we all provide leadership. We are all subject to the regulations in the same way. We all have to ensure that social distancing is adhered to and that the regulations are adhered to as well. That is particularly important for those of us in leadership, and I would expect it of everybody. There is a requirement and a responsibility on us all to ensure that that takes place.

That brings me back to what I was saying. We are, obviously, moving further away from enforcement. With the increasing relaxation of the regulations, citizen behaviour becomes increasingly a product of choice. By relaxing the regulations we have given citizens more freedom, and I urge members of the public to use that freedom sensibly, because I do not want us to be in the situation that Leicester finds itself in today. We need to think of the health and well-being of each other and the huge societal and economic consequences of a return to lockdown. None of us wants to see a second wave of this deadly virus. Therefore, we will closely monitor the impact of the relaxation of the regulations, and we are prepared to introduce restrictions, if that is considered necessary to control the virus.

We now need to look beyond the response phase towards the actions that will be needed to ensure a robust and sustainable recovery, rebuild public services and restore more normal ways of living. The process is under way with the Executive. We have started the development of a comprehensive recovery strategy. Citizens issues are increasingly at the heart of the decisions that we need to take, now that the immediate crisis objectives are under control. That includes long-term health and economic and societal well-being.

The fact that 95% of the population have avoided the disease is a double-edged sword. It means that 95% of the population potentially remain at risk, so the need for caution remains. Social distancing will remain a vital part of the response and recovery phases. The precise advice may change over time and must be well thought through and explained. As was announced last week, the Executive agree that two metres remains the optimum distance in maintaining physical distancing where possible. However, where appropriate mitigations can be made, a distance of no less than one metre between people should be adhered to.

I know that Members will have additional questions and comments on the points that I have made, and I look forward to them. For now, however, I commend the regulations to the Assembly.

**Mr Principal Deputy Speaker:** Thank you, Minister. Given that it is 12.55 pm and the Business Committee has arranged to meet at 1.00 pm, I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.55 pm.*

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

**2.00 pm**

**Mr Buckley:** On a point of order, Mr Deputy Speaker. I ask for the ruling of your office in the light of what we saw today, when the deputy First Minister attended the funeral of Bobby Storey, at which clear breaches of social distancing took place. I ask you to get a ruling from the Speaker's Office about whether the attendance will be looked at in line with the Members' code of conduct, given the clear breach of the regulations that are in place.

**Mr Deputy Speaker (Mr Beggs):** The Member has put his point on the record. I am not sure that it is a point of order for here. Others may wish to pursue the matter through other means. That is about as much as I can say at this stage. The point is on the record.

## Oral Answers to Questions

### Education

**Mr Deputy Speaker (Mr Beggs):** Members will be aware that, as part of the phased resumption of Question Time, only listed questions will be asked of Ministers. Topical questions remain suspended until 4 July. Members who ask a listed question will be called to ask a supplementary question. I will keep that under review as we progress through Question Time, and it may become apparent that there is additional time for other Members to ask supplementary questions.

Questions 2 and 4 to the Minister of Education have been withdrawn.

### Schools: Reopening Arrangements

1. **Dr Aiken** asked the Minister of Education how he plans to communicate with principals and boards of governors on the reopening of schools as lockdown restrictions are eased. (AQO 493/17-22)

**Mr Weir (The Minister of Education):** My Department has established the Education Restart programme, which, working with a range of stakeholders, will put in place the detailed measures and guidance that will enable a safe phased reopening of schools. I am well aware that my Department cannot deliver the Education Restart programme without the support and confidence of the education workforce. Over the last number of weeks, my Department has been working to develop the required detailed guidance to support principals and boards of governors to reopen schools in August and September. The guidance has been co-designed with a practitioners group that consists of principals from across all sectors. Their insight has been invaluable, and their willingness to work at such intensity, above and beyond their day job, should be commended.

Schools are provided with regular updates via email and text message, and I wrote to all schools in advance of the initial guidance being issued. My Department has directly advised schools when further supplementary guidance has been published and will continue to do so.

**Dr Aiken:** I thank the Minister for his answer. I declare an interest as a member of a board of governors who spent three hours on a Zoom meeting last night trying to look at some of those issues.

The drip-feed of information on social media, which seems to have been put out merely to test the water, has been demoralising for many teachers and boards of governors and has created confusion. Will the Minister commit to the schools and parents of Northern Ireland that his Department will only give out guidance that is complete, coherent and gives some certainty and planning?

**Mr Weir:** I take on board what the Member has said. Unfortunately, during the process, there were two or three occasions when documents were leaked. Sometimes, those documents were for discussion only, giving a range of options, but they were then portrayed on social media or in the wider media as, "Here is what is happening", when it was only one of the options on the table and, indeed, one that had not gone down. That has not been helpful. The leaking of that information by anybody — it came from a number of different sources — has been deeply unhelpful.

On the guidance, there is an attempt to balance, as much as possible, giving complete guidance and certainty, notwithstanding the fact that there is a slightly moveable situation with the overall position, with trying to make sure that the guidance is put in place as quickly as possible. It is about striking that balance. If we were to wait for every piece of guidance that will form part of the overall picture to be there at once, it would probably not be available until some point towards the end of the summer.

We have tried to phase in the main guidance on the new normal school day and any bespoke guidance on, for example, special schools, on remote learning, as soon as we can get it. On the one hand, the message is that people want complete guidance; on the other hand, they want maximum notice.

### Schools: Reopening Arrangements

3. **Mr Buckley** asked the Minister of Education for his assessment of how many children will return to school for face-to-face teaching in September. (AQO 495/17-22)

### Schools: Social Distancing Guidelines

11. **Mr Frew** asked the Minister of Education how a reduction in the social distancing guidelines, from 2 metres to 1 metre, would impact plans to reopen schools. (AQO 503/17-22)

**Mr Weir:** With permission, I intend to answer question 3 and question 11 together.

My strategic objective is to achieve the maximum face-to-face teaching time for all pupils at the earliest opportunity. Indeed, the intention is to reach the point of five full days a week, but I will come to that later. The guidance sets out that there will be a minimum of 40% face-to-face teaching in primary schools and a minimum of 50% face-to-face teaching in post-primary schools, with the balance provided by remote learning. However, that is, if you like, a minimum. If schools can achieve more than that in the current circumstances, they should do so.

Whilst the aim is to get as many pupils as possible back to classroom teaching in September 2020, I am well aware

that every school is different and every classroom is different. Consequently, in the responses that will have to be put in place, there will be a practical limit to what some schools can do.

**Mr Buckley:** I thank the Minister for his clarity and for his desire to see schools fully reopen five days a week from September, as the current guidelines permit. The Minister might be aware that schools have been publishing their new timetables, which show great deviation among schools. That has caused much alarm among parents who are getting back to regularised working patterns. For the avoidance of doubt, will the Minister confirm that, if the scientific evidence continues on the same pathway, he will bring to the Executive and the House a recommendation to remove one-metre social distancing and apply a classroom and social school bubble solution complemented by a hygiene protocol to ensure a full return to education in September?

**Mr Weir:** Let me make it absolutely clear to the Member: I believe that we are on the right pathway and that we are on a trajectory for further changes to be made. My intention, if that continues, is to bring forward further proposals, before the end of the summer, to enable all schools to be open to every pupil five days a week. That is to the advantage of teachers, parents and schools, but, most of all, it is to the advantage of pupils. It is highly desirable that we reach that point.

The levels of protection that need to be put in place can, in those circumstances, be achieved by different methods. One of the advantages of the guidance that has been issued is that it puts in place a range of mitigation measures that can operate in almost any circumstances.

Let me also make it clear that the guidance is based on the current medical position. If, come September, we are still restricted by that medical position, the guidance that we have issued sets out the minimum that schools should do. There should be no ceiling to what they can do; indeed, I want to make sure that, if we are in that position, no school, in any shape or form, goes below the minimum. Schools should always strive to achieve the maximum. I hope that, in certain regards, that aspect of the advice given will be overtaken by events and that we can reach a point, before the start of the new school year, where what has to be put in place is different and we see every child in Northern Ireland return for five days a week.

**Mr Deputy Speaker (Mr Beggs):** Again, for the benefit of Hansard, I encourage all Members to address the Chair so that what they say can be clearly picked up.

**Mr Frew:** I thank the Minister, at a time when we need leadership, for his positive leadership throughout the crisis.

The Minister rightly points out the massive detrimental impact on the education and, indeed, later life of any child who misses a day of school. Will the Minister outline the plans for social distancing in an early years setting? Will it apply? How will it apply?

**Mr Weir:** Undoubtedly, very young children — this applies to early years but has an impact beyond that stage — cannot reasonably be expected to remain apart from each other during the day. It is not conducive to play-based learning and development. Taking into account the medical evidence, funded preschool education settings will be asked to organise children into small groups of protected bubbles with consistent membership appropriate to the

size and characteristics of the setting. Children in those groups will not be required to socially distance. If you talk to any medical expert, they will say that that is simply not practical. We need to find other mitigation measures, and I think that bubbling will be the route. Social distancing can be applied between the bubbles and adults. Medical experts tell us that there is little danger of transference between children and that we need to mitigate between children and adults. On that basis, I envisage that preschool groups and other early years settings should be in a position to return to a full-time position come the beginning of the year.

### Youth Organisations: Funding

5. **Mr McGrath** asked the Minister of Education for an update on the implementation of the funding scheme for regional and local voluntary youth organisations. (AQO 497/17-22)

**Mr Weir:** Delivery of youth services is the responsibility of the Education Authority, so the implementation of a new funding scheme is in line with my Department's Priorities for Youth policy, which commits to replacing historic funding arrangements with a more consistent, fair, coherent and cost-effective scheme.

After engagement with the sector, key stakeholders and political representatives, including a full consultation on the principles of the scheme, the EA launched its new funding scheme for regional and local voluntary youth organisations on 3 March 2020. In response to the pandemic, I agreed that the implementation of the scheme be postponed until 1 April 2021. The EA Youth Service continues to work to implement the scheme for April 2021. It has reported that there has been consistent engagement with the online application process and that a significant number of applications have already been made across all funding streams.

I am sure that the Member will be aware that there is not always a consistent view within any sector, particularly the youth sector. There are a number of views on the new funding scheme, and a number of organisations have written to me directly. Some wish the scheme to move at pace — perhaps even a greater pace — and others are looking for a further postponement. After reflection, I wrote to the EA and asked for a short postponement to the application dates — that was raised by some of the uniformed organisations, in particular — but with a view to ensuring that the implementation of the new funding scheme remained at 1 April 2021.

The ongoing development and implementation of the scheme will be kept under review to ensure that it continues to support the services that assist in meeting the needs of our young people.

**Mr McGrath:** The Minister's answer will give some reassurance to the sectors on the timetables. We are all aware of the critical importance of funding. Will the Minister provide an update on an associated fund that is referred to as "the Minister's fund"? It was the Member for Upper Bann, I think, who introduced it a number of years ago. It was worth over £1 million and was to help tackle problems in disadvantaged areas and provide outreach support to groups of young people who would be on the streets. Has that fund ceased? Has the money been taken

back to the Department? Is the money still with the EA and being used for other purposes?

**Mr Weir:** I do not want one of the Members opposite to accuse me of besmirching his name, but I am tempted to ask if the Minister took it away with him when he left office, but, given the fact that he is still in the Building, I presume that he did not. Rather than give the Member a partial answer, I will write to him with the details.

### Autism-specific Learning Centres: Newry and Mourne

6. **Ms Ennis** asked the Minister of Education what plans he has to address the shortage of autism-specific learning centres in post-primary schools in the Newry and Mourne area. (AQO 498/17-22)

**Mr Weir:** The Education Authority is responsible for the provision of autism support units. Any significant change to a school, such as the addition of an autism support unit, requires the publication of a development proposal, which is a statutory process.

The EA's current proposals for change are listed in its action plan for 2019-2021, which is broken down into local government districts. The action plan for the Newry, Mourne and Down local government district contains two actions in relation to autism-specific provision in post-primary schools: one for the Downpatrick area and one at St Mark's High School, Warrenpoint. Those changes would form part of a regional approach to reconfiguring special schools and pupil support provision at mainstream schools.

### 2.15 pm

**Ms Ennis:** I thank the Minister for his response. I am sure the Minister agrees that it is wholly unacceptable that, if your child has autism and you want them educated in a mainstream setting, you have to travel outside the south Down or Newry, Mourne and Down District Council area. That is unacceptable and it has to end. I encourage the Minister to use his influence with the EA to make sure that these development plans are expedited, so that parents and their children are not further disadvantaged.

**Mr Weir:** The Member raises a very important point about the provision for autism, and the wider context. There are two responses to that. For placements for children with particular special educational needs, we are working with EA to make sure that, whatever the longer-term position, we provide interim solutions that can be put in place so that there is adequate provision, as we move into September and beyond.

I am keen to see any development proposals move ahead as quickly as possible. The former Minister, sitting opposite me, will be able to testify to that. The one slight restriction we have on development proposals is that, as Minister, I am the person who will give a legal ruling on whether to agree a particular development proposal. Often, proposals are so obviously virtuous that it would be difficult for anybody to say no to, but legally I am bound not to take a pejorative view, for or against any particular development proposal. We want to see the overall process moving as quickly as possible. Where we can find uncontroversial development proposals, I want to see if there is a different methodology by which those can be fast-tracked.

Obviously, I cannot comment as regards individual development proposals. Apart from the broader process, it is difficult for me to say, "I want this individual proposal done at a quicker pace", because I have to give the legal ruling on that. However, I am sympathetic to the points the Member has raised.

### SEN: Post-COVID-19 Support

7. **Mr Blair** asked the Minister of Education what support services are in place for children with special educational needs following the closure of schools and special schools as a result of COVID-19. (AQO 499/17-22)

**Mr Weir:** Vulnerable children, including those with statements of special educational needs, have been prioritised since the start of lockdown, with schools, including special schools, encouraged to remain open for the provision of supervised learning.

Each child with SEN has their own individual needs. Sometimes, we have a stereotypical view of special educational needs and there is a wide spectrum of those needs. Approaches are, therefore, tailored to the individual pupil by the teacher, in conjunction with the school's SEN coordinator (SENCO).

Schools put in place innovative arrangements, reflective of pupil age, developmental stages and their SEN. Examples of this include learning packs, online learning, and sensory and other specialist equipment that has been delivered to homes. The Education Authority SEN Pupil Support Services have provided ongoing support to parents, children and young people during COVID-19 by telephone, and have developed an extensive suite of online resources. The Middletown Centre for Autism has remained open and operational, to deliver high-quality remote support to children and young people with autism and their families. They have also developed new online training for educational professionals, including classroom assistants, and are delivering a number of webinars during the summer.

The Continuity of Learning project, initiated by the Department and coordinated by EA, provides an opportunity for practitioners, school leaders and education support organisations to work together to produce and disseminate high-quality online guidance, providing for the emotional health, resilience and well-being of learners, and facilitating the progression of learning.

I recently issued guidance to schools which provides advice and support designed to bring together what we are learning about emerging practice, during this unprecedented time for the education sector.

**Mr Blair:** I thank the Minister for his answer. Given that so few direct support services have been in place for the most vulnerable special educational needs pupils during COVID-19, I ask whether the Minister has secured the special school places for the 150 pupils still unplaced, who are waiting for placements?

**Mr Weir:** We are working with the Education Authority, because theirs is the direct responsibility to place pupils. Let me make it absolutely clear. Not everybody gets the place that they want. At the beginning of each summer, there is always going to be a small number of pupils who will be unplaced. To have this number of unplaced children with special educational needs is totally unacceptable.

We are working with the Education Authority. Indeed, last week, while I was in the House, my officials met representatives of the EA. The issue has arisen through long-term systemic failures in the Education Authority, which was subject to an internal report. While some work has been done on that, the level of progress has probably been limited by the response to COVID. We are trying to work with the EA to provide longer-term solutions so that issues of that nature do not arise again, while also being mindful of the fact that whatever long-term solution is put in place by way of a development proposal or, indeed, long-term provision, that is not something that will automatically solve the problem for those particular families. We are looking to solve it for every family. As such, we have been working up a suite of interim solutions with the EA that will feed into the longer term in order to ensure that, from September, all those children will have placements. In particular, that is about providing additional facilities and opportunities because, obviously, some of the limitations that exist with regard to SEN placements do not simply apply to schools that have pressures with mainstream admissions.

### Schools: Reopening Arrangements

8. **Ms Sugden** asked the Minister of Education how his Department plans to support teaching and non-teaching staff to return to the classroom for the 2020-21 academic year. (AQO 500/17-22)

**Mr Weir:** My Department's key focus has been to support and secure, as far as possible, the continued learning of pupils at home and in school during the current pandemic and beyond. The major strategy for achieving that will continue to be the production and dissemination of high-quality support and guidance for schools, learners and parents.

My Department, in collaboration with the EA, CCMS and CCEA, has collated, developed and disseminated a wide range of resources that will support schools and teachers as they prepare for the new school year. Recent examples include operational guidance on moving to blended learning, feedback and assessment, transition and pupil engagement.

My Department has also produced system-level guidance for schools on supporting remote learning and guidance for schools on curriculum planning for 2020-21. The key message of the guidance is that the aim for 2020-21 is to support pupils to be motivated to learn and to become skilled and independent learners through a curriculum that gives equal emphasis to knowledge, understanding and skills.

Furthermore, I have directed CCEA to put arrangements in place to ensure that young people can progress to the next stage of their learning with confidence in the qualifications that they have attained. CCEA is also exploring how young people can best be supported in the upcoming year to realise their potential to achieve high-quality qualifications.

The COVID-19 situation continues to move rapidly. Further guidance will, therefore, be provided and updated as the context changes.

**Ms Sugden:** I thank the Minister for his answer. If the current advice remains in September that the distance between teachers and pupils must be two metres, or

even if that were reduced to one metre, what challenges would that present for teaching assistants, in particular, who support children with special educational needs in the classroom? If we move towards a classroom bubble, again, how would that work for teaching assistants who may support children across various classrooms?

**Mr Weir:** I will make two points. First, with regard to movement and the extent to which a classroom could be hermetically sealed, particularly for adults, to the extent that there would be no movement, part of the aim of the bubble would be to try to minimise cross-contact, even, for instance, for those at the upper reaches of the school, where a bubble would not necessarily occur. Therefore, the challenge is not simply with the bubble but with minimising movements between classes and indeed, for example, trying to get particular children to be in the same seats as much as possible.

Secondly, we are following PHA guidance with regard to teaching assistants specifically. One significant element of that will be the issue of PPE. There is an acceptance that, in general, in most circumstances, teachers would not routinely require PPE, but that some PPE would be available. However, there are those who deal with children with particular special needs or vulnerabilities, or who provide more intimate care of a child. Those are the areas that have been highlighted in the guidance. Again, it will be on the basis of following the PHA guidance. There may well need to be additional protection. The health and safety of our children and the workforce in general will be paramount.

We also need to be careful that unnecessary levels of PPE are not used. If, for example, all our teachers were going about routinely in PPE, I suspect that, particularly for younger children, it would not only be unnecessary but it could be quite frightening. It will be about ensuring that what is there and the detail of the guidance that is given is consistent with the public health advice at the time.

### School Closures: Long-term Impact

9. **Mr Irwin** asked the Minister of Education, in relation to COVID-19, for his assessment of the long-term impact of prolonged school closures. (AQO 501/17-22)

**Mr Weir:** I thank the Member for his question. Everyone will have experienced the COVID-19 pandemic uniquely. The short-term disruption has been felt by families and pupils across Northern Ireland. The longer-term impact is more difficult to estimate. Indeed, ultimately, that will be something that we can all make educated guesswork on, but, until we see the impact as pupils return in the autumn, it will be difficult to assess 100%.

Our school leaders and teachers have been working extremely hard over recent months to build, support and develop pupils' learning. Whilst it is important not to underestimate the task facing schools, evidence indicates that missed learning content is not likely to be a long-term problem for most pupils, as long as they are given supportive tools to facilitate learning.

As pupils return to school for the new term, our schools will recognise the key importance of ensuring that pupils have good emotional health and well-being, are engaged and motivated to learn and have the tools and skills that they require for learning.

While many pupils will have coped well with engaging with remote learning activities, some pupils may return to school disengaged and require support to re-engage and move on with learning. I am confident that schools will identify and support those pupils who are most likely to experience difficulties in engaging with learning.

On the long-term impact, schools will be considering the ways that they can address the experiences of COVID-19 in the school environment. It is important to help pupils share and reflect on their experiences, to help them consolidate their thinking and then be ready to move forward.

**Mr Irwin:** I thank the Minister for his answer. What is the likely impact of educational disadvantage of the COVID-19 pandemic?

**Mr Weir:** Taking a rough guide of children and young people who are entitled to free school meals, overall, the figures suggest that, in general, those children have been doing less well in school than other pupils. So, it is a priority to ensure that that attainment gap is closed. I am obviously concerned that those school closures have had the opposite effect.

Research indicates that children who have missed significant periods of schooling due to authorised absences see a larger impact on attainment. I will be looking at it on two fronts: first, to re-engage schools to provide support for continuity of learning. I am looking to put in a bespoke programme to target those children from socially deprived areas to provide that additional support; secondly, I hope to move fairly swiftly on the expert group dealing with underachievement in schools, which is identified in 'New Decade, New Approach'.

I am also conscious that, as well as the learning difficulties that children will have, there will be a clear range of mental health difficulties, emotional difficulties and behavioural difficulties. I am keen to support those issues as well. Every Minister would always like to be able to spend more, but there is an increase in the Department of Education's budget this year to deal with mental health issues and support. So, we will look to develop schemes around that, which can provide support to our young people.

### COVID-19: Contingency Plans

10. **Mr Chambers** asked the Minister of Education to outline any contingency plans he has in place for a second wave of COVID-19 in autumn 2020. (AQO 502/17-22)

**Mr Weir:** The COVID pandemic has presented significant challenges right across our society. This has been a particularly difficult time for children and young people, parents and carers and the education workforce.

The education workforce, alongside parents, has risen to the challenge and responded in an effective, innovative manner to minimise the impact of the disruption, while appreciating that distance learning is, and ultimately can be, no long-term substitute for the benefits of attending school.

### 2.30 pm

We are extremely fortunate that the strengths of our education system have supported and facilitated the transition to distance and online learning. We have a very skilled workforce that has been committed to adapting to

the current situation. We also have something that is the envy of other jurisdictions: a centralised education ICT infrastructure framework, with substantial capacity and a wide range of applications to enhance learning in a secure environment.

Plans for reopening schools are flexible and will be guided by the prevailing scientific evidence. The guidance provided has set out minimum standards for face-to-face teaching based on current planning assumptions, and I indicated earlier that it is my hope that schools will be able to deliver more than that and achieve the maximum as we move ahead. However, some of this will depend on school size.

The guidance given to schools can be a template for flexibility, not only for the circumstances of individual schools, but to enable schools to adapt their provision in the light of a potentially changing wider situation. All guidance prepared by my Department on the safe reopening of schools will be reviewed regularly and updated as appropriate.

I am also conscious that we must proactively plan for any further disruption that may occur. My Department and its partners are working to capture lessons learned from the current management of COVID-19 disruption to ensure that there is increased preparedness for the future. It is also important to capture any positive lessons learned — for example, the more extensive use of technology for teaching — and learn how those lessons can best be applied in the future for the benefit of teachers and learners, and, indeed, the wider economy. Work will increase in the coming weeks to ensure that the Department and the education system can respond quickly and effectively in the event of further disruption.

**Mr Chambers:** Minister, I have just come from a meeting of the Health Committee. Despite one member there considering or suggesting that we are actually through the pandemic, I think that we all realise that the virus has not gone away. If, God forbid, we should find ourselves back in the situation of March, would you consider a complete closure of schools again or would you look at a different approach?

**Mr Weir:** The Executive as a whole will be driven by the wider medical situation and by the evidence. I think that anything that leads to the closure of schools is very much the last-case scenario that we want. It is undoubtedly the case that, in the impact on learning — more, indeed, from the point of view that children are distanced from their peer learners — it will have a very detrimental effect on them as individuals, as well as impact on the economy, on parents and on schools.

I would look to take every step possible before reaching that point, and it would only be where it was necessary. We need to look at the wider implications for society, not simply for education but for mental health, and the impact that a complete shutdown has on the economy, not just from a financial point of view but from a broader health perspective. Any complete lockdown will simply increase poverty, and poverty, as well as the virus, will kill. We need to have, as much as possible, bespoke arrangements that can deal with the situation.

As I indicated, one of the advantages of the guidance is that, if there is a shift, either towards a complete recovery of schools or, in the worst-case scenario, a more limited

provision, the advantage of the development of remote learning in particular has been that there is an opportunity to move along the spectrum if we absolutely need to. Let me reiterate that, while I completely take on board the Member's point that we are not through the pandemic, it is ultimately about trying to cope with it as best we can. The overriding objective and aim that I and, I think, the Executive have is to see schools fully open for all children, all the time, five days a week.

## Key Stage 4 Development Proposals

12. **Mr Beattie** asked the Minister of Education how many schools, across all sectors, have submitted development proposals to his Department to allow the teaching of Key Stage 4. (AQO 504/17-22)

**Mr Weir:** To date, no development proposals have been submitted to my Department for the establishment of Key Stage 4 provision at a post-primary school. With the exception of junior schools, which are included in the Dickson plan, and St John the Baptist's College in Portadown, post-primary schools already offer Key Stage 4 provision.

**Mr Beattie:** I thank the Minister for his very pointed answer to what was a very pointed question, and I congratulate the Minister for his leadership in taking that pragmatic decision, outside of process, to allow St John the Baptist's College to become a Key Stage 4 school. That really did transform things for a lot of people in that area. Therefore, I ask the Minister to show the same leadership and the same pragmatic thinking to allow Lurgan Junior High School to become a Key Stage 4 school so that we no longer have to send pupils to the Lurgan campus of Craigavon Senior High School, which has systemic and long-term safeguarding issues.

**Mr Weir:** I am always slightly concerned when the Member starts to praise me, because I think that there is always a potential sting in the tail. Let me make it clear that specific provision has been made for this year and this year alone to allow St John the Baptist's College to provide a syllabus at Key Stage 4, given the circumstances where an overwhelming proportion of parents — around 90%, I think — were keen for interim arrangements. That is not the same as a development proposal, and, indeed, it is not necessarily the acceptance of Key Stage 4 at St John the Baptist's College. This is about an interim position, and, consequently, St John the Baptist's College will still need to come forward with a development proposal, which will be considered on its merits.

Similarly, if Lurgan Junior High or, indeed, any other school, as part of the overall process, comes forward with a development proposal, it will be taken on its merits. I am acutely aware across the board of the need to ensure that, whatever provision is made for our pupils, it is done in a safe and healthy environment, particularly given some of the conditions. I appreciate some of the constraints that are there with some of the physical buildings in the system.

## Childcare Sector: Support

13. **Mr O'Toole** asked the Minister of Education what support he plans to provide to the childcare sector to enable parents to go back to work. (AQO 505/17-22)



**Mr Weir:** I thank the Member for his question. My Department has worked closely with the Department of Health to respond to the COVID-19 pandemic and, in particular, to provide the childcare sector with a support scheme to address concerns surrounding the viability of childcare providers for the period April to June. In addition, we are considering further funding, which has been sought from the Department of Finance, to continue support for the childcare sector in July and August. The details of this follow-on scheme are being developed and will be finalised based on the amount of funding provided by the Executive. The primary objective will be to support the reopening of childcare provision while they adhere to the Department of Health's COVID-19 guidelines. For some, this may necessitate operating at reduced capacity for a period of time, hence the need for ongoing support.

In broader terms, the childcare recovery plan is designed to enable the childcare sector to keep pace with the gradual reopening of the economy. We need to see some alignment between the two, and the plan ensures that all parents are now eligible to access childcare in order to return to work.

As schools begin to open, it will be important to ensure alignment between school restart plans and childcare provision so that the impact on working parents is kept to a minimum. If a child is not at school, the availability of childcare may become essential. However, the strategic objective is to have children back in school on a full-time basis as soon as possible. As we move towards what is sometimes referred to as the new normal, the importance of quality childcare provision for our children, our parents and our economy has been recognised.

**Mr O'Toole:** I thank the Minister for his answer. I appreciate that he said that there has been an intention to support the childcare sector, but, unfortunately, many parents and, indeed, parts of the childcare sector do not feel that that support has come through. Indeed, we know that there has been a challenge for many in the sector accessing that money.

I do not want to preempt the June monitoring round, but can he assure me that if money is announced for additional support for the childcare sector, it will get properly to the childcare sector, the sector will have the information that it needs to access it and parents will have a clear road map to how they can go back to work and how, if other kids in the family are going to school, that can work clearly and in a joined-up and coherent way? Unfortunately, there is a huge amount of confusion out there at the minute, Minister.

**Mr Weir:** I understand that. It is clear that, if there is further funding, it has to be with an adjustment to the system. Some of those adjustments have taken place. For example, one of the problems was that, initially, there was a very narrow definition of key workers by the Department of Health. To be fair, the Department of Health has accepted that and has aligned its key worker situation with the rest of the Executive's position. From yesterday, we have moved to a position beyond key workers; everybody is in a position to apply to access childcare in those settings.

There have also been issues around the progression of the roll-out of money. Part of the problem is around the uptake and applications. With the range of other schemes available and alternative options, a lot of childcare settings were seeking another route. It is critical that we have that alignment, particularly with regard to the reopening of schools. The pressure on the childcare sector, if we do not

get a full reopening of schools, will exasperate the present situation.

Additionally, the road map that the Executive have adopted around childcare recovery acknowledges changes within the family setting that will allow informal childcare to take place. That is not only important in providing alternatives but means that there will not be the same pressure or temptation for people to use unregistered childcare, which, in itself, has safeguarding issues.

It is a combination of all those things. We need to make sure that everything is aligned and, without sounding too much like an economist, that the supply and demand march hand in hand as we move forward, over the next few months.

## Post-primary Admissions: Guidance

14. **Mr Muir** asked the Minister of Education to outline the guidance his Department provides to post-primary schools on admissions. (AQO 506/17-22)

**Mr Weir:** I thank the Member for his question. My Department provides guidance to, amongst others, principals and boards of governors of post-primary schools on the arrangements for transfer from primary to post-primary. Information is contained in a number of circulars, the most recent being 'Circular 2016/15 - The procedure for transfer from primary to post-primary education'. The circular includes information and advice on a range of issues and lays out the respective roles of the Department of Education, the Education Authority, post-primary schools, primary schools and parents. It provides information on boards of governors' statutory obligations to set admissions criteria to be used in the event of a school being oversubscribed with applicants. It also provides examples of criteria that my Department recommends and recommends against. How a school sets its criteria will determine a rank order of pupils for each school. The circular also provides advice on areas such as the age that a child is eligible to transfer to post-primary education; the process for setting admissions and enrolment numbers, and the process for varying those numbers; how the admissions procedures should operate; the arrangements for admissions appeals; the exceptional circumstances procedure; and the operation of waiting lists.

As the Member can see, it is not only comprehensive but complex. Boards of governors have a legal duty to have regard to the Department's guidance when setting admissions criteria.

**Mr Muir:** For the record, I declare that I am on the board of governors for Priory Integrated College in Holywood. Over recent times, the Minister has said that there needs to be an alternative proposed to academic selection and the transfer test. The Department issued it. After months of disrupted learning, why does the Minister not advocate that all schools follow the guidance that has already been issued by his Department?

**Mr Weir:** Sorry, I did not say that there should be an alternative to academic selection, and I am sure one of the Members sitting opposite would be very quick to point that out. I have said that some of those who are advocating the setting aside of a transfer test, for instance, for this year, have not provided an alternative. That is different.

Ultimately, it is within schools' powers and constraints to apply their own admissions criteria. I have raised concern about some of the schools that are seeking to move away from academic selection for next year. At present, what they suggest as the most likely route is one that seems to be based on the pupil's connections with the school. For example, a sibling at the school, their mother or father went to the school or a staff member at the school is a parent. That runs the danger of places at those schools being selected, effectively, by the old school tie, a hereditary grammar school place. Anyone making an argument that that is a fairer system to the complexities or constraints of a test is not providing a sensible solution.

## 2.45 pm

I am aware that there will be some schools of a bilateral nature that may move between having a percentage of their pupils who are non-selective and some who are selective. In many ways there is a logic that if they want to adjust between those criteria then that is perfectly fine. However, the point is that I do not believe that a fair alternative has not been provided. I support the right of schools to use academic selection when they are oversubscribed, and I also believe that the use of academic selection has, overall, worked well for our society and our school system.

**Mr Deputy Speaker (Mr Beggs):** Members, our time is up for questions to the Minister of Education.

## Finance

**Mr Deputy Speaker (Mr Beggs):** We now turn to questions to the Minister of Finance. Tom Buchanan is not here. We will take our ease for a few moments. With the existing restrictions, not all Members can be in the Chamber and that is the case on this occasion.

I now call Mr Buchanan to ask the first question.

### PSNI: Funding for Additional Officers

1. **Mr T Buchanan** asked the Minister of Finance whether he will make funding for additional police officers, as agreed in New Decade, New Approach, available as a matter of urgency. (AQO 508/17-22)

**Mr Murphy (The Minister of Finance):** In the 'New Decade, New Approach' document (NDNA) the British and Irish Governments set out a number of priorities for the Executive, including increasing police numbers to 7,500. However, the funding package accompanying NDNA falls well short of the amount needed to deliver all those priorities.

In terms of length of process, therefore, the key factor to increase police numbers to 7,500 will be the availability of Executive funding. I met the Justice Minister prior to setting the Budget in 2020-21. At that point the PSNI's proposals to increase police numbers were still under development.

The Department of Justice has subsequently submitted a strategic outline business case seeking Department of Finance approval for the PSNI to proceed to the outline business case stage for an additional 600 officers, at a cost of £40 million per annum. Subject to the outcome of

the appraisal process, it will be for Department of Justice to bid for any additional funding. The Executive will consider that in light of the funding available.

**Mr T Buchanan:** I thank the Minister for his response. It is disappointing that the money still has not been delivered to increase police numbers, as is in 'New Decade, New Approach'. Will the Minister give any indication or timeline for when he intends to come to the House with a more positive response, to say that the money has now been delivered to deliver on the commitment in 'New Decade, New Approach' to bring the police up to the quota that they are looking for?

**Mr Murphy:** If the money had been delivered by the Governments, as they proposed and promised, there would be no question over how the Executive have to meet these commitments.

I have no doubt that the Executive takes the NDNA commitments very seriously. There is a range of commitments but we have to get a process. We could not just agree on 11 January and then on 12 January start the recruitment of police officers. There is a process. I have engaged with the Department of Justice, which has indicated the outline business case and that it is preparing to move to a business case. That is a process that has to be gone through. Then, when that process reaches its conclusion and a proposition is brought to the Executive. Part of our return to this Chamber was to honour the commitments that we made in the 'New Decade, New Approach' document. It would be much better if the Government honoured their financial commitment, and then, as I said, there would not even need to be a conversation in the Executive as to how these things would be funded.

### NICS Pay Offer 2019-2020

2. **Mr Carroll** asked the Minister of Finance for his assessment of the 2019-2020 Northern Ireland Civil Service pay offer. (AQO 509/17-22)

**Mr Murphy:** My assessment is that, at 2.65% of the pay bill, the 2019-2020 Civil Service pay award represents an above-inflation pay rise.

**Mr Carroll:** I thank the Minister for his reply, even if it was short. In a previous debate, his party colleague Mr O'Dowd referenced the need to tackle low pay, which I agree with. Given that Civil Service workers have been working hard throughout the pandemic, and for many years a lot of them have been forced to take up an extra job, will the Minister commit to paying Civil Service workers an above-inflation offer, to help deal with the extra costs and pressures of everyday life, especially those associated with COVID-19?

**Mr Murphy:** We voted for the Budget to give low-paid workers an increase, but I think that the Member did not vote for it. I fully accept that workers are under pressure, which is why we made an offer to the trade unions. Unfortunately, they could not fully consult on it because of the COVID restrictions. The overall award is worth 2.65% on the Civil Service pay bill. The award for civil servants at the lowest pay grade was 3%, which was a further 2% increase on 2019, meaning that the lowest paid civil servants have received a 5% increase across the last two years. I fully recognise the commitment of many in our Civil Service who have stepped up to the plate during the

pandemic and the emergency that we have faced, and it is important to recognise that with an above-inflation pay rise, which is what I have offered.

### ‘Transforming Land Registers: The LandWeb Project’

3. **Mr Chambers** asked the Minister of Finance why the recommendations in the Public Accounts Committee report ‘Transforming Land Registers: The LandWeb Project’ were not implemented fully. (AQO 510/17-22)

#### LandWeb Project: Review

8. **Mr Dunne** asked the Minister of Finance, in the light of the recent Northern Ireland Audit Office report, whether he plans to review Land and Property Services’ LandWeb project. (AQO 515/17-22)

#### Land and Property Sales: Charges

12. **Mr Irwin** asked the Minister of Finance why people registering land and property sales were overcharged. (AQO 519/17-22)

**Mr Murphy:** A LeasCheann Comhairle, with your permission, I will group questions 3, 8 and 12, as they were all asked in response to the Audit Office’s report on the LandWeb system.

I fully accept the findings of the Audit Office’s report, which was published on 16 June, and my Department is implementing its findings. The PAC report from 2010 made eight recommendations, most of which have been implemented. One that remains outstanding relates to the contractual arrangements for LandWeb and measures to demonstrate value for money.

The Audit Office report acknowledges that cost savings of £1.8 million were negotiated as part of the 2019 to 2021 contract extension. I expect that further improvements will be secured from the negotiations on the arrangements for delivering the service after 2021, which is when the current LandWeb agreement expires. Those negotiations have already started and are being led by the permanent secretary in my Department. The Audit Office has welcomed that and the involvement of the British Government Commercial Function’s complex transactions team.

Two of the PAC’s recommendations were on the fees that were charged by Land Registry. Those were addressed when a revised fees order was introduced in 2014. However, the combination of an increase in property transactions and improved efficiency in Land Registry saw surpluses generated again from 2017 onwards. My Department is working on a new fees order that will take effect in 2021.

I cannot say anything further on these issues as the Public Accounts Committee has indicated its intention to take evidence on the Audit Office’s update report on LandWeb. Indeed, it has prioritised it to be the subject of its first session in September.

As Members should be aware, the PAC has primacy on considering NIAO reports. While matters are under consideration by that Committee, I must be careful to not be seen pre-empting or prejudging either the PAC report or the subsequent ministerial response

**Mr Chambers:** Minister, thank you for your answer. Would you consider excluding BT from any future competition?

**Mr Murphy:** I am not sure that it would be legal to set out to exclude someone before the negotiations have been entered into. Bear in mind that the contract was awarded in 1999 and has been reviewed since. Clearly, the Audit Office report has thrown up questions and issues that need to be addressed, and I do not doubt that they will form part of the consideration on renewing the contract. The contract will be up for renewal in 2021, and, obviously, we cannot preclude anyone from being involved, but we will certainly look at the lessons learned from the handling of the previous PFI contract.

**Mr Dunne:** I thank the Minister for his answers. Does he recognise that the LandWeb project was not value for money, considering that the original contract was £46 million and that by April 2019 it was almost £100 million? How did we justify the continuous extensions from 2016, which has brought us to an excess cost of over £107 million?

**Mr Murphy:** As I said, it was a PFI contract that was awarded in 1999, when PFI was touted as being the answer to quite a few public expenditure issues. Some of those contracts have worked, but quite clearly some of them did not work as intended and arguably did not represent value for money. So, I do not have an issue. There are lessons that need to be learned in relation to all of that. I do not want to pre-empt the Public Accounts Committee’s findings after its consideration of the report, but undoubtedly we are taking steps to deal legislatively with the charging issue. That will be done by 2021. It could not be done over the three-year period when the Assembly was down. We will take steps to deal with that and will begin the discussions on the replacement of that contract. I anticipate, and I will ensure, that the lessons that are learned from this report are part of that consideration.

**Mr Irwin:** I thank the Minister for his responses. Will those who have been overcharged be reimbursed?

**Mr Murphy:** [Long Pause.] This is the trouble with taking three questions at once.

I understand, from reading this, that the charges would not be reimbursed. The report acknowledges that the Department was unable to produce a new fees order to manage surplus fees due to the absence of the Assembly, and the Department is urgently progressing a revised fees order, which is to be in place by 2021. The fees collected by Land Registry over the last three years were lawfully levied under the legislation that was in force at that time. There is no statutory provision under which the Department could return any portion of the fees levied in the past.

#### COVID-19: Small Business Grant Scheme

4. **Mr Humphrey** asked the Minister of Finance what percentage of applicants to the COVID-19 £10,000 small business grant scheme have not yet been notified of the outcome of their application. (AQO 511/17-22)

**Mr Murphy:** Between 26 March and 26 June, the Department made 23,658 payments under the small business support grant, worth a total of £236.58 million, to businesses here. I know that many Members recognise that that has been an exceptional effort by staff who are

working in very challenging conditions. In total, 24,768 applications were made to the £10,000 small business grant scheme. As of 26 June, 23,532 applicants, or 95% of all applications received, had been notified of the outcome. A total of 432 applications are still being processed by Land and Property Services. In almost all of those cases, the Department is waiting for information or clarification from the applicant.

**Mr Humphrey:** I thank the Minister for his answer, and I thank Her Majesty's Government and the Northern Ireland Executive for the easements to Northern Ireland businesses. Small business is the backbone of the Northern Ireland economy and the support that it has been receiving is hugely important. I welcome those figures, which show the importance of the Union to Northern Ireland.

Some small businesses have not yet received information on their application. How quickly can we get that to them so that they can survive and so that we can preserve jobs as we go forward?

**Mr Murphy:** This may be part of my statement to the Assembly later, but the Member may be aware that a total of £63 million across the three business support schemes — the £10,000 grant, the £25,000 grant and the business hardship fund — has been surrendered back unspent. £65 million has been unspent, £53 million has been returned and some money has been held for legal purposes by the Department for the Economy. The Executive had a preliminary discussion yesterday about how we will use that £53 million, and there is a strong desire across the Executive to address some of the sectors that managed to fall through the cracks, like social economy, childcare, sole traders, which is a very difficult category to deal with, and some other sectors that have not managed to avail themselves of any of the support packages to date. We will continue that discussion in my Department, and we will work on assessing the costs if we were to address some of those sectors and on what use can be made of the £53 million that the Department for the Economy has surrendered.

## Constructionline

5. **Mr Storey** asked the Minister of Finance for his assessment of the benefits of Constructionline to the procurement process in Northern Ireland. (AQO 512/17-22)

**Mr Murphy:** The use of Constructionline reduces tendering costs by removing the need for suppliers to submit their annual accounts each time they apply to tender for a construction contract. That is particularly beneficial for smaller firms as it means that valuable resources can instead focus on delivering projects. Given the impact of the pandemic, it is more important than ever that construction projects are brought to the market as quickly as possible, and Constructionline also saves buyers time by providing a standard assessment of each supplier's financial standing.

**Mr Storey:** I thank the Minister for reading what the Department gave to him. Undoubtedly, the issue always is, when we come to the House, how the Department views itself on many of these things.

Sadly, many in the construction business will not share this positive response about the practical help given by Constructionline and the procurement process. The

Minister knows that this is an issue. I have written to him a number of times on —.

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

**Mr Storey:** The Minister specifically referred to post-COVID. Will he give an assurance that serious consideration will be given to the help that companies need to allow them to be proactively involved in procurement through Constructionline in a way that is beneficial to them and to start the economy again in Northern Ireland?

## 3.00 pm

**Mr Murphy:** As the Member probably knows, Constructionline is a private-sector company that provides a service that is useful in the procurement process. The process gives the financial assessment of companies, offers various levels of registration and makes offers which are proportionate to suppliers' turnover. I imagine that those who are using it will find it of some benefit.

I recognise what the Member has said about procurement. It is a key discussion for us coming out of COVID. The Departments — all Departments — have had the ability, when pressed, to turn things around quickly. Things that would ordinarily have taken months of consultations and, maybe, pilot schemes and all of that. For example, as I said in response to the last question, business support grants have been 95% effective thus far, which is remarkable.

The lessons we have learned from the pandemic can be applied to how Departments can be proactive, engage with sectors, ensure they talk to sectors and how they can best help return the economy to as full a throttle, if you like, as is possible. Clearly, construction is a key part of that as is the public sector procurement of construction. We have been working with CPD to engage with the construction industry on the safety of returning. We have also instructed Departments to bring forward projects and to make sure that issues which may hold up projects are brought forward so that projects are at a point of readiness. When construction can get back to full operation, as it is currently doing, we will be ready to go with projects. We want to streamline this process as much as we can and ensure the engagement with the construction sector works as best it can. Of course, we have to protect the public purse as that is part of our responsibility, but the experience of the pandemic shows that we can do both. We can do things better and at pace and still make sure that there is proper accountability for public finances.

## Barnett Consequentials: Additional Funding

6. **Mr Allen** asked the Minister of Finance to outline the additional funding Northern Ireland has received from Barnett consequentials in the past 12 months. (AQO 513/17-22)

**Mr Murphy:** Over the last 12 months, and covering the two financial years 2019-2020 and 2020-21, the Executive has received Barnett consequentials of £847.6 million resource DEL, £152.3 million capital DEL and a reduction in the financial transactions capital of £57 million. This includes farm support payments of £278.6 million which replaces the EU common agriculture policy payments. In addition,

the Executive has received Barnett consequentials of £1,442.2 million to address the impacts of COVID-19.

**Mr Allen:** I thank the Minister for his answer, and for outlining the important additional funding received from the UK Government. The Minister will no doubt be aware of the additional £30 million announced in March — which seems like a long time ago — by the Chancellor for the Changing Places Fund for toilets.

I believe there is no Barnett consequential due for that fund. Can the Minister outline what engagement he has had with Executive colleagues, particularly the Minister for Communities, about setting up a similar fund for Northern Ireland?

**Mr Murphy:** I have engaged with all my Executive colleagues and we regularly have discussions. Much of the COVID money we received has been spent because we wanted to get support out to business. Obviously, our primary function has been ensuring that the health service was able to deal with a pandemic, business support and the protection for vulnerable people you are referring to. We have allocated quite a substantial proportion of the COVID-related Barnett consequentials to those three broad areas.

As late as yesterday, I continued to engage with my Executive colleagues, as part of the monitoring round and reprioritisation, to ensure that we have a collective view of what the priorities are going forward, and some COVID money was spent. Of course, we know there will always be many more bids for funding from the Departments than what is available to distribute to them. However, the Executive set itself priorities in those three key areas when we were responding to the pandemic. We are now moving into a phase of trying to emerge from the pandemic and ensure we kick-start the economy, continue to support vulnerable people and that the health service is able to do what it has to do. That discussion will therefore happen very frequently with all Ministers, individually and collectively, and we will ensure that, whatever they are, the Executive's priorities are met as best we can.

**Mr Deputy Speaker (Mr Beggs):** Members, we are ahead of schedule. There are only four listed questions remaining to be asked, so I will be taking further supplementary questions after the original questioners have had their opportunity.

## COVID-19: Rates Exemption 2020

7. **Mr Buckley** asked the Minister of Finance, in the light of COVID-19, what businesses will be able to access a rates exemption for the year 2020. (AQO 514/17-22)

**Mr Murphy:** I am pleased to say that, because of COVID-19, I took the decision to support all businesses here with a rates exemption from 1 April. That rate relief applied to 55,000 properties and included the commercial, manufacturing and service sectors, which are not supported in GB. Most businesses, however, have suffered as a result of COVID-19. I then increased that to a four-month rates holiday, which will save businesses some £135 million in total.

A targeted rates relief scheme will operate from 1 August to provide rates support to in the region of 30,000 businesses in the particular sectors identified, following research carried out by Ulster University, as having the

greatest need. The sectors included are retail, with some exceptions; hospitality; leisure; tourism; and childcare. Our three main airports are also included. That will save businesses an additional £178 million in business rates. It is important to remember that a raft of other reliefs and exemptions will continue after 1 August, such as industrial derating, charitable exemptions and small business rates relief, to name but a few.

**Mr Buckley:** The Minister will know, because I have corresponded with him on the issue, that this is a crucial lifeline for businesses. You talk to businesses out there, and it is the very reason that they will continue trading. We need a clear, definitive list of those targeted, however, with a creative approach from his Department being required to help those businesses that might fall through the cracks.

Given the support that the exemption will bring to mitigating the loss for businesses this year, can the Minister indicate any further measures that he may bring forward for his Department to look at to assist business with recovery?

**Mr Murphy:** We have taken the rates relief process up to the end of the financial year. There may be merit in other measures, and I will certainly continue to consider other sectors. Remember, however, that that money would then have to come off the Executive's Budget, so we would need Executive approval for that.

The rates relief, the business support grants and so on have been hugely valuable and a huge support to business. I understand that some businesses have not been able to avail themselves of measures for a variety of reasons, but they have been a lifeline for those that have, as you say.

We are anticipating some announcements from Treasury over the next number of weeks about support for economic recovery. The Executive will watch with interest, and the Department of Finance will be paying close attention to see whether there are any consequences that flow to us from those announcements. The Executive are now very much focused on economic recovery. Whatever we can add to that particular pot, we will. We are looking at other areas, such as Peace Plus money, better use of financial transactions capital, the investment fund and other pots of money that may become available to the Executive that we can use to assist our economic recovery. That is very much the focus of the Executive at the moment.

**Dr Aiken:** You will be aware, Minister, that I, as Chairman of the Finance Committee, have been asked to talk with other regional Finance Committees about getting to a point at which we are looking to deal with some specific issues as part of the future financial settlement. One such issue is the importance of a reduction in VAT. To get some support for businesses, I ask the Minister whether he will join us and say directly to the Chancellor that we wish to see VAT reduced to 15%, or lower if we can.

**Mr Murphy:** I have an ongoing and regular discussion with Treasury. I spoke to the Chief Secretary to the Treasury on Friday afternoon, I think, and we raised a range of issues, as do the Scottish and Welsh Finance Ministers. The tourism and hospitality sector, as the Member will understand, is one of the sectors most deeply affected. It is one of the sectors that will struggle to recover, because whatever it can save of the summer season will quickly be lost, and it is then into a very lean time of the year again.

We will continue to press the Treasury on a range of measures. We are talking to it about air passenger duty (APD). We will continue to talk to it about VAT. We understand that there are some considerations over there about what to do on those issues, so we want to ensure that our interests are represented and that things that we consider beneficial to our sectors are very much on the table.

**Ms Ennis:** The Minister will appreciate the need for public services to work efficiently, and with that in mind, will the Minister give an update on the 'New Decade, New Approach' commitment to review arm's-length bodies?

**Mr Murphy:** Yes, I brought a paper to the Executive in the last number of weeks. It was a commitment in 'New Decade, New Approach' that, with a view to rationalisation, we would undertake an analysis of the arm's-length bodies. The Executive agreed to my approach and we have circulated a questionnaire around the various Departments. We are then going to make an assessment of arm's-length bodies, associated bodies and non-departmental public bodies, and their value, role and what they contribute in the here and now, and how we may be able to do things better in the future with regard to more efficiency. When that assessment is complete we will bring the paper back to the Executive for discussion on the future of arm's-length bodies, as is in line with our commitment under NDNA.

**Mr Deputy Speaker (Mr Beggs):** I remind Members to connect their supplementary question to their original question or I may not permit it to be asked.

## COVID-19: Financial Recovery Strategy

9. **Ms Bailey** asked the Minister of Finance to outline the Executive's fiscal powers in relation to borrowing and revenue raising for any financial recovery strategy following the COVID-19 pandemic. (AQO 516/17-22)

**Mr Murphy:** The Executive are able to access up to £200 million of borrowing for capital purposes in 2020-21. However, the Executive are not currently facing pressures on the capital budget which would require access to borrowing. This will be kept under review. It should also be remembered that borrowing cannot be used to fund resource costs unless the Treasury agrees to a capital-to-resource switch.

The Executive cannot introduce charges that would be considered a tax or a levy without prior approval from the Treasury. However, Departments can, and do, charge for services that they provide, where that is considered appropriate.

With the significant additional funding that was provided for the COVID-19 response, the majority of departmental budgets are still to be used for the purposes provided for in the Budget for 2020-21. The second Vote on Account, which has been approved, simply provides the legislative authority for Departments to spend the additional funding that has been allocated. It does not indicate that the Executive are at risk of running out of funds. Therefore, while the position will be kept under review as the Executive develop their recovery plan, it is not considered necessary to borrow at this stage.

**Ms Bailey:** I thank the Minister for his answer. I am keen to look at the underspend that has happened with COVID. The Minister told us in one of his previous answers, I

think, that there was £52 million from the business support package scheme that was unspent. Is it possible to use that money and to redirect it to those businesses and people who have fallen between the cracks? For example, I spoke to the arts sector yesterday and they are engaging with us — it is cross-party — but most of them have received absolutely nothing. They are crying out for a hardship fund or some sort of rescue fund package, so could we use or allocate money to try and save that sector?

**Mr Murphy:** Yes. In response to a previous question I said that £65 million was actually unspent. The Department for the Economy have held on to a proportion of that to deal with legal matters, but £53 million was surrendered back to the Executive. We had a discussion at the Executive yesterday — yes, today is Tuesday — with regard to what to do with that. There are differing views, but I know that there is a keenness around the Executive to try to address some of the issues.

I referred to social enterprises and that is one of the issues, and there are a number of other sectors. Multiple premises is another sector that feels that it has not been properly addressed and childcare is another one. There is a range of sectors that were not, perhaps, able to avail of that. Some of them did not quite fall into the charities bracket and some did not fall into the business bracket, so they fell between them.

One thing that you learn over the last couple of months is that there is such a huge variety and complexity in the businesses that we have, so it is very hard to design a scheme that will capture absolutely everybody. So, yes, that £53 million that was surrendered can be reallocated. There is an ongoing discussion and my Department is doing a piece of work in relation to some of those sectors that we have identified. They came to us — I am sure they came to Economy and they probably came to a lot of representatives here — and said, "We have missed out on every single pot available". We will see if we can put together packages to provide support to some of them. However, bear in mind that, once you move out of the rates base as a tool for deciding who is in business, it gets more and more complex to verify who is in business, what they are doing, where they are and what support they need. However, that should not prevent us from trying our best.

**Mr O'Toole:** With regard to the question that Clare Bailey asked about borrowing powers, does the Minister agree that Northern Ireland faces a long-term crisis in investment? The major challenge in our economy is that we have underinvested for decades and we have low productivity and skills. Therefore, the fact that we are not investing enough and that we have consistent capital underspends, including the financial transaction capital, is not acceptable.

Does he also agree that it is worth communicating to the Prime Minister in London that there are bits of investment that this economy needs far more than a boondoggle, crackpot scheme to build a bridge between Scotland and Northern Ireland and that he should stop gaslighting us by coming up with preposterous ideas like that?

### 3.15 pm

**Mr Murphy:** I do not think that anyone apart from himself takes him seriously on those issues. If ever you want a distraction story, that is one to go for.

Yes, it is unacceptable that so much financial transactions capital is not availed of and goes straight back. We could carry over something like £20 million, but that goes back to Treasury. Legislation was to have been passed in Westminster last year to change the status of the Housing Executive to allow it to avail itself of some of that. That would have improved the situation, but it did not happen because legislative time ran out. The Department later today, I think, will bring through the Final Stage of a Bill that deals with that issue.

Once we have that fixed, we will fall into a situation where we have not been able to spend capital. For different reasons, we will probably end up facing into a capital underspend, possibly at the end of this year. We have not yet got a straight answer from Treasury on whether we will be able to transfer that sum to resource. We are encouraging Departments to bring forward capital schemes as best and as quickly as they can, because capital spend will be one way to pump-prime economic recovery. There is no doubt that, for different reasons, capital spend will continue to be challenged this year. However, at this early stage, we are encouraging Departments to do all that they can to ensure that we spend as much as we can.

**Mr O'Dowd:** The Minister referred to the £53 million underspend. He will be aware that that will come as a body blow to many business sectors that have not yet received support from the Department for the Economy. He will be aware that the Economy Committee has been lobbying strongly for sole traders. Will sole traders be part of the discussions on how the money should be redistributed?

**Mr Murphy:** The underspend was actually £65 million; £53 million was returned. All sectors that did not manage to avail themselves of previous business support grants should be considered, and sole traders is one that we are looking at. I know that, when the Treasury was doing a scheme, there were particular difficulties in making sure that it correctly identified those who qualified as sole traders. There is complexity to that, but that is not to say that these issues should not be looked at.

You are correct of course: as, I am sure, everyone here is aware, a range of sectors have come forward to say that they have not been able to avail themselves of this and have missed out. Now that the money has been surrendered, we have an opportunity. The Executive are looking forward to economic recovery and at how to target economic recovery, but this pot of money was used in the middle of the pandemic to keep people afloat. So, while there are still people who have not been reached, there is a valid argument for looking back to see how we achieve some of that with the outstanding money.

## COVID-19: NICS Childcare Support

10. **Ms Sugden** asked the Minister of Finance what support is being provided to civil servants with COVID-19-related childcare issues to allow them to continue to work from home. (AQO 517/17-22)

**Mr Murphy:** I appreciate the severe impact that the COVID-19 outbreak has had on childcare availability and the resulting challenges faced by parents who are working from home. NICS has worked hard to support staff to manage their workload against their parental caring responsibilities. Staff are supported with a blend of

flexible working arrangements and the use of technology, including the provision of laptops and access to tools such as Webex videoconferencing. An additional 5,750 laptops, around 4,000 reconfigured desktops and 1,400 new mobile devices — tablets and smartphones — have been issued to allow staff to work from home.

Flexitime arrangements allow staff working from home to manage how they arrange their working hours to balance commitments. Staff can discuss and agree with their managers, who are in the best position to support them, how domestic arrangements, including childcare, can be managed during these challenging times. Staff may consider applying for special leave, take annual leave or wish to discuss with their manager a temporary change to working patterns or contracted working hours. Managers are very much encouraged to consider all such requests sympathetically.

**Ms Sugden:** I am pleased that the Minister was able to put on record the support that is being provided as a response to COVID-19 to enable Northern Ireland civil servants to work from home. As we emerge from the pandemic, I am being contacted by constituents who work for the Northern Ireland Civil Service, who say that they are being asked to come back to work and that childcare arrangements are not being taken into account. Will the Minister provide the NICS COVID-related policy on working from home to the Assembly so that we can provide it to the constituents who are making those queries?

**Mr Murphy:** Yes. I appreciate the challenge for people coming back, and that is why we have included childcare in the additional rates relief and why we are looking at childcare as a specific sector for support. There are particular challenges in getting childcare in place, as, of course, if it is not in place, people cannot get back to work. It is a chicken-and-egg thing. It involves more than the Department of Finance, but we have responsibility for NICS.

Yes, I am sure that we can publish or make available the guidance to make sure that people are being properly looked after. The instruction to managers in the Civil Service is to be as flexible and as sympathetic as possible and to understand the challenges that people face. I hope that that is the case. If it is not, we are more than happy to hear from them.

**Mr Catney:** Mr Deputy Speaker, I think that I owe you an apology for the last time that I was here. I have seen you personally, and I am now making my apology publicly as well. You have a difficult task.

I want to ask the Minister about single-person businesses and businesses with an NAV of less than £51,000. We need to give them as much help as possible, not only financially, although that is the greatest help. Can you, when you speak to the Treasury — this is not unlike what my colleague across the way said about VAT — look at deferring the big-ticket payments that businesses find themselves making at the end of the year? It would be a help and would give much comfort to businesses that are struggling to open.

**Mr Murphy:** I see that an apology is the way to win a non-supplementary question [*Laughter.*] I must that remember that trick.

**Mr Deputy Speaker (Mr Beggs):** The Minister may choose to answer the question or not.

**Mr Murphy:** I appreciate your flexibility, Mr Deputy Speaker.

Quite a lot of businesses and MLAs have come to us with the problems facing the business sector. I am particularly keen to hear — I put this out to all MLAs — from people who want us to make representations to the Treasury, as we are the Department that engages directly with it. I have a regular engagement with the Chief Secretary to the Treasury, and my departmental officials engage daily with the Treasury. We have been able to point out to the Treasury things that have not worked properly in relation to some of their early responses — the job retention scheme and some of the loans issues. We have been able to engage with them and say, “This isn’t working here for a variety of reasons”. We have secured some amendments and some more flexibility.

Business support is not simply one package; it will be ongoing support. It will be about finding ways of doing things better. An example is the discussions between Infrastructure and Communities about the use of street space and licensing. All those things are important in supporting the hospitality sector. It is not simply a matter of grants; it is a matter of engaging to ensure that things are made easier for business as well.

**Mr Deputy Speaker (Mr Beggs):** I call Gordon Dunne to ask a supplementary and to connect it to the original question *[Laughter.]*

**Mr Dunne:** Absolutely. Can the Minister advise us on what measures are being put in place to encourage civil servants back to work? I know that the Minister has touched on it. We want to ensure that they are in a safe, hygienic environment with the necessary adequate supports.

**Mr Murphy:** There is a range of measures. One is, as Claire Sugden identified, that childcare is a problem. We have to recognise, now that the childcare sector is not functioning as it was, that it is more difficult for people to access childcare and that that creates a difficulty. There has to be almost a personal engagement with each civil servant by their manager to see the issues that they face. The initial priority was to allow people to work from home, and there was a huge drive towards that through providing people with laptops, smartphones and other devices and through ensuring that people had the technology to contact and engage with the Department to continue meetings and to continue work from home. Of course, the question now is how we get back and how we get more people back in. That will involve a range of measures, including looking at individual circumstances and at childcare. It will also involve looking at where people work from. We had already begun looking at flexi-desks, people working from hubs or satellite arrangements around the country so that people are not spending time in their car or having to travel with other people to and from work if they can work remotely or work from hubs closer to their home. There is a range of measures that will assist people back to work.

I do not see us getting back to full offices any time soon. We will have to continue to be flexible and operate a variety of arrangements to get the best value out of our public services that we can. Those will be challenges for every Department. The Department of Finance is here to

assist other Departments and their staff in whatever way we can.

## Brexit: Sanitary/Phytosanitary Costs

11. **Mr McAleer** asked the Minister of Finance whether the UK Treasury has confirmed that it will cover the costs of checking sanitary and phytosanitary measures following the end of the transition period. *(AQO 518/17-22)*

**Mr Murphy:** The British Treasury has confirmed that it will, in principle, cover the infrastructure costs of checking sanitary and phytosanitary measures following the end of the transition period. I will continue to engage with Treasury to ensure that all costs of implementing the protocol are covered by the Exchequer.

**Mr McAleer:** The Minister will be aware that the fact that Britain is diverging from EU regulations and standards has increased the need for SPS checks at our ports and airports. Does the Minister agree that, in funding the cost of the expanded infrastructure and IT systems and controls, it would be very unfair if the financial burden was placed here, given the fact that the North voted to remain in the EU?

**Mr Deputy Speaker (Mr Beggs):** Again, that does not connect with the original question, and I will allow the Minister to decide whether he wishes to answer it.

**Mr Murphy:** I have been as flexible as you so far, so we may continue in the same vein.

In general terms, the Treasury and the British Government have committed, as part of their manifesto, to cover all costs associated with leaving the EU. From a political perspective, I wish that it was not the case that we were leaving at all. Nonetheless, we want to ensure that the exit from the EU is the least damaging that it can be. I thoroughly expect there to be damage as a consequence of leaving, and that is why it needs to be done in a careful, calibrated fashion. There is a commitment to cover all such costs, and it is incumbent on me, as the Finance Minister, and the Executive as a whole to hold the Government to that commitment.

**Mr Buckley:** In light of costs incurred by the UK Treasury and Her Majesty’s Government, will the Minister join me in thanking Her Majesty’s Treasury for the generous contributions throughout the COVID-19 crisis that have secured a lifeline for many businesses and civilians across Northern Ireland? Had it not been for that subvention, there is no doubt that many businesses would have gone under. In light of what he has said, can the Minister outline other potential financial packages or measures that may be introduced by Her Majesty’s Treasury in light of COVID-19?

**Mr Murphy:** I am invited frequently by Members from the Benches opposite to thank the Government for their generosity. I remind the Member that we pay taxes here. The business support was, of course, very welcome. Any of this money is welcome; I have no difficulty in welcoming it.

I talk about the priority for investment. We had to prioritise investing in our health service, which has been under-resourced for years because of austerity measures. Vulnerable people have been under-resourced for years because of austerity measures. We had to channel things



into areas that the Government in London have reduced our ability to spend public money on over the years.

We are not aware of further financial packages. We are told that there may be announcements in July. We continue to engage with Treasury to get a sense of what those announcements will be. The Executive will be able to plan our economic recovery on the back of those.

**Mr O'Toole:** The Minister may not have seen it, as he has been answering questions here, but, in the last hour, the Treasury has said that there will be what it calls a "summer economic update" next Wednesday. In light of that and linking to the initial question, I ask this: will the Minister and the Executive ask for an urgent update on spending in relation to the EU exit and what will be disbursed to the devolved Administrations? There has been an ominous silence from London on the implementation of the Ireland protocol and broader EU exit matters. I ask the Minister to make representations to that effect, ahead of next Wednesday.

**Mr Murphy:** I assure the Member that we continue to make representations. Issues such as the shared prosperity fund and others that replace EU assistance, which we have benefited from enormously here over the years, are very vague and not at all encouraging in the lack of detail. It is not only us. In the joint meetings that I attend with the other devolved areas, the Scottish and Welsh similarly press for more detail and certainty on all that. I assure the Member that it is continuously on the agenda, and we will press not only for the cost of the exit to be met by the British Government but for the replacement and the operation and decision-making around whatever replaces EU funds to be the property of this institution.

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

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

3.30 pm

## Ministerial Statement

### Public Expenditure: 2019-2020 Provisional Out-turn, 2020-21 June Monitoring Round and COVID-19 Reprioritisation

**Dr Aiken:** On a point of order, Mr Principal Deputy Speaker.

**Mr Principal Deputy Speaker:** Yes.

**Dr Aiken:** The first point of order is, welcome back. Thank you for coming back, as well.

Standing Order 18A(3), states:

*"The written copy, whether or not embargoed, shall not be given to members of the news media before it is made available to members".*

At 10.45 am, I, as Chair of the Finance Committee, and other members of the Committee were given information about the Minister's statement. However, the news media, at 6.00 am, were reporting items of the statement verbatim. There seems now to be a habit among members of the Executive of leaking information to the press before the Assembly has had it. I would like you to ask the Speaker to make a ruling to inform Ministers of the correct procedures in following Standing Orders.

**Mr Principal Deputy Speaker:** I thank the Member for his valid point. It can be construed as a discourtesy to the House. Statements should be made to the House before their contents are given to the press. I will ask the Speaker's Office to write to him to make clear that that is what is expected from Ministers.

**Dr Aiken:** I welcome that.

**Mr Principal Deputy Speaker:** Before I call the Minister, I remind Members that in the light of social distancing being observed by 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 have to make sure that their name is on the speaking list if they wish to ask a question or be called but they can do that by rising in their place as well as by notifying the Business Office or the Table directly. I again remind Members — yes, I have been away, but I will return to an old trope — to be concise in asking their question. This is not an opportunity for debate, and long introductions to questions will not be allowed.

**Mr Murphy (The Minister of Finance):** I join with the Chair of the Finance Committee in welcoming you back. It is good to see you back in the Chair.

The monitoring round is usually the method by which Departments can return underspends for their reallocation, identify pressures and manage their budgets. The first monitoring round of 2020-21 has taken on a new significance as the Executive respond to the evolving COVID-19 situation.

Before turning to the current year, I want to update the Assembly on the 2019-2020 provisional out-turn position. The provisional out-turn position provides an indication

of departmental budget management during the last financial year, and determines the amount of funding that the Executive can carry forward. The end of the 2019-2020 financial year saw the emergence of COVID-19. Excluding the pressures introduced as part of the COVID-19 response, underspends of £25 million resource DEL and £103.1 million capital DEL have been reported by Departments.

In resource DEL, an overspend has been reported by the Department of Education. While significantly less than reported last year, my officials continue to raise concerns with their Education counterparts. The Department for Infrastructure reported an overspend due to a shortfall in income as a result of COVID-19 and increased expenditure on PPE.

In capital DEL, the underspend reported comprises £102.9 million conventional and £0.2 million financial transactions capital (FTC). The most significant capital underspend is reported by the Department of Health — £48.1 million of that relates to the Encompass digital investment project. The contract for that large-scale digital investment programme was to be signed in 2019-2020. However, the Department carried out additional due diligence, delaying the signing until 2020-21.

The Department for Communities reported a significant underspend of £24 million, which relates to the new-build housing programme. That underspend, along with many other elements of underspend reported by Departments, is due to the impact of COVID-19 on capital programmes, with interrupted supply chains, site closures and planning or legal delays.

The devolved Administrations can access a limited amount of previous years' underspend through the Treasury's budget exchange scheme. The underspend that the Executive can access in the following year is calculated at block level, meaning that changes in regional rates, income and reinvestment and reform initiative (RRI) interest payments compared to the level forecast must also be taken into account. Taken together, the total carried forward in resource DEL is £28.4 million. In conventional capital DEL, while the total underspend is £101.6 million, the limit on the amount that I can now plan to carry forward is £21.2 million. I am in discussion with the Treasury about additional flexibility that can apply to the exceptional level of underspend related to the impact of COVID-19.

Moving on to ring-fenced financial transactions capital, Members will recall that we finished last year with £91.8 million unallocated. Adding to the small departmental underspend of £0.2 million, that figure results in a total underspend of £92 million. The budget exchange scheme provides the potential to carry forward £20 million of the underspend to the 2020-21 financial year, meaning that £72 million will not be used. Work is ongoing with Departments and the Strategic Investment Board (SIB) to identify the barriers that currently prevent the Executive from fully utilising the financial transactions capital funding available.

Turning to the current year, the challenge of responding to COVID-19 has meant that the June monitoring round has operated differently from that in previous years. One fact that remains is that we face significant pressures with limited funding available to address them. The top-line figures are that £139.9 million resource DEL and

£66.4 million capital DEL and £200.1 million financial transactions capital DEL are available to address the more routine pressures and those arising as a result of COVID-19.

I want to provide some details of the available funding, in addition to the budget exchange amounts already mentioned. Since I announced the Budget 2020-21 outcome in the Chamber, Barnett consequentials due to the Executive for non-COVID-19 measures have been increased by £3.4 million resource DEL, £6.4 million capital DEL and £0.2 million for FTC. Since the announcement of COVID-19 support measures, on 19 May, additional funding has been made available by the Treasury for COVID-19 measures, totalling £190.8 million and £3.1 million capital DEL. Adjustments to forecast regional rate income and RRI interest requirements has resulted in £10.8 million resource DEL becoming available for allocation.

The Treasury has now confirmed that funding for confidence and supply will be available in 2020-21, and, as a result, £15 million capital DEL funding that I set aside in the Budget is now available for allocation. I will continue to seek a commitment to the outstanding £195 million in confidence and supply funding.

Changes to a number of central items have had a minor impact on the funding available, reducing resource DEL by £0.1 million and capital DEL by £5.1 million.

Reduced requirements come to £2.9 million resource DEL, largely due to COVID-19 delaying the recruitment of staff, and £33.5 million capital DEL. Adjusting the capital DEL for the Irish Government's contribution to the A5 means that £25.8 million capital DEL is available for reallocation. Full details are included in the tables provided with this statement.

Members will recall that, in May, I announced a significant package of COVID-19 response measures, and, as a result, over £1 billion of resource DEL has been allocated to Departments. Those allocations included £4 million for substitute teachers. DE has reported that uptake of that initiative has been less than anticipated and can be managed from within its existing budget. DE has therefore returned the £4 million resource DEL for reallocation. The Department of Justice returned £0.75 million of the £1.6 million allocated for the temporary resting place.

When I announced the package of business rate support measures in the Executive's COVID-19 response, I highlighted that the cost exceeded the funding available. In this monitoring round, I am addressing that issue by providing the additional £97.7 million required to address that shortfall, as well as the latest cost assessment of that support.

Before I turn to the allocations that I am making today, I want to update Members on the COVID-19 reprioritisation exercise that has been completed by all Departments. In response to the challenges of the pandemic, Departments have been able to reprioritise over £140 million of existing budgets to address COVID-19 pressures. I will keep that position under review and encourage Departments to continue to find ways of addressing their internal pressures.

When I announced the Executive's response to COVID-19 in May, I provided Members with an update on how the

Executive are using the £95 million that was set aside to support the transport sector. Alongside support for ferry operators and airports, I allocated £30 million to the Department for Infrastructure for loss of income and particular pressures in Translink. From the remaining funding that was set aside, I am now allocating a further £30 million to the Department for Infrastructure to offset lost income, £20 million of which is for a second allocation to Translink, with the remaining £10 million to replace lost income across the transport sector. Last week, the Executive agreed to further support our three airports and, to that end, we will ask the Department for Transport and the Treasury to address the costs of air passenger duty and safety and security activities. We also want to continue to support City of Derry Airport until March 2021.

Allocations of ring-fenced financial transactions capital totalling £35 million have been made to the Department for the Economy in this round, £20 million of which will provide support to potential start-ups and continued investment in our tourist attractions. The other £15 million is for schemes that were agreed at the time of the Budget. Using financial transactions capital remains a challenge, but I encourage all Departments to seek ways of using that funding.

I will now deal with the allocation of £139.9 million resource DEL and £63.7 million capital DEL. It will come as no surprise that the majority of the resource DEL allocations will go towards helping to combat the impact of the COVID-19 crisis. I have allocated £22.7 million to the Department for Communities, which will provide £5 million to help process the increase in social security recipients, £4.5 million for the community support fund, £4 million for the cultural sector, £3.7 million for the homeless, £3.5 million to purchase PPE for staff who work in the Supporting People programme and £2 million for sport.

The Department for the Economy will receive £4.7 million to support higher education, Invest NI marketing and grants to small and medium enterprises.

The Department of Education will receive £39 million to fund free school meals over the summer months, for an increased child provision from 1 July and for summer activities to support children and learning.

The health service has been at the front line of the COVID crisis. I am providing a further £51.4 million to the Department of Health, which will not only provide for the continued response to COVID-19 but for service transformation, elective care and the mental health plan.

On top of the £30 million for transport-related pressures, I have allocated £5.5 million to the Department for Infrastructure for lost income to NI Water.

I have allocated £13.5 million to the Department of Justice for increased costs in the Prison Service and the PSNI, the cost of PPE and lost income in the Courts Service.

The Executive Office has incurred the cost of work with the press throughout the ongoing COVID-19 response, and I am allocating £500,000 to TEO for that purpose. In addition, I am allocating £2.5 million to the Executive Office for administrative costs in relation to victims' payments. In line with the Treasury's statement of funding policy, which makes it clear that the Department that makes policy will bear the cost of that policy, the NIO is responsible for funding that scheme.

Turning to capital DEL, I am allocating £38.7 million to the Department of Health for the purchase of essential equipment and for invest-to-save projects. The Department for the Economy will receive £25 million to provide grant funding for Ulster University's Belfast campus, which will replace £25 million of the planned financial transactions capital loan.

Departments need to respond as dynamically as possible to the fluctuating financial position. Therefore, I am extending the flexibility that Departments have had in this round to reallocate internal budgets until the October round. All the funding that is currently available has now been allocated. Those allocations help our public services, including the health service; they assist in economic recovery and they protect the most vulnerable in our society, including children who are entitled to free school meals and the homeless.

I commend the June monitoring outcome to the Assembly.

**Mr Principal Deputy Speaker:** Thank you, Minister. Before I call the Chair of the Economy Committee to speak, I remind Members that I have 19 Assembly Members on my list who are seeking to ask a question and one hour is allocated after a ministerial statement. If you do the maths, you will realise that we need to be short, sharp and focused. I call the Chair of the Economy Committee, Dr Steve Aiken.

**Dr Aiken (The Chairperson of the Committee for Finance):** I think that Caoimhe looks much better than I do, Mr Principal Deputy Speaker, but, as Chair of the Finance Committee, thank you very much indeed.

The Finance Committee will take detailed evidence on the June monitoring round over the forthcoming weeks. Therefore, I will make these comments as the Ulster Unionist Party's finance spokesperson.

I thank the Finance Minister for meeting me earlier today and, at last, getting the much-delayed June monitoring round through to us. I wish to highlight some of the issues that have become apparent and are worthy of the Assembly's consideration. We welcome that, with the addition of £1.3 billion from our national Exchequer, we have managed to achieve an underspend of £25 million resource DEL and £103 million in respect of capital DEL — a total of £128 million.

The Minister mentioned the top-line figures of £140 million in resource DEL, £66 million in capital DEL and £200 million in financial transactions capital, which I will refer to later.

That, coupled with the existing COVID recovery and support mechanisms is —.

**3.45 pm**

**Mr Principal Deputy Speaker:** Dr Aiken, I know that there is a question just struggling to get out [*Laughter.*] Help it out. What is the question?

**Dr Aiken:** I know. There is, indeed, Mr Principal Deputy Speaker. You normally give the Chair of the Finance Committee a degree of latitude to respond.

**Mr Principal Deputy Speaker:** I have [*Laughter.*]

**Dr Aiken:** I will then ask one particular question of the Minister of Finance. It is the question that we have all been

waiting for. We are now close to three and half months on and we still have not heard of a fiscal council being set up, of the appropriateness of looking at proper management or of what we will do to ensure that all Committees are given appropriate financial information on time.

That question, Mr Principal Deputy Speaker, probably deserves the extra minute to speak. Thank you.

**Mr Murphy:** I am not sure that it is the one that we have all been waiting for [*Laughter.*] There is no point in billing your question inappropriately.

The Member will understand that, as we moved into the response to the pandemic and the emergency that we were in, the Executive agreed to suspend normal business and focus all our energy on the pandemic. It is only in the last number of weeks that the Executive and Departments have started to turn their attention back to things like NDNA commitments and other measures that were priorities for all Departments and the Executive collectively in the few weeks that we had before the pandemic hit. We are turning our minds back to those. The idea that the fiscal council has been sitting for three and a half months with nothing happening is inaccurate. Those issues will be taken forward. They were interrupted for the last three months by the Executive's need to collectively face the emergency that we faced and respond appropriately to it. Thankfully, we are now moving out of that, although we are not, by any means, out of the woods with what might emerge from the COVID-19 experience, and are turning our minds to all the issues that have stacked up.

The issue of the financial accountability of each Department to their Committee will be a matter for all the Committees. We can lead by example — I hope that we do in the Department of Finance — but it will be a matter for Committees to hold their Departments to account. I will, as I have always undertaken to do, come here and explain how the Department of Finance is allocating money. I expect Committees and Committee Chairs to hold their Ministers to account on the spending of that money.

**Mr Frew:** The fact that we had £128 million of an underspend last year proves in some way that the monitoring rounds are important, going forward, so that we do not end up in a situation next year if something further was to happen.

I will go straight to my question. At a time when we should invest in skills and work for those skills in any recovery, why has the Minister refused bids from the Department for the Economy and the Department for Infrastructure? I think that the Minister stated that the current overcommitment in this year's Budget was £100 million: will he update the House on the present level of that overcommitment?

**Mr Murphy:** The figures for the overcommitment were included in my statement. The Member's point about the underspend is correct: we do not want to see underspends. They mean that money that we would otherwise have spent on services here is returned to the Treasury, which is never a good situation. We have had three years without an Assembly to hold Departments to account or Ministers to take decisions that they are held accountable for. We were moving into a scenario in which we expected that to improve, but we had the pandemic and all the spending plans were turned on their heads over the first quarter of the year. There will, no doubt, be a challenge with underspend at the end of the year, and

we continue to engage with the Treasury to try to get the necessary flexibilities to deal with however our budgets end up as the year moves on.

On the bids for skills, I remind the Member that the Executive approves the bids; I make a recommendation to the Executive, and they decide. Other bids have been supported, and, if it wishes, the Department for the Economy has the flexibility to reprioritise within the Department and meet things that it considers to be of a more pressing need or priority.

**Mr McAleer:** My question related to the £25 million agri-food intervention scheme that the Minister of Agriculture, Environment and Rural Affairs has announced. However, since the Finance Minister started making his statement here today, the AERA Minister has issued a written statement detailing how that should be allocated. As the Finance Minister is here, I will ask him this question: have his Department's officials been in contact with DAERA officials in relation to a business case for the allocation of that £25 million to an agri-food market intervention scheme?

**Mr Murphy:** Yes, my Department continues to engage with all Departments to assess the bids that they have made and to ensure that the money is spent appropriately. I have no doubt that the Department of Agriculture will make further bids relating to market interventions in the time ahead. Like all sectors, it will continue to struggle, and we have to continually reassess what the requirements are. The Executive have to try to prioritise where they see that finances are needed most immediately and allocate funds accordingly. Through my officials, we will continue to engage with all Departments, including DAERA, on what, they feel, are the pressures and urgent situations in their sectors and how we might best meet those.

**Mr O'Toole:** I thank the Finance Minister for making the statement to the Assembly today, albeit that, as others have said, some of it was brought to certain media outlets beforehand. Does the Finance Minister agree that Northern Ireland faces two long-term problems, crises even? One is that we are the most underinvested and unproductive part of the UK or Ireland. The second is that our Government have a long-term structural challenge in getting capital spending out the door. Those two challenges are related, as we have seen today: we have a capital underspend of hundreds of millions of pounds, and I am afraid that today's monitoring round is another missed opportunity to set long-term priorities for investment. Does he agree that, later this summer and in the October monitoring round, his priority and the priority of the Executive should be setting long-term economic goals and ensuring that we have the proper capital spending to emerge from the COVID crisis and, finally, to get our economy working properly for our people?

**Mr Murphy:** I do not disagree with the Member's assessment of some of the challenges that we face. There is no doubt that the backdrop to people asking me to welcome spending is the long-term underinvestment here. We welcome any additional assistance, but we are not blind to the situation that we find ourselves in.

Yes, of course, bringing forward capital spend in a timely manner will be the most challenging aspect of our public spending this year. We have lost the first quarter. Construction is only beginning to ratchet up and get back

to a position in which it can be fully active again, and, undoubtedly, supply chains will continue to be affected by the COVID crisis across the world. That will be a significant challenge. A number of months back, I asked Departments to bring forward capital programmes to make sure that schemes that may have been ready to go were brought to that state of readiness, rather than sitting back and starting to go through assessments, business cases and things like that. We have been engaging regularly with the construction sector. My Department has the responsibility to engage with that sector to make sure that we understand its state of readiness to come back and the type of works in which it can engage. All of that is geared towards ensuring that we can spend as best we can the capital that is available. Capital spend and ensuring that people are working will be one of the key areas in invigorating the economy. It will also be a key area in making sure that we get the money spent, and that is why, as well as trying to do all that is necessary, we have ongoing discussions with Treasury to ensure that we have flexibility at the end of the year, while recognising that it will be a challenge.

The Executive are having a broader discussion on the economic recovery. With issues like this, it is not simply about what money you get and where you allocate it, it is about how the system of government works to assist with doing things better to get more value from our spend and ensure that it contributes to a growing economy.

**Mr Muir:** Other Members have outlined the significant underspend of capital moneys. Financial transaction capital moneys have proven difficult to spend. We have not been able to utilise our borrowing powers to make capital investment, the overall focus of which is to safeguard and create jobs. As part of the ongoing Executive discussions, will the Minister give serious consideration to whether we should have an infrastructure commission or panel, similar to those that other parts of the UK already have, to drive delivery and to safeguard and create jobs?

**Mr Murphy:** We can look at any and all measures. The Strategic Investment Board already assists us and gives advice to Departments on big projects. Clearly, we want to get that capital money spent. There was an underutilisation of financial transactions capital last year, as you say. One of the issues was the loss of legislation on the housing sector. I understand that that legislation has its Final Stage this afternoon. I hope that that will bring about improvement in accessing that FTC. I agree with him: we need to do that. We need to access it better, spend it better and ensure that it is used to grow the economy. The measures are there for us. There are other resources, such as Peace Plus, the international fund and our investment fund. The Executive need to take a collective overview of those resources to ensure that they are used to support the priorities that they have set themselves for economic recovery.

**Mr Givan:** I welcome the inclusion in the statement of the £2.5 million for administration costs in relation to victims' payments. Will the Minister engage with the Treasury to ensure that the funding of that scheme is delivered? Furthermore, will he assist in ensuring that the Department of Justice is the designated Department and that any hurdles being created around capacity and support from the wider Civil Service will be overcome? Is his party now

fully supportive of the scheme being fully implemented and victims receiving the payment that they deserve?

**Mr Murphy:** The Member is correct: it is the Treasury's responsibility to fund the scheme under its funding payment process. The Department that devises the scheme and legislates for it is responsible for its delivery and for the finances for its delivery. We have not, as yet, got an assessment from the NIO or the Treasury of what the cost of the scheme might be, while they try to offload responsibility for it. The Member will be aware that the scheme and the processes to which all of the parties agreed in the Stormont House Agreement a number of years back are not replicated in the victims' pension scheme that is being delivered to us by the British Government. It clearly departs from the agreement that the five parties and both Governments came to. In that regard, it is a different scheme, and we have no costs or estimations of the costs for it. Those are issues that we as an Executive, collectively, have to continue to fight with the Government and the Treasury.

The money that I have allocated is to set up the administrative side of the scheme. It does not lend itself to the matter of which Department might be responsible for it. It is a matter for the Executive Office to make a call on that in the first instance. The allocation is simply about providing a resource to set up the mechanics of the facilities needed to deliver such a scheme. Decisions then have to be taken around how it works, who funds it and what Department leads it. Those are decisions for the future.

**Mr McHugh:** Thank you for your statement. In many respects, it is not surprising to hear that education and health take the greater part of the Budget. I appreciate the continuing support for the City of Derry Airport, which is located in my area. We know that it is important for connectivity. Another element of connectivity that concerns me — internet connectivity for the rural community — relates to our young people and businesses. It will be more vital in the future for distance learning and the like of that.

**Mr Murphy:** I am pleased that we have managed to deliver so much funding across a variety of Departments. Of course, connectivity is vital. The Member mentioned the airport. All of the airports have a huge role to play in our connectivity, not just in connecting people to places but in connecting economies. Following on from our last discussion about funding that was to be made available by the British Government, some of the confidence and supply money that we managed to secure and some of the NDNA funding is to be put into connectivity, particularly in rural areas, through the Project Stratum broadband connection scheme. While we were prepared to look at supporting the Department for the Economy on that, we did not give up on the struggle to get the money that had been committed by the British Government. We got that, and I hope that the scheme will roll out as quickly as possible.

#### 4.00 pm

Connectivity will continue to be a challenge, for airports, roads and the rail network, but particularly for broadband. We have seen, over the course of the last three months, that broadband connectivity is more vital than ever, for the connection of families, businesses, and the ability of people to work from home and have more flexible working arrangements. It will be hugely important, and the sooner

that we get all those connectivity issues addressed, the better for us.

**Mr Buckley:** While I welcome the broad allocation, I direct my question towards the further financial allocations for Translink. Surely, the Minister shares my deep concerns regarding the management and oversight of Translink throughout the COVID-19 period. It did not furlough staff, costing the NI block grant budget £3 million per month. It ran trains with, supposedly, only four passengers on board, at a cost of £4,000 per journey. Bad behaviour and mismanagement seems to have merited further budget allocations. Surely, that deserves further scrutiny.

**Mr Murphy:** The public transport network is vital to us. If we are to talk about returning to economic activity, and the return of pupils to school, public transportation is a key part of it. We need a properly functioning public transportation system. It needs to be resourced by the Executive, because such systems rarely pay for themselves. They will always need subsidy by the Executive. They need to connect rural areas, which are very unprofitable routes. All that said, we need to make sure that we do it in a way that stands up to scrutiny. Clearly, concerns have been expressed about the ongoing costs of Translink to the Executive.

I have asked the Infrastructure Minister to bring a paper about Translink to the Executive, so that we can have a discussion, look behind the scenes and see how we can improve it. Effectively, the cost of keeping the company afloat is about £10 million per month to the Executive. While the Executive have expressed a very firm view that we want to keep a public transportation system working — it is vital to all those areas of recovery and society — we need to ensure that it functions efficiently. Therefore, I have asked the Infrastructure Minister to bring us a paper about that.

**Mr Catney:** I welcome you back, Mr Principal Deputy Speaker, and wish you a speedy recovery.

I welcome the fact that the Minister is looking into the barriers to the allocation of FTC. However, that has been long looked at by different Finance Ministers. I hope that you are the Minister who can deliver this. The allocation has been an issue for the Assembly for a long time. Some £92 million unspent is a lot of money.

In the Minister's speech, I saw that there was no help for single-person businesses and sole traders. These businesses received no COVID support. It has been indicated to me that the monitoring round could address that gap. I have already asked about help with VAT. Will the Minister keep these businesses in his mind? They are crying out for help, as I said earlier. They need any help or support. Keep in mind that they are the backbone of our small rural and urban Northern Ireland economy.

**Mr Murphy:** I outlined that, last year, a significant amount of FTC was returned, and one of the issues was that the necessary legislation was not passed for the housing sector. Hopefully, that is nearing completion. However, we face the challenge of having lost the first quarter of construction activity, which would normally utilise capital budgets. It has been effectively brought to a halt, for a quarter of the year at least, and perhaps it will only gradually reopen over the next quarter. That will be a challenge.

Nonetheless, we are talking to all the Departments about how to access FTC. Additional support and advice is available from the Strategic Investment Board. We want to utilise this, and it is available to us. We want Departments to be able to spend it. We know that it is an important part of trying to assist economic recovery.

In relation to the support, we have not as yet allocated the £53 million that was surrendered by the Department for the Economy, but we have had a discussion on it and we want to try to find ways to support those businesses that did not qualify for the business support grants. It will be more challenging than the first tranche of money, because the cases are more complex and there are more uncertainties around them, but we have to find arrangements to do that. We engage with those sectors on a regular basis. I am sure that the Department for the Economy is engaging with them as well.

**Mr Nesbitt:** I am sorry to say that I feel huge caution about welcoming the start-up money for the victims' payment scheme or pension, as it is more commonly known, because I am not confident that Sinn Féin accepts the qualifying criteria. I am sure that the House would agree that it would be beyond cruel to offer victims hope today and, then, dash that hope tomorrow.

My question to the Minister is this: do you consider yourself a victim?

**Mr Murphy:** No, I do not. I may have qualified under the terms of the scheme, but I do not personally consider myself a victim. The Member knows that we did reach an agreement. I am not sure whether he was part of the Stormont House negotiations. The mists of time have started to cloud my brain at this stage. The five parties reached an agreement. It was a very complex, complicated and challenging agreement. We tried to reach an agreement, if he remembers back — I am sure that other Members do — because the toxicity of the legacy issues was impacting on the work of the institution. The parties sat down determinedly to try to agree a range of legacy mechanisms on which we could all come to agreement; not just those which everybody wanted, but those which we could all stand over. Both Governments stood over that. It was handed over to the British Government to legislate for it, and they changed the terms of reference for the victims' pension. They also decided that, rather than making a contribution or being responsible for it, they would hand the costs of it over to the Executive, uncoded, under the terms that they have now set for it. The Executive have no idea what the costs of that will be.

Of course, I want to offer victims some comfort. I recognise that there has been an attempt to play off what is clearly a point of political difference in the departure that the British Government have taken us on. Regardless of how the five parties reached an agreement, or the Dublin Government's involvement in that, they have taken us off in their own direction and are now trying to play off the fact that we disagree with it against those who are most deserving and need very quick access, as I fully understand, to the support that may come from the victims' pension. The quickest way in which to resolve it is for the British Government to come back to the type of process that we agreed. Let us do the thing fairly and get it resourced properly by those who are responsible for resourcing it, and let us get it out to victims.

**Mr Middleton:** I thank the Minister for his statement. The Committee was disappointed when it received the briefing that £2.5 million has been taken away from the £4.7 million that was allocated to the Department for the Economy. What message does that send, particularly to those who are involved in skills and how we move forward at this difficult economic time?

**Mr Murphy:** First, I want to say that the monitoring round paper is agreed by the Executive as a whole. I make propositions, and the Executive can agree, disagree or amend as they see fit. Therefore, the decision on the allocation or reallocation of various sums of money is taken by the Executive as a whole. Of course, there is flexibility in the Department for the Economy to consider that skills area to be a higher priority than other areas and to reprioritise that money itself in order to meet the skills issue. Of course, I indicated to the Economy Minister that I am happy to continue the dialogue and discussion with her and others. We are coming back to the idea of economic recovery, and skills will, undoubtedly, play an important part in all that. The Executive will have further allocations to make in the time ahead.

**Mr Gildernew:** Go raibh maith agat, a Phríomh-Leas-Cheann Comhairle, agus tá fáilte romhat ar ais. You are very welcome back, Mr Principal Deputy Speaker.

I appreciate that the Department of Health will receive a degree of support for which other Departments would, no doubt, be glad. However, just £14 million has been allocated of the £69 million that was estimated for New Decade, New Approach commitments on transformation. How do the Executive plan to address that shortfall and the shortfall for surge planning, given the financial pressures on the Budget?

**Mr Murphy:** There will continue to be pressures on the Budget. As I said, while the COVID-19 allocations have been very welcome and, quite clearly, were needed to ensure that the health system could cope with the additional pressures that it would face from the pandemic, we were, nonetheless, dealing with huge pressures in health, particularly with regard to transformation, before COVID-19 arrived. The most frustrating aspect of the British Government's reneging on their commitment under NDNA is that quite a bit of that funding was going to be allocated to health transformation. I have undertaken the job on behalf of the Executive to continue to press the British Government to live up to and honour the commitments that they made under NDNA, which were to assist us in those matters. If it is the case that they continue to hold out, the Executive will have to find money to meet all those priorities from their own limited resources. That means that other priorities will, undoubtedly, slip as a consequence.

**Mr Lyttle:** Thank you, Principal Deputy Speaker. It is good to see you back.

The Finance Minister expressed concern for the Department of Education overspend in 2019-2020. By how much did the Department of Education overspend? What explanation did the Finance Minister receive for that overspend? Does he agree that the Education Minister should lift his suspension of work on the independent review of education as one way to attempt to address this financial crisis in education?

**Mr Murphy:** It is really not for me to prescribe what the Department of Education does with its allocation. It has a budget allocation, which was an increase this year, and, then, it brings forward bids, and we expect it to bring forward reprioritisation and surrender some money that it considers is not needed in the time ahead.

In relation to the overspend last year, it is concerning and it is reduced. I do not have the detail of exactly where that overspend occurred, but we will continue to work with the Department to try and address that issue. I know that the Education Minister is committed to doing that. It will be a matter for the Committee to provide ongoing scrutiny with the Department in that regard. Clearly, we will want to assist it in doing that because while we are trying to manage the spending of the budget, we cannot allow ourselves to run into overspend situations where those can be avoided.

**Mrs Cameron:** Welcome back to the Chamber, Mr Principal Deputy Speaker.

I thank the Minister for his statement and very much welcome the extra moneys that have been made available to the Department of Health at this critical time as we emerge from the first wave of COVID-19. On PPE provision, what role will the Department of Finance play in working towards Northern Ireland being self-sufficient in manufacturing its own PPE supplies?

**Mr Murphy:** One of the lessons that we have learned from the pandemic is around critical health supplies being procured from the far side of the world because they happen to be cheaper, and we need to re-evaluate how we do our own procurement. We have a very strong, efficient and innovative manufacturing base here, and it clearly showed that when sections of that manufacturing base stepped up, reprofiled their manufacturing and were very quickly able to turn out critical supplies for the Department.

I wrote to the Health Minister earlier this week to say that when the Department is looking at future supply, it should not simply look at price — and I know that it does not look at that alone — but security of supply and assisting the local economy have to come up the procurement evaluation list.

There is a sector here that is willing to step up. We will not have the experience of trying to compete with other larger international players on the other side of the world, trying to navigate our way through very complex systems to get very necessary and vital medical supply. Thankfully, we have now secured a supply from China. From the Health Department's own assessment, it will be enough to carry us through the possibility — and we have to plan for the possibility and, indeed, the probability — of a resurgence of COVID-19. If that coincides with winter pressures, that will put significant pressure on healthcare staff. So, we are in a position now where that early critical issue in the COVID pandemic outbreak is now in a much better place, and that has been through the good work of the Health Department, the Finance Department and TEO officials in securing that. That was such a big, big challenge. One of the lessons that we have to learn is how we have more security of supply, and security of supply means that it is made on this island, or on these islands, and, therefore, it is much more accessible to us.

**Ms Mullan:** I also welcome you back, Mr Principal Deputy Speaker.

Like my party colleague, I welcome the funding for the City of Derry Airport. I particularly welcome the funding to extend free school meal payments over the summer. Minister, do you agree that now that we have a mechanism in place to make such payments, Departments should work together to continue to tackle holiday hunger and food poverty?

**Mr Murphy:** From my witnessing of it, there has been, I would suggest, much greater cross-departmental cooperation in the response to the pandemic. It is another one of the lessons that needs to be carried forward from the experience of COVID-19. I know that there has been quite a lot of collaboration between the Department for Communities, the Department of Education and the Department of Health in relation to some of those. The earlier scheme in relation to childcare support that came out of the Department of Health and the Department of Education was not administered satisfactorily, and there was a significant amount of underspend. It was an unnecessarily complicated scheme.

#### 4.15 pm

I hope that the money now given, which is between the Department of Health and the Department of Education, for childcare is administered in a much more efficient way that sees it getting out onto the ground where it is needed. The other schemes, where there has been collaboration between Communities, Health and Education at varying times, are hugely important. I think that, as you correctly point out, the issue of holiday hunger is not just a consequence of the COVID pandemic. It is an ongoing issue, and I would like to see more collaboration in that regard. When you do that, it makes a much better case to the Executive, through the Department of Finance, for the funds and resources necessary for these very worthy schemes.

**Mr McGrath:** Mr Principal Deputy Speaker, we welcome you back in your role here today, and also look forward to seeing you at Committee again tomorrow.

I thank the Minister for his very comprehensive statement, most of which I read this morning online. It includes £2.5 million for the victims' scheme that has not started and does not have a budget. We are led to believe that we do not know the full list of who will be entitled to it, never mind it not having a lead Department to deliver it.

My question relates to transparency. When was the return made from the Executive Office to the Department of Finance? I am not speaking today as Chair of the Committee for the Executive Office, because we did not get that return until last Friday, when it was too late for us to be able to give it consideration and come back to you here today. Do you think that that is acceptable, given that we have a new era of openness and transparency?

**Mr Murphy:** Well, the way monitoring round papers are done is that an initial paper is produced, and then there is an ongoing exchange between the Departments in relation to it. For instance, I had a meeting subsequent to that with your own party colleague in relation to her allocation. Some Departments write back to us; some Departments speak to us. They are either satisfied or not satisfied, or they feel that a bid that they made was less important to them than another one which was not secured, or not recommended to be secured. That is an ongoing process.

It comes back, eventually, to the Executive, and the Executive have an opportunity to have their say in relation to that.

The Member will know, through his particular role, that the issue of the victims' pensions is a very thorny issue. While he expresses dissatisfaction that it has not been moved on, he will know where the problems have been created in relation to it. The £2.5 million is to help get the apparatus in place so that, when agreement is reached, the system is ready to go, but the Member will understand that there are very significant problems in relation to the British Government's handling of all this — their attempt to rewrite the agreement that was made at Stormont House and their attempt to pass on an, as yet, uncosted bill to the Executive for our resourcing of that particular issue.

**Miss Woods:** Mr Principal Deputy Speaker, it is good to see you back in the Chair.

I thank the Minister for his statement. The Minister has outlined a number of departmental bids received and accepted or surrendered. In light of safety concerns for employees returning to work this week, notably in the hospitality sector, some businesses are introducing COVID training. Have the Minister or his Department, through the June monitoring round, received any bids from the Department for the Economy to fund this training, or other similar training? If so, does the Department for the Economy intend to spend it? Who is to deliver it? Has he any information on that?

**Mr Murphy:** I have to say that I am not aware whether a bid was received. I can certainly ask the officials to come back to you, just to be clear about that. I do not want to say that there was none received; there may well have been one. In relation to tourism and hospitality, in particular, I very much recognise the difficulty that it is facing. We have always said that it was not just a matter of rates relief, which we obviously targeted towards that as one of the principal sectors, to the end of the year. There was also going to be a cost attached to re-entering into business in terms of training and whatever physical infrastructure had to be put in place to allow tourism and hospitality — and also retail. I ventured out into the retail world at a shopping centre last Saturday, and you could see very clearly how people have begun to try to make sure that their staff are protected and the systems within shops are operating correctly, which is entirely the right thing to do.

Partly, the £10k and £25k support grants were intended to try and allow businesses to invest in restart when they had the rates break, although I know that there were other bills that had to be paid. I hope that it did go some way towards that. The furlough scheme obviously took care of staff salaries up to 80%, and many businesses topped that up to 100% from their own resources. They can be commended for doing that.

I am not certain whether a bid was made in relation to that. It is recognised that there is a cost attached to it. The primary issues I was on the receiving end of tourism industry lobbying about were the date for restarting and the how people could not make it work in relation to 2 metres versus 1 metre distancing and how they would operate in those circumstances. Those were the primary things that we are hearing from them. If there is additional cost, I am very happy to talk to the Department for the



Economy if it identifies that as a particular need that is unmet.

**Mr Allister:** I want to return to the £2.5 million that is labelled "victims". Is it just window dressing, so long as Sinn Féin maintain its despicable veto, blocking innocent victims from receiving a pension? As long as that continues can the £2.5 million even be spent? If it is not spent, what happens to it?

I note that the Executive Office is getting half a million pounds for press work, something that it is not in the bids. It did not ask for it. It is not in the bids on page 24, but it is in the allocations on page 29. What is the half a million pounds for press work for?

**Mr Murphy:** TEO bid for the £2.5 million for victims payments to do administrative work, and it would have to justify how it intends to spend the money from that bid. If for some reason it decided not spend it, it would be surrendered at the next monitoring round, but the Executive Office has bid for money to spend on setting up the administrative structure necessary to deal with that.

It is not simply Sinn Féin that has a disagreement about victims. The entire Executive disagree with the idea that they should pick up the cost for that, which is as yet not costed, from the British Government. I think that a substantial number of people from outside Sinn Féin and in other parties have issue with the fact that the British Government rewrote the Stormont House Agreement, changed the nature of victims' payments and decided to change the criteria on that. That was an agreement that was worked out between five parties and two Governments. If the British Government decide under their own funding policy statement to bring a different policy forward to legislate for something different to which the parties agreed, the British Government are responsible for that.

To address the issue of the half a million pounds allocation, one of the key issues of keeping businesses alive has been the advertising that has come from the Executive Office on COVID-19. That has been a lifeline to many small newspapers and to radio stations. I recently had a discussion with one of the radio stations, and it told us that that effectively had kept the doors open. So, it is not simply a matter of spending on spin doctors and putting out statements. There has been an advertising campaign that has been a vital lifeline to much of our small and independent media.

**Mr Principal Deputy Speaker:** Under the more loose arrangements that we have because of COVID-19, there are 21 minutes left. If anyone wishes to ask an additional question of the Minister, they should rise in their place. Poor Robin Swann got this a fortnight ago. Members, if you rise in your place, I will put your name on the list, and I will try to get as many Members in as possible.

**Mr Nesbitt:** I think that the Minister said that there was £2 million for sport. Can he provide the detail?

**Mr Murphy:** Unfortunately, I cannot because I do not have the detail. It is a question for the Department for Communities. The Department bid for more than £2 million, and £2 million was all that we were able to afford, with £4 million for the arts for resilience in the arts sector. I am sure that that will be welcome. I think that the £2 million is for resilience in the sports sector. I am getting the nod from my officials, so, yes, it is for resilience. It is for people

to try to keep the doors open, not for specific schemes. We can get you some detail, or I am sure that the Department for Communities will get you some detail on that.

**Dr Archibald:** I too welcome you back and hope that you are feeling better, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement, and I welcome the allocation to business and skills in the June monitoring round. Obviously, there is an underspend on some of the business support grants, and we hope to see that reallocated to further support for businesses. Looking forward, as the economy begins to reopen and looking at the experience of other countries and, obviously, that of England, where Leicester is going into a lockdown of its own, we may potentially see similar things here. The Minister will know the concern that was raised last Friday in a meeting that we attended with hospitality businesses in Causeway Coast and Glens that there might be a need for specific support for businesses in those areas or some further flexibility around the job retention scheme. Does the Minister intend to make the case for that with the Treasury?

**Mr Murphy:** The Member is correct; that was raised at a meeting that she attended. It is something that the Executive will want to consider that, if we end up in lockdown in a certain sector, what we do to support the staff. Not just in the hospitality sector, it could be a factory or a school. Medical discussions and advice, in the last number of weeks, have looked at what future resurgences of COVID might look like and the experiences in some other countries around clusters, not a widespread resurgence of the pandemic. Those issues, and what things would look like if there was a specific geographical or sectoral lockdown, need to be considered.

When the First and deputy First Minister announced last week some of the sectors opening up, it was on the basis of partnership. The Executive have provided what support we can but everyone has to play their part in making sure that the guidance, as best as can be, is being followed. Where it is difficult to maintain two metres, people put in whatever mitigating measures that they can to make sure that there is no resurgence of the virus. It is in the hospitality and tourism industries' interest to ensure that we do not go back to a sectoral or geographical lockdown. That would have a very damaging impact on the economy generally, but particularly in those sectors. This is a partnership; it is not just a matter of handing down guidelines and hoping. It is in all of the sectors and the economy's interests that we all, collectively, do all that we can to continue to suppress the virus, as we have been doing. The behaviour, by and large, has been exemplary.

**Mr Frew:** The Minister talked about, and has dedicated a page to, the transport sector. We know that there is money held in the centre for transport support. I am not blaming the Minister, because I do not believe that it is his problem, but I do not see anywhere in his statement a bid to support the haulage industry. What is the Minister's take on it and why will the Infrastructure Minister not bring forward a bid to support haulage companies?

In my previous question, I asked about the overcommitment currently standing. The Minister said it was in his statement but I cannot find that answer. I ask, again, what is the Executive's current overcommitment for this Budget year?

**Mr Murphy:** One of the things that this pandemic has thrown up, in stark relief, is the sheer complexity of all the sectors that we are dealing with, the overlaps and the way that they fall between Departments. For example, someone has responsibility for regulations and others have responsibility for some economic aspect; the cross-departmental nature of all that has been brought to the fore.

Whether it is haulage, private coaches, taxis, various other sectors or airports, that fell between three Departments. The Department of Finance took the lead on it with the support of the Department for the Economy, and Infrastructure. Some of these issues fall between departmental responsibilities and, to be quite honest, as Finance Minister, I am not overly worried about who takes responsibility. Whether two departments or one, somebody needs to bring forward a policy proposal to say, "Here is a sector, here is the impact, here is what is needed to fix it. Can the Executive allocate the support? Here is how it would be distributed in that sector". We need to see that and we have not seen it yet in a range of issues. That is why the pot that we had held aside for transport is shrinking because we have made further allocations to Translink and the Department for Infrastructure, as part of this statement and monitoring round. That pot is now down to £29.5 million. There was a discussion at the Executive, albeit briefly as these things are challenging when operating remotely, between the Departments for Infrastructure and Economy around getting their heads together on some of these issues. I look forward to propositions coming.

You asked about overcommitment and I did not answer. There is none in the Budget this year. After all the allocations and the DEL resource money is allocated, £2.7 million capital and £180 million financial transaction capital is unallocated, but there is no overcommitment.

**Mr Beggs:** I thank the Minister for his statement and, in particular, the £20 million that he has allocated to Translink, but that is considerably less than its needs. Will the Minister advise what discussion he is having with the Infrastructure Minister and Translink to ensure that the directors can meet their requirements under company law, and that we can continue to have a public transport service provided in Northern Ireland?

#### 4.30 pm

**Mr Murphy:** I assure the Member that I am meeting the Minister for Infrastructure. I know that he was doing his Chair duties and out of the Chamber at the time, but the question was asked earlier, perhaps from a less supportive position than his and more critical of the company and its ongoing financial requirements. I said that it was about £10 million a month, which is a significant level of support from the Executive. Nonetheless, as the Infrastructure Minister knows, there is a commitment to make sure that the company does not fail. A public transport system is a vital part of our society, of our economy, of connectivity and getting schools functioning again. We want to make it work, but we want to make sure that the company is run in the most efficient way possible and that it is not continuously seen as a cash drain, as some Members undoubtedly see it, and that we get a good-value public transport system that works for us.

I have had discussions with the Infrastructure Minister, and, as part of the paper to the Executive, I have asked her

to bring forward a discussion document on that so that we can have a look at what Translink's requirements are. You are right that we have not met those, but we could not have met what they have identified as their requirements for this year under this allocation. It would have used up more than was available to us for that one company alone.

**Mr Principal Deputy Speaker:** Mr Jonathan Buckley.

**Mr Buckley:** No, I withdrew my question, Mr Principal Deputy Speaker.

**Mr Stalford:** Mr Matthew O'Toole.

**Mr O'Toole:** I go back, briefly, to the question of press support. I welcome that, and I have spoken to the Finance Minister about the need to support our local media. Will he give a little more detail on the intention to support local, regional, community media through advertising? May we have some more detail on whether he is looking at rates support? It looks like that they will struggle far beyond the initial COVID wave.

There is also an allocation in here for culture and resilience. I and other Members have been talking to our arts sector, which has been on its knees. Will he work urgently with the Communities Minister to make sure that that money gets out to our artists, who disparately need it?

**Mr Murphy:** On the first issue, the Member has raised the issue of the local media on a number of occasions. Undoubtedly, the small regional papers and the regional radio stations rely very much on commercial advertising to keep them afloat. My local newspaper — 'The Newry Reporter' — went out of print for maybe two months before it came back. That, undoubtedly, was a huge burden for a small local paper to deal with. The advertising revenue from the Executive has been important.

I am actively looking the issue of rates for them. As he knows, there are different sectors. There are small, independent, family-owned businesses, there are there are larger conglomerates, and there are some international players in our local media. We at actively looking at giving them support.

In relation to the arts, undoubtedly, that sector has suffered. This £4 million is probably not as much as they would have wanted, but we had to try to disperse the limited resources available to us across a range of priority interests. I will be happy to talk to the Communities Minister to make sure that it is distributed as quickly as it can be. It is hugely important to keep the arts functioning. With the lockdown, they have lost the ability to generate income, and we have to recognise that too.

**Mr Allister:** I think that the figure for free school meals over the summer is around £12 million. Is that precedent now set for succeeding years, or is that a one-off situation?

**Mr Murphy:** It is a one-off payment, but I hope that the idea of the policy that has emerged is a precedent. I sincerely hope that, but, of course, that will be a matter for the Departments responsible to bring forward. This bid was for a scheme this summer, but the issue of holiday hunger has long been identified, and no steps have been taken to address it. If the pandemic forces us into a situation where it is being addressed, I sincerely hope, speaking from a political perspective, that that is a precedent and that we do get into looking after those children over the summer as well.

**Mr Lyttle:** Will the Minister detail the purpose of the additional £10 million allocated to transport?

**Mr Murphy:** From memory, the additional £10 million is to cover the lost income for transport. There is £20 million allocated to the Department for Infrastructure in relation to transport issues, and some was allocated to Northern Ireland Water. I will get the Member the detail, but I think that £10 million of that was to do with lost income. Translink has been projecting the cost to them of lost income for the rest of the year, which is well over £100 million, and the Executive have been able to allocate on a periodic basis money to keep it afloat from month to month. Bigger questions arise in relation to Translink that need to be looked at.

**Mr McGrath:** I note that there is £6 million for paramedic services. Will the Minister assure us that, whilst a monitoring round allocation is often a one-off payment, that money will help the Ambulance Service, going forward, given that in rural constituencies such as mine and his, many people are left for far too long to wait for ambulances because they are trapped in urban areas?

**Mr Murphy:** I hope that that is the longer-term outcome, obviously, from a constituency interest point of view. Generally, bids are made in monitoring rounds for particular pressures that a Department faces, so I do not necessarily have the detail on the pressures that prompted that bid. Of course, I am happy to support the health service generally. It has been under enormous strain. It is under enormous strain on a continuous basis, but, obviously, it has been under significant additional strain as a consequence of responding to the pandemic.

Clearly, the Ambulance Service is an important part of rural health provision, and we rely on it very much in the areas that we represent. The bid would have been for a particular pressure. What the Health Department spends into the future will be a matter for you, the Health Committee Chair and others to interrogate.

**Mr Muir:** Mr Principal Deputy Speaker, I echo the words of other Members and welcome you back. It is good to see you in your place.

The Belfast campus of Ulster University was seen as one of the ways of utilising financial transactions capital funding, but we are now told that that will not happen and that £25 million will have to be replaced from capital funding. Why is that? Why are we not able to use financial transactions capital for that project?

**Mr Murphy:** We would have been able to use financial transactions capital, but the Department for the Economy made a bid to transfer it into capital money because there was capital money available. That is to do with ensuring that Ulster University has the financial resilience to carry forward that significant project and look forward to other projects that it will be involved in. Perhaps an explanation of some of the rationale behind that approach would be better asked of the Department for the Economy. It was not that they could not avail of the financial transactions capital; there was a request to give them a grant of capital rather than a loan, which we did.

**Mr Catney:** Minister, on your way home, if you take the country road out towards Lisburn, there is a beautiful little bar called Robin Stewart's — it used to be owned by Jackie, who is now retired. The point that I am trying to make is

*[Laughter]* that there is a new owner of that establishment who is spending great money and has great ideas for the bar. It was founded in 1610, and it was a spirit grocer's. Contrary to what people say about me, I would be willing to step up to the bar first and buy a pint if you would find the time to get out there. My only "Get out of jail" card is that that might be contrary to the ministerial code of conduct.

**Mr Principal Deputy Speaker:** We will all drink to that.

**Mr Murphy:** I think that the price of a pint comes in underneath the threshold for bribery. Generally, when I go home, I go on the motorway, so I do not pass too many pubs.

I am aware that, particularly in the hospitality industry, people continue to struggle. Those people are being very innovative and are investing their own money in their businesses, into which they have put their life and soul over many years. We need to assist them in whatever way we can. As I said in response to previous questions, part of that is the financial assistance that we give them, but it is also about things like planning, licensing laws and other measures to make sure that our hospitality sector, which is a key part of our economic product, is supported in every way possible.

**Mr Principal Deputy Speaker:** Thank you. No other Member has indicated that they would like to ask a question.

**Mr McAleer:** On a point of order, during the Finance Minister's statement, the AERA Minister released a written statement on the allocation of the £25 million agri-food market intervention scheme. Given that this is a sitting day, perhaps it would have been appropriate for the Minister to come to the Chamber to release that statement and leave himself open to questions from Members given the seriousness of and the huge public interest in the issue.

**Mr Principal Deputy Speaker:** Standing Orders are clear: when a Minister is due to deliver an oral ministerial statement, that Minister:

*"shall make a written copy of the statement available to members".*

It will not be delivered to the media first. It should not be. It has been established practice and convention in the House that Ministers deliver statements to the House rather than issuing them as press releases and then coming and reading them out in the House. I will have the Speaker's Office write to the Chair of the Committee outlining the behaviour that is expected from Executive Ministers in issuing statements. I hope that that satisfies the Member.

**Mr Buckley:** Earlier today, I raised a point of order with Deputy Speaker Beggs regarding deputy First Minister Michelle O'Neill's attendance at the funeral of Bobby Storey, where we witnessed breaches of social distancing. I asked that her conduct be reviewed by the Speaker's Office and referred to the Members' code of conduct. Further to that point of order, it has now come to my attention that the Finance Minister, Conor Murphy, was also in attendance. I ask that the Speaker's Office also rule on Mr Murphy's conduct via the code of conduct. This may well be a breach of the Pledge of Office, which states:

*"to support, and act in accordance with, all decisions of the Executive Committee and Assembly".*

This blatant breach of COVID-19 regulations will be seen as a total insult to the many families who have buried loved ones in isolation. The House must prove that no one is above the law, especially Ministers who collectively brought forward such regulations.

**Mr Principal Deputy Speaker:** Similar issues were raised with me before in the Chair about the conduct of Ministers. It is important, and I will have the Speaker's Office write to the Member about that. Part of the points of order process is about conduct inside the Chamber and dealing with conduct inside the Chamber, but there are elements of it that reflect conduct outside the Chamber. If the Member wishes to raise his issue in writing with the Speaker's Office, I am sure that he will be furnished with a written reply.

## Executive Committee Business

### Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020

*Debate resumed on motion:*

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

*The following motion stood in the Order Paper:*

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

**Mr Principal Deputy Speaker:** The Minister had delivered his address and the next Member to speak was the Chair of the Committee for the Executive Office, Mr Colin McGrath, but we will take a few moments so that Members can clear out.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** Thank you, Mr Principal Deputy Speaker. Of course, for all the Members who have left, it is their loss not to hear my remarks.

Further to the Minister's remarks, I promise to talk only about the amendment that is presented to us today. I give that pledge, unlike him, who went on to give us a list of all the other easements that have been made since. It was great to hear about all those, but I will stick to discussing this amendment, given that, in some instances, it was so badly handled.

As has always been the position, the Committee welcomes the lifting of the restrictions when the time is right. We are all acutely aware that the public eagerly await news on what restrictions are being lifted and when, but, with that news, questions flood in from our constituents, and they are sometimes questions that we cannot answer at that stage. I am sure that all Members now expect to receive calls as soon as announcements are made.

When considering the last set of regulations — the amendment (No. 4) regulations — the Committee noted the time difference between the date that they came into operation and the date that they were debated. They came in on 21 May but were not debated until 16 June. Between those times, there was not always clarity on what restrictions were being lifted and what that meant in practice.

In the light of this, the Committee agreed to write to the First Minister and deputy First Minister. Perhaps the junior Minister will relay the message to the ministerial team: if amendments are being made, the Ad Hoc Committee should sit on the Thursday immediately afterwards to give Members the opportunity to seek clarity on questions that have been raised. Often, announcements are made on a Monday or a Thursday, after the Executive meet. However, an Ad Hoc Committee meeting, with a Minister present, on a Thursday afternoon would allow Members to ask the questions that have been raised with them in the intervening time. It would allow us to give that direct clarity back to our constituents rather than having to write through ministerial offices or ask questions in the Assembly. It

would be a very helpful approach for Members, so, if possible, I make that suggestion. The Committee has not yet received a response to the suggestion, but, hopefully, it can be given some serious consideration.

#### 4.45 pm

I will now make a number of points in my role as an SDLP MLA. I want to reiterate the remarks that I made on behalf of the Committee on the confusion in our communities about the decisions the Executive are taking. They are now only loosely connected to the road map and, once again, we are left with constituents scratching their head and wondering what the implications are for them. To use terms such as “close contact services” but not detail what they are effectively makes the announcement verge on the useless. We end up with people from across many different sectors contacting us to ask whether we know — and we do not — and we have to try to search and find out who is the relevant person within a Department to give an answer. Often, by the time we find the answer, somebody else has gone public with it, and we are then copying the information from news websites.

This typifies the announcements. They are sometimes a little bit scant on detail and plentiful on confusion. The timings and briefings are being done behind the scenes: they are almost pointless as announcements. As I say, rather than grandstanding upstairs at 4 o'clock in the Long Gallery, it would be better if we could get an update in the House that we can interrogate, so we can find out what is meant by it. That is further to the remarks that you made about this, Principal Deputy Speaker.

There has been much confusion about this amendment and the process for it. The timing of the emergency addition to the powers on fines was a little bit misjudged. To penalise people for gathering safely and within the guidelines, as they saw it, was, possibly, wrong. However, it is not for this place to determine whether that was appropriate; it is for the police and other authorities. If one was cynical, you could suggest that the power to issue fines was added in a rushed manner to enable the control of planned demonstrations that were taking place in the days after. However, in the Health Committee — I do not want to steal the thunder of the Chairman — we asked specifically about that matter, and we received assurances that the amendments were not introduced quickly to allow fines to be handed out at those events. Therefore, I am quite happy to take people at their word as they have given that assurance to a Committee.

To not support these amendments today would mean that the relaxations that were introduced would be overturned. It would mean that weddings and civil ceremonies would, once again, be banned and other restrictions, such as the number of people who can gather in public places, would be reduced. I am not sure that is what many grandparents who have been able to meet their grandchildren for the first time in months would want to see. I am not sure that it is what those who live alone and are, at last, able to go out and meet with small groups of friends want to see. I am not sure that it is what the public, in general, want to see.

I will support the amendment and the relaxations that it contains. However, I hope that officials and the relevant Ministers are aware of the impact that their oversights can cause, with the negative impact that they can have on community relations in the North. They must exercise

absolute care in the future to make sure that there is no repeat of this exercise. Thank you.

#### **Mr Gildernew (The Chairperson of the Committee for Health):**

I will update the House on the Health Committee's consideration of the statutory rules. The Chief Environmental Health Officer (CEHO) briefed the Health Committee on the amendment (No. 5) regulations on 18 June. He reminded the Committee of the rolling requirement to review the regulations every 21 days and the requirement that restrictions be lifted as soon as they are not considered necessary, given the impact on many aspects of citizens' lives. He also reminded Committee members of the process by which relaxations are developed by Departments, brought to the Executive, risk-assessed, and considered by the Chief Medical Officer (CMO) and the Chief Scientific Adviser (CSA) before a decision is taken.

It was noted that all the related regulations have come via the urgent procedure under which they come into effect but that they must be confirmed by the Assembly within 28 days. Although doing that is to miss out the important SL1 stage, and the opportunity to influence policy that that provides, in urgent circumstances, it should allow the Committee to be briefed and for it to look at the regulations' initial effect before coming to a view.

The Committee asked a series of questions about the laying of the amendment (No. 5) regulations and their staggered commencement that resulted in enforcement provisions coming into effect on the day on which they were laid, whereas other provisions came into effect two days later. The Chief Environmental Health Officer advised that an omission in the enforcement provisions of a previous set of regulations — the amendment (No. 3) regulations — was noticed only when finalising the enforcement provisions for the amendment (No. 5) regulations. He said that the opportunity was taken to correct the omission as quickly as possible. Asked about the urgency, given the lapse of time since the original error, the CEHO explained that the PSNI already assumed that the missing enforcement provisions were in place, as no one was aware of the omission.

Concerns about the application of the enforcement provisions had been raised in a briefing to the Committee by the Committee on the Administration of Justice (CAJ) and Amnesty International. The briefing argued that an inconsistent approach was taken by the PSNI to issuing fines for participation in different protests in the days after the regulations came into effect. Particular concerns were expressed about penalties issued at Black Lives Matter protests. The CEHO said that the timing of the enforcement provisions coming into effect the day before the protests was coincidental but acknowledged that, with hindsight, it would have been better to bring the correction into effect the following week. He stated that he could not respond to concerns around operational elements of police activity. The Committee also asked the CEHO about the distinction between a socially distanced protest and queues such as those that we have all seen outside large retailers. He advised that the purpose of easements was to facilitate small groups of friends and family to gather outside and was not intended to cover large groups.

Members enquired about public understanding of the regulations, since they stipulate what is permissible. The CEHO acknowledged that, in amending the original

restrictions on activity by allowing further reasonable excuses to leave home, the structure is now becoming unwieldy and may need to be reconsidered.

Members discussed at some length how best to address their concerns. They recognised the distinction between the legitimate cause of the protest and the potential public health and enforcement issues arising from the way in which it was organised and policed. There was further acknowledgement of the fact that COVID-19 has negatively impacted on BAME communities.

The Committee agreed to support the regulations, but, given the concerns outlined, we also agreed to write to the Justice Committee and to forward to it the briefing paper received from the CAJ and Amnesty International.

The Committee was briefed on the amendment (No. 6) regulations on 25 June, and again, the CEHO outlined the main changes described earlier by the junior Minister. Having enquired about the impact of easements on the transmission rate — or R number — or other relevant metrics, the Committee was assured that there is an ongoing downward trend across the various figures measured. We welcome that.

Members highlighted some apparent disparities emerging in the opening of certain types of businesses before others. The CEHO acknowledged that, given the current pace of change and the role of individual Departments in bringing forward proposals for easements, there is a need to address some inconsistencies, and he advised that work is ongoing to do so.

Members enquired about when addiction supports such as Alcoholics Anonymous or Gamblers Anonymous meetings could resume. They were advised that consideration was being given to whether such meetings fall within an existing category of easement. Further questions were asked about the safe operation of caravan parks and restaurants, and the Committee heard that the Department for the Economy is to produce further guidance for the hospitality sector.

The CEHO also confirmed that the guidance in question is non-binding, although open to legal challenge if felt to be incorrect. Members enquired about the speed with which revised guidance is made available to councils and were informed that it is available quickly on the Department's website and sent immediately to councils' heads of service for environmental health. The CEHO also referred to previous Committee requests and confirmed that the guidance is now available in several languages.

The Committee has written to the Department to seek further information on the scientific evidence on which the sets of amendments and other decisions are being based and on the type of data-sharing that is informing decisions in border areas. It is fair to say that there remains a degree of concern around the potential impact of easing restrictions and the safeguards for those at greatest risk as lockdown eases. Reference was made to the Chief Scientific Adviser's comment that he is worried about the low numbers of people in shops etc who are wearing face coverings.

With regard to potential gaps to the amendments, the Committee is also aware of the significant issue of partners not being able to accompany women to antenatal appointments and into delivery and maternity

wards. That has had a particular impact on women with health conditions, and there are important opportunities for bonding and attachment at those key moments of life. Members were advised that the matter was under consideration and that it would not require a legislative amendment. The Committee has written to the Department to urge that consideration be given to that, and to the matter of facilitating safe visiting at care homes. We heard from the Minister today and he has indicated to us that that, hopefully, is an area that will be progressed, and we welcome that.

Finally, as a Committee, we explored the potential to reinstate the restrictions that are being relaxed, should that prove necessary. We were advised that although there would not be a technical issue in doing so, the Department was very much aware of the challenge in asking the public to once again accept restrictions. The Committee agreed to support the statutory rule.

I will make a couple of brief marks in my role as Sinn Féin spokesperson for health. We have concerns with how amendment (No. 5) to regulation 6A was introduced through a technical amendment on 5 June, which was the night before the Black Lives Matter protests in Derry and Belfast. We need to clarify why that approach was taken, and the concern has been justifiably raised by the Committee on the Administration of Justice and Amnesty International. As Chair, I raised those concerns at the Committee for Health and we wrote to the Department of Justice regarding those. We also forwarded the letter that we received from CAJ to the Justice Minister. However, I want to be clear that the concerns raised relate to the mechanism used — the technical amendment — and the timing of that on the night before the protest, which introduced a breach of regulation 6A as an offence within a number of hours and gave people very little notice of when that would come into play. The concern is not regarding the health protection amendments.

There have also been concerns raised regarding the policing of the protest, and Sinn Féin will scrutinise and hold the PSNI to account, as always, via the Policing Board. I am also aware that the Police Ombudsman has launched a review into that. We support the regulations.

**Mrs Cameron:** The retrospective nature of these debates somewhat limits the merits of discussing the changes that have been referred to. It is clear, however, that the overwhelming public mood is one of welcoming the easing of the restrictions. MLAs were lobbied by many who were seeking changes that were affecting them, including by businesses that are keen to get up and running again and so on.

Good government is responsive government, and I commend the Executive for listening and acting accordingly. One of the most positive changes that has been referred to is the change that allows a return to a wider and more normal family life. Allowing a single household to mix with another household was a very welcome move. This has been a lonely time for so many, not least for those who live alone. Likewise, the outdoor gathering restriction being eased to allow for groups of 10 to participate in an outdoor gathering made a great difference to families and friendships. It is just a shame that the weather did not necessarily agree.

One of the biggest challenges is to get business moving again and to support our retail, hospitality and tourism sectors, and to ensure that they survive what has been a tsunami that has devastated many local businesses. I know from speaking to businesses in my constituency of South Antrim that there is a steely determination to survive and to get things moving again. As consumers, we need to reward that determination with loyalty: loyalty to the local clothes shop, to the family hardware store and to the coffee shop that offers the best local produce.

Obviously, since the restrictions have been lifted, we have made considerable further progress in returning to some form of normality. I pay tribute to my colleague Diane Dodds, the Economy Minister, for driving forward “with a get Northern Ireland moving approach”, and I know that that is greatly appreciated amongst the business community. I know that Diane will not stop with the support that she gives to local businesses in the days and weeks ahead.

We must work collaboratively with local councils to ensure that we work in tandem in delivering support, whether that be in easing outdoor trading rules or in mentoring and advice.

In conclusion, I urge the Executive to look at some of the outstanding restrictions that remain. Those who are looking forward to a wedding day need greater clarity on the timescales for changes to the rules.

#### 5.00 pm

We need a ramping up of our health service, whether that is in terms of surgery, outpatient appointments or the attendance of mothers and fathers at maternity appointments. I welcome the announcement that the Minister of Health has just made on hospital and care home visitation, and accompaniment at maternity appointments. I also want to encourage office workers to return to their places of work. The shutters that are down on many streets are those of non-retail premises but the imagery is one of closed town centres. We need those workers back into their offices as soon as possible to help support our high streets. The same applies to public-sector workers. There should be no hierarchy in how workers are treated. It is vital that we stay safe and save lives, and work safely and save lives.

**Ms Bradshaw:** I support the regulations as amended. I have said in the Chamber before, but want it to be recorded again, that I do so with some discomfort. I, like many others, look forward to the time when we no longer have to amend the health protection regulations and that life for our people has returned to normal. I place on record, therefore, my concern that announcements on the lifting of restrictions and amendments to guidance seem to take place in the media before meetings of the Assembly, in particular the Health Committee. As the threat of the pandemic dissipates, we should be given sufficient opportunities to scrutinise and engage on proposed amendments on issues that are so important and far-reaching for our constituents.

It remains vital that we do not forget those who are clinically vulnerable or those who are caring for them. The proposed reopenings that were announced last week were good news for many people across the community, and there was certainly something for everyone. However, we must remember that those shielding must remain doing so

until 31 July and cannot, as it stands, take advantage of most of the reopenings. We will need to consider how we not just ensure that they do not feel pressurised into taking risks that they are not comfortable with, but provide them with support to access public services.

On top of that, I remain concerned by the lack of absence of reliable data on which to base our decisions on easing lockdown. I received a very useful document from the Department on how it is calculating and using the R number. I am still content that the reopenings take place over a period of weeks so that we can assess the latest recorded infection rates and ensure, as far as reasonably possible, that what we are doing is not leading to a rise in cases.

We are still told that we are being guided by the science. We need to know what scientific guidance was sought and what scientific guidance was presented. That is particularly important because we will need public support if we need to manage any outbreaks, like the one we see in Leicester today, over the next few months. The more information that we can provide the public with, the better.

I have some concerns that we are not addressing with precision the lessons learnt elsewhere. The risk from the virus is clearly determined by the environment. Indoor facilities with poor ventilation are particularly risky. I am concerned, therefore, that we have opened up and are opening up indoors, and in particular certain indoor locations, sooner than we should. I would like to see the scientific evidence on which these decisions are based to provide some reassurance.

Like Mr McGrath, I am also a little concerned that openings are announced without full and appropriate guidance being in place for business service providers, potential customers or whoever to enable them to fully prepare. That often causes practical confusion but also serious safety concerns. For example, what exactly are the mitigations allowing one-metre distancing? Why were those not stated clearly at the time that the change was announced? Again, that reduces confidence that decisions are being led by scientific guidance and genuine public health considerations.

In addressing the regulations in general as they are being amended, I remain concerned that some people are being left out of the due consideration. The longer that we go without seeing the scientific guidance and public health considerations upon which these decisions are based, the less that the public will have confidence in them. It is, therefore, essential that decisions are not just announced but explained.

I again put on record my thanks to the public for their consideration during these difficult few months. Significant challenges remain. I emphasise again that, despite the very low levels of transmission, we need to be cautious. We need to maintain the basics, not least hand hygiene, appropriate distancing and ensuring that our gatherings are of an appropriate size.

**Mr Chambers:** I support the relaxation of regulations, and I welcome other relaxations coming down the line, always with the caveat, of course, that they are based purely on scientific and medical advice. The Health Minister today addressed the Health Committee. Members will have heard him over recent weeks in the Chamber refusing to be drawn into making comparisons with other regions of the United Kingdom or with the Republic of Ireland.

Today, however, he said that he felt that he had to say that, in terms of transmission rates, we are probably the best placed of all the regions of the United Kingdom or the Republic of Ireland.

That is down to the emergency legislation that we have all had to operate under in recent months. It is also down to the fact that the people of Northern Ireland have cooperated fully with the regulations. There have been people who have, foolishly, decided to breach and break the regulations. Fortunately, however, they are in a minority.

The chief environmental officer, whom the Chair of the Health Committee mentioned, gave the Health Committee a briefing earlier this month. He openly admitted that there had been an error in the wording of the enforcement part of the regulations. Bearing in mind that this is an emergency, the regulations are all emergency legislation, as are the relaxations. You have to accept that we are making law without the benefit of the normal levels of scrutiny that law needs in order to be put into force. We have to accept that, from time to time, human error will creep in. Unfortunately, on this occasion, human error did creep in.

He also admitted that when the legislation was changed — I think that it might have been on a Friday — he was not aware, and I take him totally at face value, that a protest was planned for the next day. He also said, as the Chair mentioned, that, with hindsight, it might have been better to delay that part of the legislation for one week.

I have said it at the Health Committee, and I repeat it today: I fully and totally support the motivation behind the Black Lives Matter protests — as long as everything is done peacefully. We have seen, in some parts of the world, where it has not been done peacefully. You cannot support that. However, I totally support the motivation behind the protests. I say to the organisers of the protest that perhaps it was ill advised to call a large public gathering in the middle of a pandemic. I think that it was ill-advised. Perhaps they, with hindsight, would say that it might have been better not to have called so many people onto the streets.

There was a lot of talk in the Health Committee about conspiracies, and all the rest of it. There was no conspiracy. It was human error that caused the legislation to have to be revisited and changed.

A lot of people in Northern Ireland have made huge sacrifices. People have cancelled weddings, people have lost a lot of money through lost deposits, and people have been heartbroken about that. However, the biggest sacrifice in Northern Ireland has been around the funerals of loved ones. We know the psyche in Northern Ireland and how much weight we attach to the wake and everything that goes with it.

Just the other day, I watched a hearse stop in the middle of the road, not far from a home, and a wife go over and kiss the side of the hearse to say goodbye to her husband of 60 years. He was in a coffin in the hearse on its way to the crematorium. She was not permitted to travel to the crematorium with her husband. She had to say her goodbyes in the middle of a public street, in front of the public. Saying goodbye to a loved one is one of the most personal things that any of us ever has to do.

People have made huge sacrifices. I believe that to go to that protest that day and to any other protest, people are ill advised and fly in the face of people like the woman whom

I have just described. How does she feel when she sees large gatherings of people? We have seen it again today in Belfast.

**Mr O'Toole:** Today, we are again debating retrospective changes to the coronavirus regulations; regulations that we all, I think, agree were necessary. The restrictions on our liberty have been enacted to protect the public. As other Members said, in Northern Ireland, notwithstanding the immense grief and sorrow caused by several hundred deaths, we have perhaps succeeded in restricting the rate of infection and controlling the virus. People who have made immense sacrifices, as Alan Chambers said, can take heart from that.

We are debating retrospective changes to the coronavirus regulations, and that is the frustrating part of the way in which we have done the process over the last few months. I understand the reason for it, but it is still frustrating. I say up front that I support the retrospective regulation changes in the sense that it would be odd not to, given that they have already happened, though I share the concerns raised by some about the regulation change coming in quite late before the Black Lives Matter protest. Indeed, I raised the issue several weeks ago with the Justice Minister.

However, given the strangeness of having to debate retrospective regulations and with your indulgence, Mr Principal Deputy Speaker, I would like to reflect on something else; another forward-looking regulation change that is happening this Friday. This Friday, in Northern Ireland, pubs are opening. Pubs that serve food inside will be opening to members of the public, as announced recently by the Executive. The Executive have made much, correctly, of the need to do that. Given the low infection rate in Northern Ireland and the extreme level of sacrifice and economic cost, it is right that those restrictions do not remain in place any longer than they have to, and the decision was made to open pubs in Northern Ireland. Let me say up front that I do not have a problem with that. I grew up working in pubs. I care a huge amount about our pub and hospitality sector. They are enormously important not just to our cultural lineage on this island but to our tourism offer and to how we do community life. I think that we should invest more in our pubs. However, I am very concerned about the fact that the Executive have chosen, in a completely unforced and slightly inexplicable way, to open pubs on a Friday. Why?

In the Republic of Ireland, pubs opened yesterday, which was a Monday. Next Monday, pubs will open in Scotland. They will open in a controlled way, serving food. Members may have seen some of the images of pubs serving food in Dublin and other parts of the South yesterday. People were socially distanced; it was planned. Lots of the customers were older, retired people who were able to go in at lunchtime for a quick drink and perhaps a bite to eat. It happened in an ordered, planned way. It gave the staff the opportunity to deal with that immense change on a Monday afternoon when things are naturally quieter. In Northern Ireland, we have made what is, to me, the bizarre, inexplicable decision to open pubs on a Friday, in midsummer, after a payday and after three and a half months of being closed.

Pub staff will have to deal with — I hate to call it “black eye Friday”, but I do not know what it will be. I do not like to predict things that none of us wants to happen, but I



have grave concerns about the unintended consequences of what seems like a very unthought-through decision. I would love the Minister to give us some indication of why the Executive did not simply say that the pubs could open in a socially distanced and planned way yesterday or next Monday or even today so that publicans who wanted to do the right thing — I support publicans and the sector, and it is right that pubs open — had several days to get their premises ready, their staff used to the principle of social distancing and get themselves in a place where they could do this properly. Instead, we have taken the slightly surreal and, I am afraid, risky decision to open pubs on a Friday in midsummer.

#### 5.15 pm

Earlier, the junior Minister said that the risk from COVID-19 remained in our community, and he was right. We know what has happened in Leicester. We know that the virus is nowhere near going away. It is also true, as he and other Ministers have said, that we now need to give businesses, workers and us as individuals the tools that we need to manage the risk, given that we in Northern Ireland and across this island have achieved a lower rate of infection than was the case several weeks ago. However, it is the job of the Executive — they have patted themselves on the back enough — to give the public the best possible framework for managing the risk. I am afraid that opening pubs at the height of midsummer after a payday without any preparation is daft and inexplicable. I make much of my experience of work in government. Well, I worked for many years in pubs in Downpatrick and elsewhere, and I would not want to have to deal with a pub reopening on a Friday for the first time in several months. I just ask the Minister to reflect on that.

**Miss Woods:** I thank the Member for giving way. Would the Member agree that it is crucial that staff safety is at the heart of the reopening of the pub and hospitality sector and that it was a missed opportunity not to have the voice of staff heard on the reopening before this Friday? Would he also agree that no jobs should be lost in that sector after its reopening?

**Mr O'Toole:** I completely agree. I know that the Member has even more recent experience of the hospitality sector.

I really want us to get this right. Like lots of people, I want to enjoy safe socialising this summer. I want the pub industry to get back on its feet. Frankly, I would have loved them to get back safely yesterday or today, which would have been safer. It is a bizarre decision, in the middle of summer, to reopen pubs on a Friday. Perhaps the Minister could offer clarity on why that is happening.

**Miss Woods:** Like others, I will comment on the retrospective relaxation of regulations stemming from an announcement made some weeks ago and on the opening of certain types of retailers, amendments 5 and 6 allowing elite athletes to restart training and certain groups of workers to access childcare, which has been circumvented by further announcements by the Executive last week. There are issues around the restrictions on gatherings and enforcement powers that need to be addressed.

The Executive seem to be picking and choosing which restrictions to lift from the menu of options laid out in their plan. I find the announcements made so far hard to correlate with the five-step approach. That raises

questions about how they use scientific and medical evidence to come up with that plan and how they use it to make decisions as we speak, given that we do not have the evidence to look at. The manner in which the amendments are made show clearly that the five stages of the plan have not been followed in a linear way and that the recovery plan is not joined up. It seems that some of the most important issues, such as childcare and worker safety, are being treated as afterthoughts, following the relaxation of restrictions on workplaces. The approach that the Executive are taking of picking and choosing what to do next is resulting in more questions than answers and sowing confusion among those seeking clarity on their circumstances on what they should do after each announcement.

Instead of pandering to whomever shouts the loudest, we need a strategic and coherent approach that takes into account the cross-cutting nature of measures to reopen our economy and support our families. A strategy for childcare and schools, comprehensive workplace guidance and support mechanisms should be in place before we expect people to fully return to work, not thrown together afterwards. Guidance should be sector-specific and work for people in that industry. My inbox has been filling up with emails from business owners who are not only confused by the guidance and its lack of detail but are reading pages and pages that do not apply to them.

Like my colleague who spoke about the reopening of pubs, I want to mention the hospitality sector and the guidance specifically. It is something that I have spoken about many times before, and I declare an interest as a temporary, part-time member of staff in a pub. The guidance issued to the hospitality sector included a section about the use of personal protective equipment (PPE) in hospitals. That does not apply to pubs. I want to reiterate how difficult this will be for pub staff, most of whom are on minimum wage in some of the most insecure employment in our economy. They will have to deal with crowds on a Friday with no security and with guidance that is completely up in the air and left to each owner and manager to do by themselves. They have nowhere to go to get clarity from the Executive, so they come to the likes of me and other MLAs. That is not good enough, because, folks, we are talking about staff safety here.

Many people that I have spoken to are literally freaking out because they will catch coronavirus by the end of the summer if we are not careful. They are not being given the guidance in the detail that they need, so we are effectively just letting them work. Customers will come in, and we just have to take it that they are following the guidance and are in a bubble or are members of the same household. We do not know. What will happen when there are a few pints in? We really have to think about this. I would love to have a conversation about it. If anybody wants to have a conversation about the realities of working in the sector at the moment, please come and speak to me. My door is open.

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

**Miss Woods:** I will.

**Mr McGrath:** Does the Member agree with my earlier remarks that that is the very purpose of having an opportunity for the House to question the Ministers a few days after the announcement is made, rather than what

we have been doing, which is having a couple of weeks of speculation and then, four weeks later, amendments are laid and we need to get clarification? Would it not be good if we could get the clarification a few days after the announcement?

**Miss Woods:** I thank the Member for his intervention. I completely agree. I heard his earlier comment, and I could not agree more. That is what the Ad Hoc Committee should be for. It should be used weekly by any number of Ministers. I would be happy to sit here to listen and question them on every question that I get in my inbox or by phone.

We really have to think about this. Business owners and employers are doing their best, but some of them are doing a lot more than others, and we really need an opportunity and an open line of communication to get actual answers for business owners. This is a matter of staff and customer safety. This is not about the economy; it is about people's health. The basics need to be covered, and people need assurance that the steps that they take are the right ones not only for their customers but, importantly, for their staff's safety, as I have said. It should not be a copy-and-paste job. The guidance must be issued fully in conjunction with the sectors and with the staff that it affects.

As regards today's regulations, every time guidance is issued following an announcement, many more questions need to be answered. People are being left in the dark. Ministers must consider this properly and give us the much-needed clarity, as it is fundamentally missing. We have had situations reported to us that business owners are getting mixed messages and different advice depending on which MLA or MP's office they contact or which council area they are in. That creates confusion and does not bode well for the people who need certainty in order to reopen safely.

We have an issue with restrictions on gatherings and protests as well. I think that everybody here can agree that there have been more difficulties with enforcement than are needed. There have been examples of how the gaps are being tested. Major holes have been identified, and enforcement has not been equal across the board. We have had scenarios where fines have been issued and others where they have not. Some protests and gatherings have been clamped down on, and others have been let go. As has been pointed out by Amnesty International and the Committee on the Administration of Justice, the regulations do not address the right to protest alongside the need to protect public health. The lack of clarity has led to the police using regulation 6A in the context of protests, fuelled by the inconsistencies that we have all witnessed. Ministers need to address urgently the issues around enforcement, and I hope that the junior Minister can take this back to get actual details for the Chamber. I fully agree with Amnesty:

*"The right to protest is a fundamental human right, which may be limited in a public health emergency, but limitations must be proportionate, meet the test of 'legal certainty' – this is, the rules must be clear - and not be enforced in an arbitrary or discriminatory manner."*

If the Executive's decisions on the relaxation of the regulations are informed by scientific and medical evidence, the Executive should publish that advice.

Every announcement should carefully consider all those it may affect and give the necessary detail, otherwise it opens wider questions and does not bode well for public confidence at a time when it is needed most.

**Mr Carroll:** It is good to see you back, Mr Principal Deputy Speaker, and I wish you good health in the time ahead.

It is a damning indictment of the political establishment and, indeed, the PSNI's approach that, throughout the crisis — a health pandemic in which workers' safety has been risked by large employers and some of the most vulnerable have, essentially, been left to fend for themselves in care homes where conditions should, at the very least, be the subject of a public inquiry — the only section of our society that has been specifically targeted with a large number of fines, cautions and threats of prosecution seems to have been Black Lives Matter protesters who were taking part in safe, socially distanced events. The issue should be treated with the utmost severity by all in the Chamber because, if the regulations are ratified here today, it will send a crystal-clear message that the Assembly supports discriminatory punishment for anti-racist protesters. I want to lay out in no uncertain terms why that is the case.

We are being asked to support two amendments to the regulations — the amendment (No. 5) regulations and the amendment (No. 6) regulations. The amendment (No. 6) regulations, as we have heard, allow for the lifting of restrictions on workplaces such as non-essential retail outlets, allowing people to gather in their hundreds in queues at IKEA and other shops. Given that the R number, at least last week, was still close to 1 and we have little of a test and trace system to speak of, that could risk the health and safety of workers and see them taken off furlough and put back to work before we can be absolutely sure that it is safe.

At the same time, the Executive ask us to pass the amendment (No. 5) regulations, which were used by the PSNI to fine and threaten BAME protesters for taking a safe stand against racism. You do not need a fine-tooth comb to find the glaring hypocrisy there. Indeed, despite warnings from various medical experts, virologists, workers and trade unions about rushing to reopen the economy — we have heard some already — the Executive seem intent on ploughing ahead. Those in the hospitality sector in particular, as we have heard, have been very clear that they do not believe that there is a means for them to socially distance in their workplace. What is the response of the Executive? Closed ears, the creation of a recovery panel without one trade unionist on it and a Boris Johnson-esque approach that puts profit over the health of our communities.

When it comes to the kinds of gatherings that do not make a profit and are entirely socially distanced, as was the case with the Black Lives Matter protesters on 6 June who gathered in solidarity, fed up with systemic racism, the Executive take exactly the opposite approach by doling out special police powers to facilitate repression and discrimination and giving the PSNI political cover to carry out that repression. Anyone who listened to press statements and interviews by Arlene Foster, Michelle O'Neill and Naomi Long in the run-up to the Black Lives Matter protest could see that political cover was being given to police actions. The Justice Minister's comments, almost immediately after the protests, that police actions

were proportionate were particularly disgraceful. They were out of touch with reality and were a dangerous intervention in support of the police actions, which are now being widely described as discriminatory.

One week later, it should be remembered, another crowd gathered in response to the Black Lives Matter movement, including elements of the far right who have threatened the presence of black people, minorities and refugees on our streets. Not a single fine was handed out on that occasion, despite the fact that, clearly, there was no attempt to implement social distancing. I challenge the Minister to tell me in his response how he can comfortably claim that that is not discriminatory policing. I challenge the Justice Minister to take action on that disparity in a manner that she has, thus far, refused to do. If she is able to intervene to comment on the fines for Black Lives Matter protests, there is no good reason why she cannot highlight that blatantly inconsistent approach and work to make sure that it does not happen again while she holds the Justice Ministry. It should be pointed out that other gatherings that were not of a political nature were also allowed to proceed unchallenged, shop queues being the most widely covered. One has to ask this: if the Black Lives Matter protesters had been holding their placards and chanting outside IKEA or Tesco or were in swimsuits on a crowded beach, might they have met with an entirely different fate? That, incredibly, seems to be the case. How can anyone here sit comfortably with that?

Life, according to Stormont, as we are being asked to approve it today, is one where shops, bars, hairdressers and more should open in order to facilitate the Executive's rush to kick-start the economy even if workers in those fields do not feel safe, rather than taking steps to consider an entirely different economic model that is not entirely predicated on profits.

If those same workers decided to engage in safe, socially distanced, anti-racist protests, they will have the book thrown at them. It is frankly disgusting. In my view, parties should not support the regulations today, especially those MLAs and parties who claim to be opponents of state repression, but will likely endorse this dangerous farce.

### 5.30 pm

As has been recognised by human rights organisations, such as Amnesty International and the Committee on the Administration of Justice, the treatment of BAME and other protesters was disproportionate. That Stormont handed down those powers without a democratic vote at the final hour on Friday 5 June makes the situation all the more insidious. Who can say that that does not seem targeted? It seemed entirely contrived to police BAME protests the very next day. Imagine the gall that it must take for some in the Chamber to claim that it was just a coincidence. We see you and those protesters see you and your comments. Every anti-racist in the North sees through that attempt to whitewash the issue.

Today, I am asking everybody who is uncomfortable with last-minute, seemingly contrived acts of discrimination against anti-racists and the BAME community to oppose the amendment (No. 5) regulations. To those who say that they must pass because there are elements in them that are good and that do not relate to the policing of the protests, I say do not use that pathetic excuse. It was entirely within the gift of the Executive to not table the

regulations today and to bring only the elements that do not relate to the policing of protests, just as swiftly as they were able to force the regulations through in the first place. If they can do it at 5:30 pm on a Friday, they can sure as hell bring an amended form of the regulations for ratification on a different day.

We live in a society with a clear race problem, a deeply disturbing level of racist incidents and appalling treatment of refugees and asylum seekers. At times, we have had more incidents of racism than sectarianism, yet 86.5% of racially motivated hate crimes go unsolved. What a startling figure. That is 50% less than any other hate crime. A 13.5% success rate is a failure that has put the lives of many people at risk.

Some 79% of asylum seekers recently reported that they are unable to afford enough food. Some 71% of asylum seekers who are parents here reported being unable to afford school uniforms for their children. Those are just some of the figures that highlight the problems that we face in society. The broader point is that attempts to address those policy gaps have been stalled by subsequent Executives for over a decade. There is clearly an institutional problem here, right at the heart of Government: from the top of the Executive right down to the PSNI on the streets and their response to the protests. Instead of tackling the problems of institutional racism, the Assembly is potentially adding to them by rubber-stamping legislation that was used to unfairly target BAME and anti-racist protesters. No other group in society has had those penalties imposed on them despite organising public gatherings. I appeal to all parties and call on MLAs to reject the amendment (No. 5) regulations and stand in solidarity with those who were unfairly penalised during the socially distanced Black Lives Matter protests. Black lives matter.

**Mr Principal Deputy Speaker:** Before I call the next Member to speak, when the Minister entered the Chamber, she walked in front of the Member while he was speaking. That is considered a discourtesy. I am sure that she did not mean one, but I think that most of us have been here long enough to know that.

**Mr Allister:** Thank you, Mr Principal Deputy Speaker. It is good to see you fit and well and back at your post. I will try to say nothing that will upset your recovery.

**Mr Principal Deputy Speaker:** Withdraw [*Laughter.*]

**Mr Allister:** Today, something of a pall of hypocrisy hangs over the Executive with their COVID regulations. For months now, on a nigh daily basis, up in the Long Gallery, the First Minister and the deputy First Minister and/or substitutes have lectured the people of Northern Ireland about the inescapable necessity of standing in favour of and implementing each and every one of the regulations. "We are all in it together", we were told. When families found it very, very difficult, when burying their loved ones, to abide by these regulations, the deputy First Minister went on record to say that no one was above the law. Today, we saw that she thinks that she is above the law; that the Finance Minister thinks that he is above the law; and that other Sinn Féin Assembly Members think that they are above the law. This very day, the credibility of the Executive on these issues has been shredded by a joint leader of the Executive. What a commentary that, as we meet to debate restrictions such as this, the joint leader

of the Government is out on the streets of west Belfast flagrantly breaching the very regulations that she put in place.

**Mr O'Dowd:** On a point of order, Mr Principal Deputy Speaker. Mr Allister may have a view on whether breaches occurred today, but it is not appropriate for a Member to stand up in the House and accuse another Member or a Minister of breaking the law. It is not appropriate, and I do not believe that it would stand under Standing Orders.

**Mr Principal Deputy Speaker:** The best that I can say — sorry, I have to rise to respond — in relation to that is that the Standing Orders, rules and conventions of the House instruct Members to be temperate at all times in what they say and how they say it. Mr O'Dowd, you have put your comment on the record. Mr Allister, you have put your comment on the record as well, and I will allow you to resume.

**Mr Allister:** Thank you. I will express it in the very terms in which the Executive express the rule about funerals on nidirect. This is the guidance of Michelle O'Neill. This is the guidance that, in this Building, she has lectured us all on. This is what it says:

*"The funeral should be private and only the following should be there, up to a maximum of 30 people".*

This is the up-to-date guidance:

*"up to a maximum of 30 people (this figure does not include funeral directors or other people needed to officiate)".*

There it is. This is what Michelle O'Neill tells the rest of us, across Northern Ireland: when it comes to the most difficult issue of all — funerals — they should be "private" and:

*"up to a maximum of 30 people"*

should be there. Yet, today, in flagrant defiance of her own guidance, she takes herself, as a joint leader of the Government, to west Belfast to breach the very guidance that she puts upon the rest of us. That is why I say that the Executive, today, shredded their own guidance. The Executive, today, have lost all credibility when it comes to saying to ordinary people, "Do what we say". It is not a case of, "Do what we do" but "Do what we say". That is the inescapable, orchestrated, predetermined message from Sinn Féin and its leadership today. It is not, "Do as we do"; it is, "Do as we say". That is contemptible. Utterly contemptible.

The junior Minister has had to come today and tell us why these regulations are so essential to us. I notice that he is getting no help from junior Minister Kearney. He is not here today to answer the debate. Is it embarrassment that keeps him away? Is he running away from the questions as to why his leaders were in flagrant breach of the regulations today? Is that why it has been left to junior Minister Lyons to handle this alone? It is an appalling indictment of not just the dysfunctionality but the double standards of this miserable Executive, that they say to ordinary folk in the depths of grief, sorrow and despair, "You cannot go to your friend's funeral. You cannot be there". As Mr Chambers told us, even a widow cannot go to the crematorium, but Michelle O'Neill and the rest of them however can go in the throngs unlimited to the funeral of a

terrorist. That is a commentary in itself on this Government and their regulations.

Mr Deputy Speaker, I want to turn to some of the specifics of the amendment (No. 5) and amendment (No. 6) regulations and deal specifically and primarily with the issue of marriage. The amendment (No. 5) regulation introduced a revision of the amendment (No. 4) regulation, which, you will recall, related to dos and don'ts and what must be open and what must be closed. It deals at paragraph 6 with places of worship. The amendment (No. 5) regulation put into regulation 4(6) the subparagraph stating that a place of worship may be used to:

*"solemnise a marriage ceremony, subject to—*

*(i) the ceremony taking place outdoors; and*

*(ii) a total number of ten persons" —*

which, I do not think, will be affected by the 30 provision —

*— "being present in the place of worship".*

What does that mean? It says:

*"solemnise a marriage ceremony, subject to—*

*(i) the ceremony taking place outdoors; and*

*(ii) a total number of ten persons being present in the place of worship".*

It does not say "at" the place of worship; it is "in" the place of worship. What does that mean? We have been told in guidance and everything else that you can have only outdoor weddings — fair-weather weddings, as I have called them. That in itself is a burden too far. I do not see any logical, compelling reason for the provision that weddings can only be outdoors. Yes, I understand a limitation on numbers, but I see regulations that state that a place of worship can be used for funerals, inside; can be used to broadcast from; and now, under the amendment (No. 6) regulation, can be used to provide childcare but cannot be used for a wedding.

#### 5.45 pm

We have reached an utterly illogical position. You can use a church for a funeral. You can now go to it for an act of community worship, or use it for childcare, but you cannot get married in it. That act of worship is excluded. I say to the junior Minister that the Executive need to urgently address the glaring — glaring — inconsistencies in these regulations.

What have they got against marriage? What is it about marriage, that you cannot be married in church? There is no justifiable shadow of a reason why that should be. You can now have religious services, Bible readings, all of that, with no limitation on the numbers, but the one thing that you cannot do is get married. You can have your kids minded in childcare, but you cannot get married.

That is absurd. It is the absurdity of that which brings regulations, such as this, into disrepute, but it is as nothing over the self-inflicted disrepute into which these regulations have been brought today by the deputy First Minister.

**Mr Principal Deputy Speaker:** The final Member to speak is Mr Daniel McCrossan.

**Mr McCrossan:** Mr Principal Deputy Speaker, it is good to see you back in your role and, hopefully, fully recovered from your recent illness.

From a societal point of view, there is considerable confusion in relation to how this entire process has been handled. At the outset, when COVID was coming towards us, and we could watch the impact it was having right across the globe, instead of preparing, we were doing very little. Then there was an automatic panic reaction of closing everything or, in some cases, a debate about closing everything, refusing to do so, and then coming back later that day to the Chamber, in the case of the Education Minister, and announcing the closure of schools

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

It seems that this entire process around COVID-19, and the preparation for it, to ensure the health and safety of the general populace, has been badly handled, messily handled. Like other Members, I appreciate that it is an entirely complicated, unprecedented situation.

In the early stage, it was, "Close everything. Shut everything down. Shut your businesses." It is important to recognise the huge sacrifice that has been made by all sectors of our society, and the business community, who have been closed and their doors have been shut for many months. Our healthcare staff, nurses, doctors and front-line workers, for the last number of months have sacrificed their lives and well-being to ensure that we were safe, cared for and looked after in hospitals. Their sacrifices were huge, so huge that we will never be truly able to thank those who have stepped beyond all boundaries to help and protect our population from the threat and risk of COVID-19.

My concern is that, as we emerge from COVID-19 — we still remain in a place of significant uncertainty as to the true impact ahead could be — we are simply now, instead of following a phased reopening, announcing, in a lucky-dip sort of approach, the reopening of this, that and everything that may suit the agenda of particular Ministers, or the First and deputy First Minister, at the Executive.

It is unhelpful in many ways because, whilst we are minded to continually think of those who have made considerable sacrifices throughout this pandemic, there is a reckless or loose reopening, and a lack of guidance around what is expected in the reopening of our society across all sectors. If that is not handled properly, we will return to square one. We are seeing patterns emerge in various countries right across the globe where spikes are happening in the pandemic and infection rates are going up in certain towns and villages.

Members of society are concerned, and rightly so. They have put their trust and faith in us as legislators and in the Executive to ensure that, whatever action we take, it ensures the population's safety. However, as many Members in the House will know, over the course of the past number of weeks, we have been inundated by constituents asking us to clarify the guidance or announcement that has been made here. For example, one of the earliest announcements was about hotels. People could book a hotel, but we could not tell them the date. That is just an example of the inconsistencies and shortcomings that there have been rather than proper planning for the reopening of society.

The public out there are concerned. They are reaching out to us, as individual MLAs and people in positions of authority, to ensure that, whatever steps we take, we can, at all times, ensure that the public will be safe. However, when, each and every week, we hear announcements of the reopening of churches, for example, as Mr Allister mentioned, and that there can be funerals with a certain number of people present, and masses or church services, but that there cannot be weddings, it does not make sense. It causes confusion in our communities that we, then, are burdened with trying to clarify. As legislators, we are, then, in the ridiculous position of being unable to clarify it because the announcement has been so poorly communicated.

We have to remember that, throughout the entire pandemic, whilst we ensured, thank God, in an operational Assembly, that people were safe, regulations were in place and measures were in place to support businesses, the community, and healthcare and front-line workers, we should also have been planning properly, from day one, for the reopening of society. The flick-of-a-switch approach will not work because it puts everybody at risk. I do not think that any Member of the House would argue with that. If we get it wrong, and we reopen society quickly and without proper protections and guidance in place, we will put people at risk. For the House to do that would be unforgivable.

Today, we have talked about funerals. I am not going to make political points. However, I will point out a glaring frustration that I had today. In recent months, we lost John Dallat, a man who was a public representative for 40 years. My SDLP colleagues could not attend his funeral because we respected the regulations that were in place to ensure the population's safety. We did that, importantly, to show leadership and that it was wrong to go there and put others and ourselves at risk. We are expected to show leadership, folks. It is very frustrating that, across the House, certain parties say one thing at the pulpit on a Monday and do something entirely different on the Tuesday. It damages confidence in the House and these institutions.

There are big concerns about the guidance on education. I know that many MLAs will have heard from schools in their constituencies about the lack of guidance on the reopening of schools that gives confidence to principals, teachers, parents and people who work in the school environment that, when schools can be reopened, the health and safety of people in the wider school environment can be ensured. When guidance and regulations are being drip fed through the BBC, that also damages confidence in the House and the Executive.

It is not acceptable that principals and teachers are hearing about what is expected of them when they are expected to ensure the health and safety of children. They will be the first who will be exposed to large groupings of young people in schools, in small classrooms. Even with one-metre restrictions in place, which I welcome, there are still significant risks because our schools will be expected to reopen. There is no extra money in the budget, there is no money in place to protect staff or ensure the safety and health of our children and young people. That is the point that I am making overall.

For us and for the public to have confidence in this place, in our Executive and in us as legislators, if we are going to make announcements and continue making them to

ensure that our society can unlock itself and emerge from this safely and to prevent a recurrence or spike of this infection, we need to provide all the details clearly and remove any ambiguity around what is expected in the guidelines.

I will finish on this point: it becomes very, very frustrating for me each and every day to take calls from the public and not be able to clarify their concern or question because we have not received the information that is necessary to do so. If we are serious about ensuring confidence in this House and this Assembly, particularly when people's lives are at stake, let us get the finer details and the most simplest of things right at least.

**Ms Armstrong:** Thank you, Deputy Speaker. I apologise. I thought that my name was on the list from earlier. I really appreciate you allowing me to come in now. I will follow on from Mr McCrossan's contribution when he mentioned the lucky-dip approach to how different aspects of relaxing lockdown are coming forward. I will not take too long today, but I ask the Executive and Ministers to absolutely consider putting the people back to the forefront of our lockdown relaxations.

Like many in this room, I am inundated day in, day out by calls from carers who are at breaking point across our society. They have no respite care, they have no day centres, they have no breaks, they are depending on food parcels, and for those who do not have a shielding letter from their GP, those finished last week.

We have a community out there that is looking to us to show leadership. We have a community out there that needs our help. We have a community out there that is still scared. As my colleague Paula Bradshaw said very clearly, when the easements come forward, they must come with robust guidelines. We still need to help people to understand how to look after themselves when the footsteps are going forward to lead them back into normal society again. When will they get the guidance that says, "As a carer, thank you very much for the last 12 or 13 weeks of looking after" — this could be an 80-year-old — "your their disabled adult son or daughter. Thank you for doing that. We know that you have been on your own. You have been stuck in the house with that person. You have done everything. Normally, you could have got a bit of respite". Do we have any guidance coming forward for those people that says, "OK. We are going to help now. The state is going to help you again"?

I know that we are debating amendment (No. 5) and amendment (No. 6) to the regulations today, and amendment (No. 8) and amendment (No. 9) are planned for the future. Can we please bring people back to the focus? Carers do not understand why a hotel, a pub and a hairdresser are more important than they are. While I appreciate that we need to get our economy back up and running, can you imagine the cost to each and every person across Northern Ireland if our carers collapse? When those people go, our health service will completely collapse.

I am making a call today to please provide robust guidance from Health, from Communities, from whatever Department it needs to come from to help those carers understand that they have not been forgotten about, that we know that they have worked so hard over the last number of weeks on their own without the support mechanisms that would normally be in place.

Constituents need to know what the changes mean.

Up until very recently, when you clicked into the coronavirus legislation, there was a document that spelt out for you exactly what it meant — what businesses were open and what it meant for individuals. That has not been updated since 12 June. Can we please do that? It was a useful document to share with people, but we have nothing to give them now, as has been highlighted by others. It is time that we put people back to the front and started to look after our society so that their mental health is not in such a terrible way when we come out of this that they cannot cope.

#### 6.00 pm

**Mr Lyons:** I welcome today's debate and thank Members for the contributions that they have made. I will turn directly to the points that some Members have made and try to focus on the questions that they asked and the clarifications they sought, first and foremost.

I begin with the Chairman of the Executive Office Committee, who suggested that early referral to the Ad Hoc Committee would be useful and provide for scrutiny and clarification. I am certainly more than happy to take that back to Executive colleagues, but I again remind the Member that we are under a duty to terminate these regulations as soon as we believe that they are no longer required in order to protect public health. Additionally, a lot of the time when we are making announcements, we are giving indicative dates, so hopefully there is that time for people to plan and prepare.

Mr Gildernew was next. He made a number of comments, but he will be pleased to hear that, since he spoke, the Health Minister has confirmed that changes will be made in relation to hospital visits, visits in care home settings, and partners being able to attend scans for pregnant women, as well as fathers now being able to attend the birth of their child. I know that that was a hugely important issue and I was delighted to be able to send a message to one of my constituents who had contacted me and asked me to lobby for this on his behalf. He said that he was absolutely delighted; he and his partner had broken down in tears because it was such an important thing for them to be able to do. He was delighted that I was able to share that good news with him, and I look forward to baby Gordon coming along in a few weeks' time. Maybe they will take that on board as a suggestion.

Turning to the remarks of Pam Cameron, I welcome her support for the changes that allow a return to family life. I certainly agree with her that the mental health and well-being benefits that result from that are vital.

I will touch on Kellie Armstrong's comments towards the end, but she mentioned that we need to put people first. I contend that we have put people first throughout this pandemic. We have been concerned, first and foremost, about their health and well-being. We have been concerned about their jobs and their economic prosperity. We have been concerned about their mental health. We have been concerned about how they are able to interact with their family and friends, and all of the other societal issues. I accept the points that she made about carers, but it is certainly the case that we have put people first and foremost in all that we have done.

I also echo Mrs Cameron's support for the restoration of the economy and the effective partnership working with businesses, trade unions and councils which is, of course, essential for our communities and for our high streets as well.

Ms Bradshaw is still in her place. I want to acknowledge, again, her concern about scrutiny in relation to these issues. It is the nature of the regulations that we have brought through that it is up to the Minister of Health to terminate them whenever it is necessary. I hope that these debates have been useful for Members to raise additional concerns. We have tried to hold them as close as possible to the times when the regulations are introduced, but I can understand the points that she made and will of course take back her agreement with Mr McGrath's suggestion that we look into how the Ad Hoc Committee could be better used in communicating changes and guidance.

In terms of the risks that she mentioned, especially in relation to indoor activities, I want to assure the Member that every decision that is taken by the Executive takes account of the professional, medical and scientific advice of the CMO and the CSA. Risk assessments are done. We do not, as some Members have said, just pick ideas out of a hat or pursue our own narrow interests. We take all of this with a very collective approach.

I welcome Mr Chambers's acknowledgement of our relative success in tackling the pandemic. I do not think that it is the time or that it is appropriate for a victory lap for anybody, and I am sure that the Member will agree. However, I agree with him that the successes that we have had are down to the actions and the responsibility of the people of Northern Ireland, and it is absolutely right that we put that on the record and, again, thank those in our health and social care sector who have done so much to protect us and the ones who we love. He is absolutely right that it continues to be the case that citizen behaviour is key in all of this. As I said in my remarks earlier, it is not just about how we can enforce these regulations. We are entering into a social contract with people, and they need to ensure that they are following the letter and the spirit of the law.

I also thank Mr Chambers for the very eloquent way in which he spoke about the widow who he mentioned and the very sad circumstances surrounding that funeral. As I acknowledged in my earlier comments, this has been a very difficult time for people who have lost a loved one, and we have to thank those who went through that difficult time and still adhered to the regulations.

Mr O'Toole also mentioned scrutiny. It was a common theme through this debate, and we will certainly do all that we can to allow Members to have proper scrutiny. He did, however, mention the timing of the opening of the pubs and said that he believes that Friday evening in the middle of summer is a bad time to open those pubs. I dare say that we could have had criticism for opening the pubs at any time of the week, but it is important to note that we did work with the sector. We talked with the sector about these issues, and it is also important to note that we did give a lead-in time to help those bars and restaurants to prepare. I also note that we are not just opening pubs for alcohol sales only. That will help to bring this in in a managed way because, probably in most cases, people will have to book a table and sit down. There will not be a lot of milling around, and it should not be the case that these places are overcrowded. I also make the point that there is no requirement on anybody to open. If

people feel that they need more time or that they would like to wait a few days, that is up to them. They have that choice and the ability to do that.

**Mr O'Toole:** I thank the Minister very much for giving way. Will he agree that you do not have to work behind a bar to agree with the idea that, on a summer Friday afternoon, there are more likely to be crowds attending pubs anywhere? That is a matter of arithmetic because it is a Friday afternoon and people are not working the next day. There is a reason why, for example, the South of Ireland and Scotland have chosen to open licensed premises on a Monday. Will he agree that it would be, in that sense, safer to manage crowds to open on a Monday?

**Mr Lyons:** I understand the point that the Member is making, however we are living in a very different time. Perhaps a lot of people are not in that place where they want to be going out yet. I am not sure how much different it is going to be. I think that there could also be a rush for a lot of people who are eager to see them open, and, whether that was happening on a Monday or a Friday, they would want to have gone and would have booked their table or whatever else. This is not an opening of the doors and seeing who is coming in. In most places, there will probably be a need to book a table beforehand because of the nature of the restrictions that will be in place because of social distancing and so on. The Member has made his point and put it on the record.

Miss Woods is absolutely right to say that the recovery plan is not linear, and we never said that it was going to be. This was always going to be our approach to decision-making on opening up parts of our economy again. The proposals are considered by the whole Executive, and we take all of the medical and scientific advice into account. Remember, we are required to lift these restrictions as soon as we do not believe that it is necessary to have them. That means that, in some cases, we have been able to move further on with some of the regulations than with others. That is why in the plan sometimes we were at step 4 where step 1 had not been completed. That is natural, and I think that it was wise for us to have an agile plan so that we did not have to rush things forward sooner than we needed to do, and we are not waiting on the slowest part before opening up other areas.

I notice that she raised specific concerns about guidance for pubs, and I am more than happy to draw her concerns about that to the Economy Minister, who, I am sure, will consider them carefully.

I will come on to Miss Woods's comment on enforcement and the issues around the protests, in particular. I will also touch on Mr Carroll's comments, although we have been over this the last time we were in the Chamber for this matter. There continues to be an insinuation that, in some way, Ministers or officials within the Department for Health were trying to pull a fast one and bring this legislation in to specifically target Black Lives Matter. I see that Mr Carroll is agreeing with what I am saying. Let me make it clear, once more, and put it on the record that a drafting error in the amendment (No. 3) regulations, which came into operation at 11.00 pm on 19 May, meant that it was not an offence to breach the new restriction in regulation 6A relating to outdoor gatherings of up to six people.

Regulation 6A was intended to be a concession in respect of families and friends, who do not live in the same

household, to enable a small group of up to six friends or family to meet outdoors in places such as a private garden or a public park. Regulation 6, which relates solely to a gathering in a public place of more than two people has never been repealed and has applied from the outset and, accordingly, there has been no interruption to the enforcement powers relating to public gatherings under regulation 6. The omission in regulation 6A was noticed and corrected on the same day by way of an urgent technical amendment included in the amendment (No. 5) regulations, which came into operation at 11.00 pm on 5 June. The amendment (No. 5) regulations were being made that day, following Executive decisions to allow the lifting of some restrictions relating to outdoor marriages and civil partnerships, animal welfare, holiday accommodation and certain types of retail and wholesale premises from 6 June. PSNI and the Department of Justice colleagues were advised of the position on the same morning that the error came to light and were further advised that the error would be addressed by way of an amendment to the regulations to be commenced later that day.

I understand that no fixed penalty notices were issued by the PSNI for a breach of the restriction in regulation 6A, during the period in question. The Department of Health was simply using the opportunity of the amendment (No. 5) regulations to make a technical correction to a previous drafting error that had come to light that day. The timing of the Black Lives Matter protests on 6 June was purely coincidental, and the operational enforcement of the regulations is a matter for the PSNI. It is the second time that I have explained that to the Member and the House. He is still of the opinion and does not accept what I am saying. He has said that it is not just him, but others as well. I think that he said earlier on in the debate that no anti-racist would believe what we are saying on this. That is certainly not the case. Whether or not he, or others, choose to accept this is up to them but that is the position of the Executive and the Department of Health, and I have read that into the record.

I want to come next to the comments of Mr Allister. I have already said, in my opening comments and to Mr Chambers, that an awful lot of people in our country have had to forgo the normal and traditional funeral arrangements, that are a normal part of the grieving process in Northern Ireland. Mr McCrossan also mentioned the very sad death of Mr Dallat, his party colleague, and their inability to attend the funeral. I said earlier, in the Chamber, that I had not seen the footage. I now have and I agree with the Minister of Health that there appears to be a clear breach of the regulations. The regulations are very clear, and that is what we are here to talk about today, that only 30 people are allowed to attend an outdoor gathering related to a funeral.

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

**Mr Lyons:** I will give way.

**Mr O'Dowd:** Is the Minister now advising people that, under no circumstances, should they line the streets when a funeral is taking place; under no circumstances should neighbours come out and stand on the streets, as the cortege passes; and, under no circumstances, can anyone pay their respects from the roadside? That is what he appears to be saying.

**Mr Lyons:** That is not what I am saying. I understand that many people have taken part in standing outside their houses or standing on a roadside; that is not what I am referring to today. With regard to the numbers that I saw, I do not want to go into the detail —.

**6.15 pm**

**Mr O'Dowd:** Will the junior Minister give way again?

**Mr Lyons:** I will give way.

**Mr O'Dowd:** He is on record as saying that a breach has taken place, which is quite a serious accusation. He will have to stand over it. Where did the breach take place?

**Mr Lyons:** I am repeating what the Minister of Health said: there appears to be a clear breach of the regulations. It is also clear that, when people are moving or when there is a cortege — this is talking about any event — that is limited to 30 people. I do not believe that that was the case today. That is exceptionally worrying for people who have had a forgo a funeral, and it is very unfair. I think that, if you were to ask people today what they thought, they would accept that it is unfair that it appears that some people are allowed to do one thing but others have to do another. I recognise that the police have said that they are reviewing the footage and that it is their responsibility, but the point that I want to make is that it is exceptionally important that we not only follow the regulations that are set down but adhere to social distancing. Social distancing may not be written down in the regulations, but it is a key part of what we need to do to ensure that we control the virus.

As I said, I do not want us to get into the position that Leicester finds itself in. It would be a terrible tragedy for our economy if we had to go back to locking things up. That would be wrong, and it is not where I want to be. I appeal to people, whether it is young people taking part in gatherings or people taking part in funerals or any other sort of gathering, to please adhere to the regulations and please adhere to social distancing. We are trying to combat a disease, and we need everybody's assistance in that.

I want to mention another issue that Mr Allister raised in relation to marriages indoors. The limit of 30 applies to indoor weddings for people who are terminally ill, which are the only circumstances in which indoor weddings are permitted at present. I understand the concerns that Mr Allister has raised and the inconsistency he raised in relation to weddings. The Executive have committed to looking at the issue again. There are other consequences that we need to think of, for example weddings that take place outside church settings, in private hotels or whatever it might be, but, as for all indoor events, we will keep that under review.

**Mr T Buchanan:** Will the Minister give way?

**Mr Lyons:** Yes, I give way to Mr Buchanan.

**Mr T Buchanan:** On the issue of marriage, the churches are opened up for people to meet, as Mr Allister said. You say that you are keeping this under review: when will the Executive look at the issue? Constituents have got on to me because they have had to cancel or postpone their wedding. They wonder whether the Executive have forgotten about them. They are still looking to get married and wonder when they will get married. There is little guidance for them, apart from, as has been said



in the House, a fair-weather wedding. That is simply not good enough, when we have moved on to seeking to get reopened and to a more normal type of society, albeit with all the restrictions that we have to keep in place. When churches can open and funerals can be held in them and other aspects, surely to goodness we can get them opened up for people who want to get married in a church setting and in a church building? We know what marriage is. It is between a man and a woman. It is traditional, and people want to hold on to it. They want to get married, but they are being held back from doing that. It is time that the Executive took the matter seriously, looked at it and made a decision for people to get married in their own church.

**Mr Lyons:** I thank Mr Buchanan for his comments. I completely agree that there are lots of young couples out there who are keen to get married and want to get married in the churches. They look at the services that are now able to take place in churches, they look at funerals that are able to take place in churches and they say, "Why not us? Why can we not have weddings?". I am sympathetic to the point that the Member made. I trust that Executive colleagues will be able to look at that in the coming days. We need to look at the unintended consequences of that, realising that weddings can take place in other areas and wanting to make sure that there is equity in relation to that.

While we are on the subject of churches, it would be remiss of me not to place on record my thanks to the churches working group, which has done fantastic work over the last number of days and has put together guidance. I am pleased that we are now able to move to a position where churches are able to reopen with a great degree of freedom. The Executive have not placed onerous restrictions on them, but, again, with churches as with the rest of society, with that extra freedom comes responsibility, and we need to make sure that we are responsible.

I think that I have dealt with most of Mr McCrossan's comments in my responses to other Members, but I again make it clear that, when the Executive make a decision on the relaxation of restrictions, it is based on three very clear criteria: the scientific and medical advice that is available, the ability of the health service to cope and the wider societal impacts of any restrictions on the economy, families etc.

**Mr McCrossan:** Will the Minister give way?

**Mr Lyons:** Absolutely.

**Mr McCrossan:** Minister, thank you for touching on those issues. I welcome the reopening of society; I just want the guidance to be crystal clear. Until now, it has been as clear as mud, and that is the issue for our society. We need to be clear about what the regulations mean as we ease the lockdown.

**Mr Lyons:** It has been easy for us to turn everything off and to flick the switch off. It has been a lot more difficult to open up, because we are opening up in a very controlled way. We are opening up in a way that, sometimes, involves additional restrictions. I completely understand the frustrations that the Member feels when he does not have the answers to the questions that constituents ask. With every set of relaxations, it is clear that there are always people who do not fit neatly into some of the categories that we have announced or there are other issues that constituents have for us. I can understand the Member's

frustration about that, but he can get in contact with the relevant Department through the departmental Assembly liaison officer, and it will hopefully be able to provide that guidance and that additional reassurance to the Member.

I have already touched on Kellie Armstrong's comments, but I will certainly bring what she said to the attention of the Minister.

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

**Mr Lyons:** Yes, why not?

**Mr McGrath:** I waited until you got through everybody before raising this. At the beginning, you mentioned the suggestion that I made about going to the Ad Hoc Committee and said that there was a bit that was not clear. I want to clear that matter up. The idea would be that, if you make announcements on a Thursday and a Monday, the Ad Hoc Committee would meet on the Thursday after to clarify any questions that Members have. It is not about agreeing to the changes; it is the questions that you get. A number of Members have mentioned that, when a statement is made, there is a lack of clarity. We get bombarded with questions, and, if we have to go through the departmental system, it can take weeks to get the answers back, which just adds to the confusion. If Ministers were able to come on the Thursday after the announcements have been made, we would be able to seek that clarity and deliver it straight back, which would be a much better system. It is not about agreeing to the changes, which, I think, you mentioned at the beginning.

**Mr Lyons:** I appreciate the Member's comments. I will certainly take that to Executive colleagues, seek their views on that and come back to the Member. It may not always be the case, though, that the regulations fall exactly to one Minister, but the point remains that, if there are issues of clarification, I encourage Members to get in contact with us. We will also examine the other ways in which that can take place. The Assembly needs to have its place, and the Assembly can be exceptionally useful in making sure that we have the extra clarification that we need on some of the issues.

I think that I have answered most of the questions and queries from Members. If there is anything further that they wish me to address, I will be happy to take that from them in writing and get back to them. In the meantime, I commend the regulations to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 be approved.*

## Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020

Resolved:

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 be approved. — [Mr Lyons (Junior Minister, The Executive Office).]*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

## Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020

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

*That the Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020 be affirmed.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed that there will be no time limit on the debate. I call the Minister to formally open the debate on the motion.

**Ms Mallon:** The regulations will provide a new exemption from seat belt-wearing laws for ambulance personnel when they are providing urgent treatment to patients in the rear of the ambulance. It is made under article 23 of the Road Traffic (Northern Ireland) Order 1995.

Under current law, all adults are required to wear a seat belt, when fitted, with some exceptions. While one of those exceptions relates to the emergency services, it does not extend to ambulance personnel. Ambulance personnel could be prosecuted for removing their seat belt to care for a patient whilst riding in the rear of an ambulance. The current operational practice is for everyone in an ambulance to wear a seat belt unless to do so would impair the treatment of a patient. The proposed change will support current operational practice and ensure that healthcare professionals riding in motor ambulances can carry out their duties properly without infringing seat belt legislation. It will also ensure parity between ambulance, police and fire professionals when performing the duties required of an emergency service.

The new regulations specifically state that seat belts should only be removed:

*“while that person is providing medical treatment to a patient which due to its nature or the medical condition of the patient cannot be delayed; or because of the medical situation of the individual being treated.”*

I expect ambulance personnel to use their discretion when determining what treatment cannot be delayed in any given case. The legislation does not specify which persons are covered by the exemption. That should ensure that any person who provides urgent treatment to a patient whilst travelling in an ambulance will be able to rely on the exemption. I anticipate that that will primarily be paramedics, emergency medical technicians and other ambulance personnel, but it could be other medical personnel such as doctors and nurses. While not explicit, it is not anticipated that the exemption will extend to the driver of the ambulance.

The regulations also revoke a statutory rule similar to the one before you today that was made in 2016 but that could not be affirmed because of the suspension of the Assembly in January 2017. The 2016 rule technically remains on the statute book, so it is necessary to ensure that it is revoked to remove any ambiguity around the proper operational date of the exemption being granted.

### 6.30 pm

In concluding, Mr Deputy Speaker, I take the opportunity to place on record my gratitude and appreciation to all those working in our Ambulance Service and across our emergency services for the invaluable work that they do every day but particularly the work that they have done to keep us all safe during the COVID-19 crisis. I commend the motion to the Assembly and ask that it affirm the regulations.

**Miss McIlveen (The Chairperson of the Committee for Infrastructure):** I welcome the opportunity to speak as Chair of the Committee for Infrastructure on this statutory rule. The Committee initially considered the proposal for the rule at its meeting on 29 April this year and welcomed its introduction by the Department. The rule itself was then approved by the Committee on 3 June. Although its consideration and approval was relatively quick and simple, it was the culmination of a far longer process, as the legislation has been a considerable time in the making. It was initially intended that the regulations would become operational in March 2017, following a consultation in 2016. The regulations were not debated or affirmed, however, as a consequence of the suspension of the Assembly in January 2017, and it is only now, after that hiatus, that the issue can be addressed.

The rule itself amends the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993. It creates an exemption for ambulance personnel from the requirement to wear a seat belt when providing emergency treatment to patients in ambulances. The requirement for compulsory use of seat belts in vehicles comes from Council directive 91/671/EEC. That is reflected in the 1993 Northern Ireland regulations, whereby all adults are required to wear a seat belt, where fitted. The 1993 regulations do provide for some exemptions, one of which relates to the emergency services, but that exemption does not extend to ambulance personnel. That means that they could be prosecuted for removing their seat belt in order to care for a patient while riding in the rear of an ambulance. The statutory rule provides an exemption from that requirement and therefore gives much-needed clarity to the Ambulance Service, as well as removing the potential threat of prosecution or of a fixed penalty under the 1993 regulations.

The rule also ensures parity between the position of ambulance professionals and other emergency services, such as the police and fire professionals, when performing the duties required of an emergency service. Therefore, having considered its detail and purpose, the Committee for Infrastructure is content with the rule.

**Mr Boylan:** Our ambulance workers play a critical role daily by transporting those who are unwell. A lot of the time, they do so in emergency situations. The last thing that our ambulance personnel need to be worrying about when performing their essential duties is that they are at risk of prosecution, when they should be concentrating on their patients' immediate care. The change will provide clarity for the Ambulance Service and remove the potential threat of prosecution. The amendment to existing regulations is to be welcomed.

I had sought further clarity on the consultation from departmental officials and the Minister to ensure that there were no road safety issues for ambulance personnel and

patients themselves, and I am content that I got that clarity. I am therefore content to support the regulations.

**Ms Mallon:** I thank the Chair of the Committee and its members for their support in taking forward the regulations, as well as for their contributions today. As both the Chair and Cathal Boylan pointed out, the rule addresses an anomaly that we were not able to address owing to the collapse of the Assembly. It is an important step forward in removing the risk of prosecution but also in bringing much-needed clarity to our ambulance personnel as they carry out their daily duties of making sure that we are all safe and saving lives.

In concluding, I ask the Assembly to affirm the regulations before us today.

*Question put and agreed to.*

*Resolved:*

*That the Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020 be affirmed.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

## Environment Bill: Legislative Consent Motion

**Mr Deputy Speaker (Mr Beggs):** The next item of business is a legislative consent motion (LCM) for the Environment Bill.

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

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Environment Bill, as introduced on 30 January 2020, dealing with: environmental governance Northern Ireland in clauses 45 and 46 and schedules 2 and 3; waste and resource efficiency in clauses 47-53, 56, 58, 62, 64 and 68 and schedules 4-9; water quality in clauses 81 and 83; and amendment of REACH legislation in clause 125 and schedule 19.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed that there will be no time limit for the debate. I invite the Minister to open the debate on the motion.

**Mr Poots:** Thank you, Mr Deputy Speaker. I am grateful for the opportunity to bring the legislative consent motion forward and to speak about an issue that affects us all. The Environment Bill is a UK Government Bill, containing a range of clauses; some of which apply UK-wide, some only to England and some to Northern Ireland and other devolved jurisdictions. A number of matters that are covered by the Bill are reserved and, as such, do not require the consent of the Assembly for the UK Government to legislate at Westminster. Transfrontier shipment of waste is an example. However, the environment in general is a devolved matter and, hence, most of the clauses in the Bill that apply to Northern Ireland require the Assembly's consent. At this point, I record my appreciation for the work that has been carried out by the Committee for Agriculture, Environment and Rural Affairs in completing its report under difficult circumstances for the benefit of the Assembly.

The original intention of the Bill was to address the environmental governance gaps that will be created at the end of the EU withdrawal transition period, in particular the absence of the environment oversight role that is currently undertaken by the European Commission and the environmental principles that are embedded in the EU treaties. The UK Government published a draft Bill in December 2018 that addressed those specific points and gave a statutory footing for their 25-year plan for the environment. Subsequent iterations of the Bill included a range of other environmental matters, some of which are driven by EU withdrawal, while others seek to maintain existing UK-wide systems. A Bill has been drafted so as not to constrain the ability of the Assembly to scrutinise the Bill. This is a key point, but with one exception. The provisions that deal with the devolved matters in Northern Ireland can be implemented only after being debated and approved in the Chamber. That one exception, a power to amend specific chemicals legislation, had to be made for technical reasons and would still require the approval of DAERA before it could be implemented here.

It is my general view that, where possible, devolved matters should be legislated for by the Assembly. However, in this case, there simply is not time to deliver

fully considered Northern Ireland legislation before the end of the transition period. Failure to take this opportunity to keep open the options presented by this UK Bill would be detrimental to environmental governance and safeguards in Northern Ireland. To be clear, this does not constrain the Assembly from enacting additional or alternative Northern Ireland legislation relating to any of the devolved matters in the Bill in future.

There are 17 clauses and nine associated schedules for which legislative consent is sought. These cover a range of environmental matters, including improving the natural environment, environmental oversight, waste, resource efficiency, water and chemicals. I will start with the relevant provisions in Part 2 of the Bill, which relate to environmental governance. Clause 45 gives effect to schedule 2, which is split into two Parts. Part 1 provides for the arrangements for the development and management of environmental improvement plans. Part 2 outlines the means by which the environmental principles currently enshrined in the treaty on the functioning of the EU can be incorporated into Northern Ireland law and, subsequently, policy-making.

More specifically, Part 1 provides for, first, the preparation, review, revision and renewal of environmental improvement plans and, secondly, the collection of data to assist with monitoring progress on environmental and improvement plans. This allows plans to improve the natural environment to be placed on a statutory footing. Part 2 allows for the preparation and publication of a statement on the interpretation and application of relevant environmental principles to which Northern Ireland Departments and UK Government Ministers must have regard when making policy in respect of Northern Ireland. This would allow us to address the gaps in arrangements relating to environmental principles as a result of departure from the EU.

Clause 46 concerns the office for environmental protection (OEP) and gives effect to schedule 3, which would allow this body to exercise its functions in Northern Ireland. Its broad role would be to replace the environmental oversight function of the European Commission, holding public bodies to account for any failure to comply with environmental law. The provisions of schedule 3 would give the OEP operating in Northern Ireland broadly similar powers to the OEP operating in England. These powers would allow the OEP to monitor the implementation of environmental law and progress in improving the natural environment in accordance with any environmental improvement plans agreed by the Executive; provide Northern Ireland Departments with advice — for example, on any proposed changes to environmental law; and investigate any failures by public authorities in Northern Ireland to comply with environmental law, taking appropriate enforcement action when necessary. This would allow us to address an obvious environmental governance gap as a result of departure from the EU.

At this point, it is appropriate to advise Members that it is my understanding that the UK Government intend to table a small number of amendments to the provisions relating to the OEP when the Westminster Committee Stage resumes. I have not yet had the opportunity to consider the proposals fully and, obviously, it would not be appropriate for me to announce UK Government policy, but I can say that these amendments are intended to clarify the OEP's

role. I will consider whether similar amendments would also be desirable for Northern Ireland and will advise Executive colleagues and the AERA Committee as appropriate. Should any amendments to Northern Ireland provisions proposed during the Bill's passage through Parliament fall outside the scope of this motion, a further legislative consent motion would, of course, be tabled in accordance with the requirements of the relevant Standing Orders.

Part 3 contains provisions on waste and resource efficiency. Clause 47 gives effect to schedule 4, which deals with producer responsibility, obliging business that place certain specified products or materials on the market to take greater responsibility for those products or materials once they have become waste. The Environment Bill provides the means by which the UK-wide producer responsibility schemes can be replaced and updated and new obligations placed on producers in relation to reuse, redistribution, recycling and recovery of products. For Northern Ireland, schedule 4 confers on DAERA powers to make new regulations under which producer responsibility obligations can be imposed on specified persons and in relation to specified products and materials. It also provides for enforcement of these regulations.

#### 6.45 pm

Clause 47 also repeals the producer responsibility obligations, which are no longer required alongside the provisions of schedule 4. Those provisions will allow me, as Minister, to keep producer responsibility schemes operable, and/or reformed or to introduce schemes alongside the rest of the UK.

Clause 28 gives effect to schedule 5, which also deals with producer responsibility, conferring powers on DAERA to make Northern Ireland regulations that may require those involved in the manufacture, processing, distribution or supply of products or materials to pay for or contribute to the cost of disposing of those items when they become waste. It also provides for the enforcement of those regulations. The provision is designed to incentivise producers to design products with sustainability in mind with the aim of reducing the consumption of raw materials.

Clause 49 gives effect to schedule 6 and is concerned with resource efficiency information, allowing DAERA to make product-specific regulations, setting requirements to provide information about a product's resource efficiency. It also provides for enforcement arrangements. The provision is designed to require clear labelling on products to enable consumers to identify those that are more durable, repairable and recyclable.

Clause 50 gives effect to schedule 7, and also relates to resource efficiency. Under the provision, DAERA can make regulations setting requirements for specific products' resource efficiency. Enforcement arrangements are also provided for. Alongside schedule 6, these provisions are intended to encourage more sustainable and efficient use of materials.

Clause 51 schedule 8 brings into effect and deals with deposit-and-return schemes. The provision allows DAERA to make regulations to establish and enforce deposit schemes. Under the schemes, consumers can pay a deposit when they buy an item — for example, a drink in a bottle or can — which is redeemed when the used item is

returned. Such schemes can reduce littering and increase recycling and reuse.

Under clauses 47 to 51, regulations from Northern Ireland may be made by the Secretary of State for Environment, Food and Rural Affairs, but only with DAERA's consent. An example of where that might be granted is where there is agreement on the benefit of taking a UK-wide approach to a scheme.

Clause 52 and its associated schedule 9 allow DAERA to make regulations for Northern Ireland relating to charging for a range of single-use plastic items by sellers of goods and services. It also provides for the enforcement of those regulations, including the imposition of civil sanctions. It is intended to build on the success of the charge for carrier bags.

Clause 53, insofar as it relates to Northern Ireland, amends schedule 6 of the Climate Change Act to allow DAERA to make regulations requiring the sellers of carrier bags to register with an administrator. The regulations may also make provision about applications for registration, the period of registration, the cancellation of registration and the payment of registration fees, including the amount.

Clause 56 relates to new powers to establish a mandatory electronic system to record and monitor the movement of waste. It includes powers to impose fees and charges, and to create associated criminal offences and civil penalties for the breaches of any regulations made under the powers.

The provision aims to improve the management and tracking of waste, thereby assisting in the detection and reduction of waste crime in Northern Ireland.

Clause 58 updates the powers available to DAERA in respect of the regulation of hazardous waste. That includes providing for the imposition of civil sanctions in respect of contraventions of regulations and the updating of fixed penalty amounts that can be applied in relation to offences.

Clause 62 includes new powers to allow for fees to be charged to recover costs in relation to waste management licensing of producer responsibility schemes. The powers will enable the fees and charges to be updated by way of a charging scheme. Charging for regulatory activities carried out reduces the burden on general taxation. The clause aims to ensure that the costs associated with enforcement activity in Northern Ireland are appropriately recovered — a practical application of “the polluter pays” principle.

Clause 64 ensures that the Department will have powers to direct a registered carrier to collect specified waste and deliver it to a specified site. That addresses a gap in current legislation with respect to the removal of harmful waste from a site, and its safe treatment or disposal.

Clause 68 is a technical amendment to ensure the amendments to the Waste and Contaminated Land (Northern Ireland) Order 1997 by the Environment Bill, which will confer functions on DAERA, rather than the former Department of the Environment.

I now turn to Part 5 of the Bill about provisions relating to the water environment. Clause 81 provides a regulation-making power to the DEFRA Secretary of State to make provision about the substances to be taken into account in assessing the chemical status of surface water or ground water and to specify standards for those substances or

in relation to the chemical status of water bodies. Where those regulations could be made under DAERA's own powers, under clause 83, the DEFRA Secretary of State must obtain DAERA's consent. The provision will ensure that, after the transition period, the UK will still be able to update the list of priority hazardous substances and specify standards.

Clause 83, which I have just mentioned, confers the same powers on DAERA in relation to Northern Ireland to make regulations about the substances to be taken into account when assessing the chemical status of surface water or ground water and to specify standards for those substances or in relation to the chemical status of water bodies. Again, this will ensure that Northern Ireland can continue to update the list of priority hazardous substances and specify standards after the end of the transition period.

Part 8 of the Bill covers miscellaneous and general provisions and includes the final provision for which I seek legislative consent. Clause 125 gives effect to schedule 19, which allows the DEFRA Secretary of State to make regulations to amend two pieces of retained European Union law relating to registration, evaluation, authorisation and restriction of chemicals, generally referred to as REACH. These are the REACH Regulation and the REACH Enforcement Regulations 2008. The Secretary of State cannot make such regulations without the consent of the devolved Administrations, including DAERA, and is also required to consider any request by a relevant devolved authority to make regulations. The schedule also confers a power on DAERA and/or the Department for the Economy to amend REACH Enforcement Regulations 2008 independently of the DEFRA Secretary of State.

While that concludes the list of provisions for which legislative consent is being sought, I would also like to highlight the commencement provisions in clause 131 to reinforce the point that I made earlier about the implementation of these provisions being subject to the consent or approval of the Assembly. With the exception of clause 125 and its associated schedule 19, all of the provisions that I have outlined to you today require the Assembly's approval of a draft commencement order before being brought into operation. Members will, therefore, quite rightly, have the opportunity to debate the merits of the Bill's provisions before bringing them into force.

Our environment is precious in its own right, but it also contributes significantly to our economic prosperity and the physical and mental health of our citizens. Therefore, it deserves to be properly protected and improved for the benefit of all. I believe that the provisions of the Bill that I have highlighted will help us to achieve that. Accordingly, I commend the motion to the House.

**Mr McGuigan (The Deputy Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** As Deputy Chairperson of the Committee for Agriculture, Environment and Rural affairs, I welcome the opportunity to outline the views of the Committee in relation to the LCM on the Environment Bill. I thank the Minister for his words of thanks to the Committee for its work on this and the report that it produced.

Minister Poots outlined the Bill, which contains 133 clauses and 19 schedules, many of which apply to the North. Legislative consent has been sought on the provisions that

relate to devolved matters. Those are outlined in the LCM and in the Committee report.

As Members will be aware, much existing environmental policy and legislation derives from the EU and is monitored and enforced by EU institutions. The Environment Bill aims to provide a new framework for environmental governance as a result of Brexit. The Bill also provides for environmental improvement in a number of specific areas.

I wish to make clear that the Committee had very little time to scrutinise and fully consider the implications of the Bill. The provisions that apply to the North are detailed and complex. What is more, the Bill is the reintroduction of a 2019 Bill that was developed when this jurisdiction was without an Executive or a sitting Assembly. There has been no formal public consultation here on the environmental plans, principles and governance elements of the Bill. That is something that concerns the Committee, particularly given the importance of the environment for everyone who lives, works or visits here.

I will now outline the Committee's approach to scrutiny of the Bill. The Committee took oral and written evidence in an all-day meeting on 27 February 2020. We heard from a range of stakeholders and their evidence, which can be found on our website, has been invaluable in our scrutiny. The Committee also commissioned a briefing paper on the Environment Bill from the Assembly's Research and Information Service. That paper was also very helpful and it, too, can be found on our website.

In considering the evidence, a number of key issues were identified by the Committee. The first is that the Environment Bill is a piece of Westminster legislation with provisions for the North. As mentioned earlier, the Bill provides a framework for governance and for the production of environmental regulations in a number of areas. Many of the policy principles that form the Bill were consulted on in the absence of an Executive. Neither Scotland nor Wales are participating in the principles and governance aspects of the Bill — they are making their own separate arrangements. DAERA has indicated that it does not currently have plans to bring forward an environment Bill for the North.

However, the Committee is of the view that an environment Bill for here should be developed locally, taking into account the unique circumstances, and would better deliver environmental governance and improvement locally. For example, we have a border for which rivers, lakes, pollution and waste crime have no regard. We are subject to the Irish protocol, yet the Bill fails to take account of those important matters. Therefore, the Committee recommends a standalone, bespoke environment Bill for the North. Although a consensus was not reached, the Committee recommends that a sunset clause be included in the Bill for the provisions that relate to this jurisdiction and that an environment Bill should be brought before the Assembly. Not all Committee members shared that view, as I am sure you will hear later.

The second issue that was raised by the Committee is the potential weakening of environmental protection provisions, or regression. It has been argued that the Environment Bill does not appear to have the same protections as those provided currently by the EU. Whilst refuted by the Department, the potential for lowering of environmental standards exists. Stakeholders have

identified a number of areas where that risk arises and have raised concerns that the Bill does not contain a specific provision on non-regression for the North and the Committee is concerned by that.

It is critical that there should be no environmental regression. The North should act as an exemplar and should set the highest possible benchmark for delivering clearly defined and significant improvements to the natural environment. That should be applied to every Department and across all policies. The Committee recommends that a specific non-regression clause for the North should be included in the Bill to ensure that no weakening of environmental protection provisions occurs, not least because of the protocol, to which I will now turn.

The North is required to adhere to the Irish protocol and to adopt automatically any changes to the EU environmental regulations that are listed in annex 2 of the protocol. New regulations can be added to the annex, yet the Bill makes no reference to the protocol. That could have serious implications not only in terms of environmental standards but in relation to access to the EU single market. As time progresses, any divergence between here and EU legislation as a result of the Bill could have implications, for example, for the agri-food sector. Whilst the Bill aims to address governance gaps that may arise as a result of Brexit, the Committee has real concerns that governance gaps may still arise.

With six months to go, time is very limited to ensure that appropriate governance is in place. Stakeholders, too, have expressed concern at the potential for governance gaps. The Committee has also noted that the Bill makes no mention of the independent environmental protection agency that is proposed in the New Decade, New Approach deal. How will that body and others with a role in environmental protection fit in?

The Committee also has concerns around enforcement and penalties. For example, the office for environmental protection does not have powers to impose fines in the North. There is little to deter those who pollute or dump waste illegally. The devastating impact of pollution on the natural environment and on the wider community are not reflected in the fines that are imposed on those who pollute. The rewards of waste crime seem to greatly outweigh the penalties. Enforcement, and particularly the level of fines, could be much stronger.

I will now move on the clauses in the Bill that the Committee had issues with.

### 7.00 pm

Clause 45 introduces schedule 2, which includes provision for environmental improvement plans and policy statements on environmental principles here in the North. The Committee noted that the Assembly does not currently have an environmental improvement plan to significantly improve the natural environment, and stakeholders expressed concern at the lack of such a plan. The Committee recommended that an environmental improvement plan should be developed and that it should be subject to full public consultation and include targets. Stakeholders also indicated that the policy statement on environmental principles should be strengthened.

Clause 46 introduces schedule 3, which allows for an office for environmental protection or OEP to be extended

here. It is proposed that the OEP will replace the oversight role of the European Commission. The Committee has many questions about the OEP. Those include representation on the OEP and its role, enforcement, independence, funding and how it will be scrutinised. There are also concerns that it will look only at public bodies, that there are restrictions on who can report and that judicial review is the only means by which it can enforce its decisions. Stakeholders also raised many concerns and questions about the OEP, including how it will operate. As noted earlier, time is running out. If the OEP is to be established here, it needs to happen as a matter of urgency. The Committee recommended that the OEP be extended to the North, with a base located here and that it should be adequately resourced. There should also be an interim member from the North until it becomes operational to avoid a governance gap. The restrictions on who can report to the OEP should be removed, the ability to impose fines should be included and the maximum degree of independence should be ensured.

Clauses 47 and 48 cover producer responsibility. However, those clauses do not address the potential for that to encourage cross-border waste crime. Stakeholder concerns with those provisions included the view that they are too focused on end-of-life solutions and that there needs to be shared responsibility.

Clause 51 and schedule 8 provide the power to make regulations to establish deposit return schemes, which can bring about improvements in plastic recycling. Stakeholders raised a number of issues, including those with the retail sector, space and resources to manage the scheme, that councils will be left to collect lower-value recyclates and how it will operate locally in the light of cross-border issues. The Committee recognises the benefits of such schemes and has suggested learning from other places where such schemes are already in place.

Clause 52 allows for the making of:

*“regulations about charges for single use plastic items.”*

The Committee noted that England, Scotland and Wales are considering restricting certain single-use plastic items. The Committee also noted the planned EU ban on certain items for which there are suitable alternatives that are not made of plastic, such as single-use plastic cutlery, cotton buds, straws and stirrers. Stakeholder concerns included that the cost of that will likely to be passed onto customers, resulting in higher food prices.

Clause 53 allows DAERA to require sellers of single-use carrier bags to register with an administrator, applications for registration and the amount and payment of registration fees. The Committee noted that the use of revenue raised from charging for carriers bags could be used to deliver environmental improvements.

Clause 56 allows for the establishment of a mandatory electronic system to record and monitor the movement of waste. The Committee noted that DAERA has indicated that there is a project in place to deliver that system.

The Committee recommended that the definition of hazardous waste in clause 58 is extended to the North.

Clauses 81 and 83 relate to water quality. Stakeholders raised a number of concerns. The Committee is of the view

that those clauses should be strengthened to ensure targets and standards cannot be weakened without thorough public consultation and independent scientific advice.

Clause 125 relates to REACH enforcement regulation. Stakeholders expressed the view that the clause should be strengthened to ensure that targets and standards cannot be weakened without thorough public consultation and scientific advice. The Committee supports that view and believes that any proposed changes should undergo public consultation.

Although legislative consent is not being sought on clause 59 on the transfrontier shipment of waste, the Committee also expressed concern at how waste is disposed of when it gets here and feels that that is an area that needs to be strengthened to prevent, for example, sea pollution.

The final section of the report concerns matters that are outside the provisions of the Bill but which will have a massive impact on its operation and implementation. The first of these relates to conventions and international laws. The Environment Bill should not contradict conventions such as the Basel convention on the transboundary shipment of hazardous waste and the Aarhus convention. Secondly, the Good Friday Agreement provides for North/South cooperation on environmental protection. The Bill may well have implications for strand two arrangements on the environment, such as North/South cooperation on water quality and, especially, the implementation of the water framework directive.

Parallel to scrutiny of the Environment Bill, the Committee is considering the Agriculture Bill and the Fisheries Bill. The Committee notes the implications of the Environment Bill for other legislation and is concerned that it does not dovetail with, for example, the Agriculture Bill as might be expected. The Environment Bill may have implications for other legislative areas such as planning.

New Decade, New Approach committed to the establishment of an independent environmental protection agency and made a number of other commitments in relation to climate change, including a climate Act. More information is required on what ministerial directives or objectives are being set in relation to the establishment of an independent agency and how this will interact with the OEP, if established. The Committee also raised many questions around the financing and resourcing of the proposals, such as the OEP and infrastructure.

Finally, the Committee noted that the COVID-19 pandemic has brought environmental issues to the fore, including the positive impacts of reduced travel on the environment and the efforts of the community to improve the natural environment through, for example, litter-picking initiatives.

In concluding my remarks as Deputy Chair of the Committee, I can say that the Committee has not taken a position on the Bill. The Committee recognises the risk of governance gaps should there be an absence of legislation to protect and improve the environment here. That said, the Committee believes that an Environment Bill for the North, taking account of our unique circumstances, is, ultimately, the way forward. I thank the stakeholders and NGOs who gave evidence to the Committee. I thank the officials for their work and for helping to prepare these notes.

Briefly, given that extensive outline of the Committee's position, I will speak from Sinn Féin's point of view. My starting point is the same point with which I concluded my

comments on behalf of the Committee: without the LCM, there are serious risks of gaps in governance through the lack of important legislation.

The Bill is a result of Brexit, which, of course, the majority of people here did not support. The Committee outlined its uncertainty about the adequacy of the Bill, and Sinn Féin and I share that concern. We want a sunset clause with a short time frame to be inserted to allow the Minister, as he said, to bring to the Assembly additional legislation in the form of an environment Bill that suits the needs of the people and environment here. We live on an island, and, as reflected in the remarks that I made on behalf of the Committee, the environment and climate recognise no borders. The Bill does not take account of the protocol that we will soon be subject to. We share the concerns of the environmental lobby and NGOs that there is the potential for regression from current EU legislation. We cannot allow that to happen and therefore seek the insertion of a non-regression clause.

In the midst of a health crisis, it is more important than ever that we do not ignore another looming crisis, that of damage to our environment and climate. That is why we need what was agreed in New Decade, New Approach to be implemented. We need proper, updated and locally made environmental legislation that is underpinned by an independent environmental protection agency to regulate it.

Finally, all of this needs an overarching climate change Act, as promised in the NDNA that brought about the resumption of this institution. It was further endorsed by an Assembly motion that was supported by a majority of MLAs. We need the Minister to bring that forward as a matter of urgency.

**Mr Irwin:** I welcome the opportunity to contribute to the debate today, and I welcome the Minister's comments on the issue. As we know and have debated on many occasions in the Chamber, the environment is a highly valued and important asset that must be protected in a meaningful and sensible manner. The Environment Bill is the method by which Northern Ireland, and indeed the rest of the UK, will protect and enhance the environment. Each devolved region will have the capacity to add to the various measures and powers that can be used to help protect our environment in the years to come.

What is important is the opportunity that this presents and, whilst everyone will want to maintain all the various rules that were effective in protecting the environment up to this point, it is important to have an element of control in which to react to circumstances that may be unique to a devolved region, such as Northern Ireland.

As has been voiced at Committee, and referred to by a number of people from DAERA to the Committee, the COVID-19 restrictions have hampered work on the Bill and have somewhat delayed its progress so far. Therefore, I welcome progress on the matter. The Bill will ensure that protection continues for the future, post-Brexit, and that, in Northern Ireland, we can better protect our environment with our own tailored initiatives that best suit practices here and avoid cumbersome and unreflective one-size-fits-all legislation that can, on occasions, be counterproductive, as was the case with some European directives. A lot of work has still to be done on the issue and, whilst the current restrictions limit that work, it is vital that proper work and discussions continue, in earnest, to ensure that



we have a workable set of arrangements for Northern Ireland.

I welcome the general thrust of the work around this from DAERA, and the emphasis that there is no intention of making any decisions that will, in any way, reduce protections. That should be comfort to anyone, or any group, that may have concerns that the legislation signals some kind of a relaxation of the types of important restrictions or protocols that ensure that our environment continues to be protected.

In the Committee, in recent days, we heard from DAERA officials, who provided important clarity in this regard. They are on record as having stated to members that nothing in the Bill threatens existing protections. This is essentially enabling legislation, to allow further work to take place in this very important area of governance. That must now be the real focus for everyone, and I look forward to working further on this important legislation. I know that the Minister has a real awareness of the issues, and that has underpinned his ministry thus far. Indeed, I know that he has even pulled his own canoe on the River Bann, a few days ago, to see at first-hand the very real issue presented by waste in our Province. That is the sort of practical approach that must underpin this progress, to ensure that we arrive at solutions and legislation that are effective and protect, promote and enhance our environment.

The environment is our prize asset in Northern Ireland. It must be protected, and I support efforts to do so. I support the motion.

**Mr O'Toole:** I speak primarily as my party's Brexit spokesperson, though I mostly will not be talking about Brexit, the Minister will be relieved to hear. We are, however, asked to debate yet another legislative consent motion, relating to the effects of exit from the European Union. We have been asked to do it, I am afraid, as the member from the Agriculture Committee said, with insufficient scrutiny or time to think through the broader implications of the legislation and the specific interactions with the Ireland protocol. It is important that I acknowledge, right at the start, that that is not preferable or acceptable, particularly because we are going to have, as the year goes on, a large volume of further legislation and legislative consent motions to scrutinise. At least, I hope that we will, because, as we speak, the Executive should be preparing that, although we have not had much of an update on that.

Many of the aspects and intentions of the Bill are indeed welcome. It is right that, if we have to leave the European Union — clearly, I and my party did not support that — there is not a governance gap. Many of the provisions and principles that are currently provided for by European law must be converted to domestic law. That being the central purpose of the Bill, it is welcome, insofar as it goes. However, there are very specific concerns and challenges, and I will come onto a couple of them.

#### 7.15 pm

A substantial proportion of existing law and policy relating to environmental protection in the UK and, indeed, all member states, comes from the EU. Its implementation is largely enforced and monitored by the European Commission. The Bill, as I said, intends to replace the work

of the European Commission but fails as an appropriate replacement on two critical counts. First, there is a lack of ambition on environmental protection and conservation in Northern Ireland. Just a few weeks ago, we passed a motion in this place highlighting the need to acknowledge a climate crisis. The lack of legally binding targets and of commitment to non-regression in environmental standards in the Bill is deeply disappointing. We should be aware of that as we wave through the legislative consent motion tonight. The failure to properly consider the need for specific measures and environmental infrastructure in Northern Ireland means that the Bill simply does not provide adequate protection for the environment; indeed, there are few guarantees, other than some of the verbal guarantees that we have had from the Department for Environment, Food and Rural Affairs (DEFRA) in London, that environmental standards will not be watered down. We are asked, in short, as we were a couple of weeks ago with regard to the Medicines and Medical Devices Bill, to simply take the word of the UK Government on that. As I said then, Members on all sides of the House should be well aware of the value of the words of this British Government.

Secondly, there is a distinct lack of clarity from either Westminster or DAERA on how the Bill will interact with the Ireland protocol or, indeed, how its provisions will be applied if and when the UK chooses — I hope that they do not choose, but I fear that they will — to diverge from EU environmental standards following the end of the transition period. We simply do not have enough information. That goes to a deeper point, which is the lack of information that we have generally about the devolved institutions, their application of the protocol and, indeed, the UK Government's willingness to stand behind those provisions. The Environment Bill, as I said, is yet another example of the Assembly's having to wave through Brexit-related legislation without real scrutiny and with little information on how it will impact on the environment and what it will mean for the agriculture industry.

Philip McGuigan offered the example of water quality. We are asked to take the word for it that the DEFRA officials who drafted the Bill were thinking about the specific conditions on the island, not just the Ireland protocol but the simple fact that the water in Carlingford lough, Lough Foyle and Lough Melvin does not change at the border. We need to have a properly thought through, joined-up approach to understanding not just the implementation of the protocol but how environmental standards can be managed on an all-island basis. That is not a nationalistic point; it is a simple fact of being on an island and not just sharing natural resources on an island but sharing natural resources that are completely seamless across the border. The word "seamless" is absurd, of course. As I have said, the fish in Lough Melvin and the oysters in Carlingford lough do not pay attention to which side of the border they are on, I am afraid, and we cannot expect them to do that.

I will go into a little more detail on the two critical failings that I have mentioned. The first is the lack of any real ambition for Northern Ireland with regard to environmental regulation. Environmental governance in Northern Ireland has been historically weak, not just internationally but, frankly, in relation to other parts of the UK. England has its Environment Agency. We are the only devolved area of the UK that does not have its own separate and independent statutory conservation body. Frankly, that is absurd. It is overdue.

With the UK's exit from the European Union, environmental law and governance will become even weaker. I am afraid that it started from a weak place. Representatives of the local agriculture and environment sectors have expressed their concerns that the Bill is both incomplete and removed from the specific challenges that we face in Northern Ireland. I thank them for the engagement that my party and I have had with them in recent days. As has also been said, there is no commitment in the Bill to non-regression on environmental standards. Part of the reason why that is particularly critical is that environmental standards are, as the Minister will well know, completely and intimately linked with agri-food standards with regard to food production. When it comes to the development of the new trade deals that the UK will seek to sign, we need absolute certainty that standards, whether they are environmental standards, food standards or labour standards, frankly, will not drop, and we simply do not have it. At the minute, we have verbal commitments not to regress on EU standards, but the Environment Bill fails to enshrine that in law either in Westminster or in Northern Ireland.

An effective environment strategy needs to be underpinned by local legislation. As has been said, this Bill contains no statutory basis for environmental plans or binding targets.

In relation to the governance gap, though I am glad that there will be at least some legislative provision to cover the period when the UK leaves the European Union, as I said, there needs to be some form of continuity in the statute book. The Bill does not sufficiently clarify issues around resourcing nor the interim arrangements for the proposed OEP in Northern Ireland.

We are losing the oversight and enforcement role of the European Commission and the European Court of Justice. That new body — the OEP — will be established for England, with amended function for Northern Ireland, to take on some of the European Commission roles, but there remain serious concerns regarding its independence and its robustness. There is no guarantee either that the OEP will be operational here by 1 January — the Minister may be able to give some clarity on that this evening — meaning that there may be a significant environmental governance gap if those structures are not in place. Environmental organisations here have argued robustly that that OEP needs to be fully independent of government and have stronger enforcement mechanisms. We support their calls. The OEP will only be able to issue notices in the case of breaches or initiate judicial review proceedings, which are both a lower standard than the current powers that the European Commission holds. That might be the desire of Brexiteers in London who wish to maximise freedom by lowering regulation, but it should not be what we want to do here. Frankly, it should not be what we want to do anywhere in the UK in terms of guaranteeing environmental standards.

I reinforce a point that was made by Philip McGuigan, which we support, and many others in the House. Bizarrely, there is no one from the Green Party here, but I am sure that they would support the case for an independent environmental protection agency *[Interruption.]* My apologies. I put on record my apologies to the leader of the Northern Ireland Green Party, who, I am sure, will support me in my calls for an independent environmental protection agency for Northern Ireland. As I

said, we are the only country in the UK that does not have one.

Many of the policy principles in the Bill were consulted on at a UK level, as I said, while Northern Ireland was without an Executive, so parts of the LCM create a challenge for specific parts of industry here. I am sure that the Minister has consulted specifically with the food and drink industry around packaging and the specific challenges that it has. I am sure that he is engaging with them on that.

I will move on briefly to discuss challenges around the protocol and the lack of consideration of the Ireland protocol in relation to the delivery of the Bill. As I said, it was developed without, as far as I am aware — I could be told differently — specific detailed consideration of the application of the Ireland protocol or the post-Brexit position of our environment and agriculture sectors. That is frustrating, and it is particularly deeply frustrating given how little time we have had to consider or scrutinise the Bill. Due consideration has not been given to the potential impacts, as I said, of regulatory divergence between Great Britain and the European Union; indeed, there is no specific reference in the Bill to the protocol at all. If there are any attempts to circumvent or circumnavigate the protocol in how the regulation is applied here, it will, no doubt, have implications for our access to the European single market. It is one of the advantages of the Ireland protocol that our producers here continue to have access to it. If there is any uncertainty about the application of the protocol in relation to, for example, the environmental provisions and how they interact with food production, that could present challenges to our access to that market. I am sure that no one here wants to see that.

A list of potential divergence issues are completely unclarified in the Bill. They include issues around, as we have discussed, water quality, particularly in relation to river basin districts, so many of which, as we know, are cross-border; cross-border waste disposal; labelling and packaging requirements and costs; and questions around judicial review of branches of environmental law, specifically as it relates to cross-border activity. There is a lack of clarity on who will be responsible for enforcement. There is, as I said, no mention in the Bill of who will take precedence should, for example, Northern Ireland find itself non-compliant with the protocol by implementing UK law that is divergent from EU standards in a dramatic way post transition. Those are all questions that we simply do not have answers to.

Mention has also been made of common frameworks across the devolved regions. Many of the areas under the Bill have been identified by the Cabinet Office as areas for a common framework, but we still do not have enough detail from the Cabinet Office around those common frameworks. I am sure the Minister will agree that we need more from the Cabinet Office on that.

In summary, while I agree with the principle of avoiding gaps in our environmental provision post the end of the transition period, I am afraid that the Bill is a long way from covering it. I cannot, on the record, support the legislative consent motion. We are not going to oppose it, force it to a Division or anything like that. We support some of the provisions, but, as I said, this is nowhere near ambitious enough for environmental protection in Northern Ireland, and nor is there anywhere near enough detail on the application of the Ireland protocol and how it affects

everyone in Northern Ireland. We need much more on that. We need it from the Minister's Department, we need it from the UK Government, and we need it urgently, I am afraid.

**Mrs Barton:** While we debate the extension of the provisions of the Environment Bill to Northern Ireland, let us not forget that the Bill before us is a complex one with very limited scrutiny time. There are 57 of its 133 provisions that apply to Northern Ireland.

The Bill is in two parts. The first is a legal framework for the new environmental governance and accountability that, it is hoped, will address any environmental governance details that have been excluded as a result of exiting Europe. In general, the second part concentrates on improvement of the overall quality of our environment, such as providing for a cleaner environment through better waste and resource management, leading to greater efficiency and an improvement in air and water quality through education and individual and collective responsibility. The second part of the Bill also recognises the need for biodiversity conservation to keep our natural ecosystems functioning and healthy.

The original Bill was introduced at Westminster in 2019 as UK legislation and had Northern Ireland provisions added because, at the time, Stormont was not operational. As a result, there are several issues in the Bill that may cause concern for Northern Ireland as it works towards a cleaner, brighter environment. There is concern that the Bill may bring about a weakening of environmental protection, leaving the UK with less protection than that provided by the EU. However, with environmental improvement plans and the importance of maintaining and protecting the environment, hopefully it will reflect that we do not need to be concerned.

There are also uncertainties around the Northern Ireland protocol. There are concerns that the Bill makes no specific reference to the protocol, which may have implications for Northern Ireland in terms of environmental standards and in relation to accessing the EU single market, for example, for our agri-food sector. Another source of unease is that the governance gaps can still prevail because of exit from Europe. While the Environment Bill attempts to prevent those gaps from arising through the development of an environmental plan for Northern Ireland, there are still many unknowns.

With regard to the establishment of an office for environmental protection, there is no reference to the independent environmental protection agency proposed in New Decade, New Approach. There is also no reference to the potential overlap of those organisations and the overlap of the enforcement bodies such as the Northern Ireland Environment Agency (NIEA). There is a need for clarification around the roles of those organisations and their recognition.

It is because of those issues that it may be necessary in the future to bring forward a bespoke Northern Ireland environmental Bill, something that Scotland and Wales are working towards presently.

### 7.30 pm

The Bill contains a further number of clauses specifically addressing waste and resource efficiency in Northern Ireland. Those clauses are welcome. They include provisions on electronic waste tracking, the shipping

of waste and enforcement powers to discourage waste littering. There are also number of recyclable and reusable clauses applicable to plastics. Furthermore, there are a number of clauses that relate to air quality through the Clean Air Act, with clauses setting out requirements for the need to maintain and improve water quality standards. While there are some issues that may be of concern, the majority of the provisions are welcome, so the Ulster Unionist Party will be supporting the Bill.

**Mr Blair:** I thank the Minister for his statement and the fairly extensive detail given. On behalf of the Alliance Party, I support the LCM, although I should probably say at the outset that colleagues and I see this as a holding position, an interim measure and a framework on which to build a Bill and policies bespoke to Northern Ireland. That will probably come as no surprise to others, including those who sit with me on the Committee for Agriculture, Environment and Rural Affairs.

As the only region in the UK and Ireland without an independent environmental protection agency, a climate change Act or specific net zero emissions targets, Northern Ireland is in urgent need of new policies that will protect the environment and restore nature. Some Members will be aware that the 'State of Nature 2019' report illustrated clearly the alarming rate of habitat and species loss. The Assembly will, I hope, commit to sufficient resources to honour pledges already made to ensure adequate progress and protections going forward.

The proposed Environment Bill goes some way towards addressing the environmental governance gaps that our exit from the European Union exposes, however there are a number of issues that remain and which need addressed. We need mechanisms for ensuring that future environmental improvement plans are sufficiently ambitious, deliver meaningful improvement and are relevant to Northern Ireland. Clarification is required around the relevance of and the role for Northern Ireland within the proposed Office for Environmental Protection how that sits with the independent environmental protection agency for Northern Ireland as promised in the New Decade, New Approach agreement.

Furthermore, the Environment Bill outlines that there would be one Northern Ireland representative on the OEP regulatory body. The obvious questions that stem from that are: who will that be; how will they be appointed; and from what sector will they come? The process for appointment, at this stage at least, is completely unclear. The Environment Bill also tells us that DEFRA will report to Westminster every two years on international environmental protection legislation. That does not, it appears, cover Northern Ireland-based detailed scrutiny, and that is another concern of mine.

There are, however, some positives and areas of the Bill that are appropriate to Northern Ireland and which address the specific environmental governance challenges. I am pleased to see the inclusion of polluter pays principles, considering the legacy of environmental problems such as river pollution, and I look forward to seeing the policies and the will to carry them through.

The Bill obviously, as I referred to a moment ago, gives us some continuity on environmental protection from the date of EU exit. On the subject of that EU exit, as has been referred to already this evening, Northern Ireland

is the only part of the UK that shares a land border with a European Union member state. That gives added importance to the need to maintain existing EU standards and to improve upon those further. This also gives us a serious and timely caution on non-regression.

The Republic of Ireland will still be operating under the EU framework, and, if Northern Ireland has a significantly different legislative framework or lower standards, it could be more challenging for us to work collaboratively with our neighbours to protect our shared environment. Few would doubt that, whatever drawbacks there have been, the existing threat of EU fines over the years has served as an effective deterrent on many environmental protection matters. I would have preferred a non-regression clause to be included in the Bill, and I hope that subsequent Bills, strategies and policies can address that shortfall.

With a view to those future solutions and improvements, to build on recent positive statements and initiatives from DAERA and, despite the concerns that I have expressed, to ensure cover going forward, I am happy, on behalf of the Alliance Party, to support the LCM.

**Ms McLaughlin:** I thank the Minister for his very detailed statement and briefing. This LCM is another unfortunate example of a Bill on which we have been unable to get enough clarity. It is another indication that the UK Government is facing in several different directions at once. Wales and Scotland are developing their own environmental protection agencies, and it is no wonder. Let us recall, for a moment, the New Decade, New Approach agreement to which the UK Government devoted immense time. It referred, very explicitly, to the environment and climate change. The 'New Decade, New Approach' document stated:

*"The Executive should bring forward a Climate Change Act to give environmental targets a strong legal underpinning.*

*The Executive will establish an Independent Environmental Protection Agency to oversee this work and ensure targets are met."*

When the SDLP held the Ministry, attempts were made to progress both of these hugely important environmental initiatives but, inexplicably, they were thwarted and blocked at Executive level. We need to resurrect the commitments made in the 'New Decade, New Approach' document.

It is obvious, and it should be obvious to the British Government, that the situation in Northern Ireland is different from England. We have a land border. We have cross-border production built into the agri-food sector. Many of the environmental matters underpinning this legislation are different here from those over the water. Yet we have so little time to properly scrutinise the legislation. We do not have the opportunity to consider, in detail, the specific implications of this legislation for Northern Ireland — that is just not good enough.

We will support this LCM. We are not totally happy with its contents, but the alternative is to have no environmental governance. The SDLP will seek to make amendments to the Bill in Westminster to make improvements that have more cognisance of our unique position in the North.

**Ms Bailey:** This Assembly is being asked to endorse the extension of these provisions to Northern Ireland, but

these extensions are sub-power provisions. They are still under scrutiny in Westminster, yet we are being asked to rush them through, despite knowing that we are doing so without adequate scrutiny. Why are we being asked to endorse provisions that are not even law yet and that do not work for us in our context? Most importantly, we still have the option to amend and improve them.

I have listened to the Brexit and Environment group, which has spoken of their concerns that this legislation has been developed for England, made common by default, fine-tuned for England but not tailored to the needs of Northern Ireland. That is hardly surprising, given the absence of an Executive during the Assembly's three-year hiatus and the lack of formal public consultation, at a Northern Ireland level, and the principles and governance aspects of this Bill.

We are facing huge issues in governance and enforcement gaps, and the provisions extended to Northern Ireland do not adequately address those in the Bill's current form. This Bill and its provisions as they stand in relation to Northern Ireland are simply not good enough. It does not meet our needs. It does not adequately address the issues that we face. We need to develop our own environmental legislation that is specific to our context and is aligned with the Ireland/Northern Ireland protocol. This is nothing close to that, so I find it hard to support the LCM. If we are to pass legislative frameworks to protect our environment at least let us get it right, because time is running out.

When we look at the provisions of the protocol, not only does much of this Bill not fit the Northern Ireland context, in some cases it limits and restricts it. The Environment Bill's provisions, both UK-wide and NI-specific, have not been tested to see if they are compliant with the protocol. In fact the Bill, as other Members have mentioned, makes no reference at all to the protocol. Quite frankly, that is unbelievable.

We know that adherence to the EU environmental standards contained in the protocol is how Northern Ireland businesses will be able to access the single market. We know that Northern Ireland is required to automatically adopt any changes to the EU environmental legislation listed in annex 2 to the protocol. We know that Northern Ireland will find itself extremely vulnerable to the impact of divergence between GB and EU law. Any such divergence would have implications for the protocol and for access to the EU single market.

What we do not know is how the protocol will impact on the UK's ability to create common environmental frameworks. Will Northern Ireland be subject to the enforcement powers of the European Commission and the Court of Justice of the European Union (CJEU) for the protocol, and to the OEP for everything else? If Northern Ireland finds itself non-compliant with the protocol by implementing UK law or vice versa, which takes precedence?

We do not know the answer to those questions because the Bill has not been tested to see how it will interact with the protocol. How is it that we are being asked to endorse the extension of these provisions to Northern Ireland when no consideration has been given to our local context?

The issue of non-regression has been mentioned by several Members, and it is hard to ignore the criticisms consistently levelled at the Bill by experts charged with its scrutiny. The House of Commons Environment, Food and Rural Affairs Committee has stated that the Bill's

provisions are not equivalent to current EU environmental standards, and that, in some areas, they mark a significant regression from current standards. That is unacceptable. It is essential that the Government commit to non-regression in the Environment Bill.

Let me remind you that non-regression is an environmental and legal concept that requires regulations and standards that should not be diminished. A strong version of non-regression does not just prevent a row back, but requires continual advancement in environmental law and commitments. Experts have told us that non-regression is essential for us to meet environmental obligations. How, then, does the Minister account for the fact that the Bill contains no non-regression provision at all for Northern Ireland?

Government and departmental officials have indicated that they have no intentions of weakening environmental protections. That should not need to be explained, but it seems that it must: aspiration and intent do not equate to legislative protection.

Northern Ireland is facing monumental environmental disaster. Of the designated special areas of conservation here, 98% exceed critical levels of ammonia. More than one in 24 deaths here are linked to air pollution and, if we keep going along our current trajectory, a considerable proportion of this region will be under water by 2050.

Intention is all well and good, but let us be honest: there is also form here. Our track record is dismal. How can we trust that there will be any change, when time and again we have allowed environmental destruction to occur unchecked? Aspiration is inadequate. We need a straightforward and substantive commitment to non-regression of environmental law that is written and included in the provisions for Northern Ireland.

The Minister must do his job and get this law right. That is how we will get this done. Anything else, and anything less, will just not be good enough.

There are other issues to touch on, such as agriculture and fisheries. Not only does this Bill not align with the protocol, it does not even align with the other Bills, the Agriculture Bill and the Fisheries Bill that we have been told that we have to give legislative consent to.

We are passing laws that are contradictory to each other and we have no provision to monitor their implementation or revise them when they are not working.

#### 7.45 pm

It should also be noted that, after the House gave legislative consent to the Agriculture Bill, Westminster was still working on it and it is still working its way through the Committee Stage and the Commons. After we gave legislative consent, Westminster then voted, with the support of the Minister's party colleagues there, to lower the environmental and food standards contained in the Bill. I call upon the Minister to address that by engaging with Westminster to ensure that we have laws that work in practice.

We look at water quality, and it was absolutely great to see the Minister pictured yesterday in his kayak on the river with local people cleaning up the River Bann. While we share the Minister's concerns at the shocking levels of pollution and waste in our rivers, we are not as shocked, because we know, we have been watching, we see it

and we hear it from people who continually tell us about the pollution, the damage and the waste in our rivers. Our waterways are already in a deplorable condition, with only 31% of our rivers classified as being in good or better condition. The River Faughan experienced five major pollution incidents between Monday and Friday last week alone. Is the Minister working with his Executive colleagues, including the Minister for Infrastructure, to stop that happening and to identify the polluters and hold them accountable?

The Bill gives DAERA the power to change regulations around the protection of our water. However, there is no requirement for those changes to be positive. We need to see a clear commitment in the Bill to make sure that any change to water regulations and any standards are positive, and I call on the Minister to act to ensure that that is the case.

There is a simple reality that is not being engaged with here, and that is that we live on a shared island. That is not contained in the Bill, but that is our context. We share our nature and biodiversity, our air and our waterways. We share three transboundary river basins with the Republic of Ireland. Changes to the way in which we monitor water quality and any weakening of standards will affect those north and south of the border. At a time when North/South collaboration is so critical, why are we creating barriers to that cooperation on shared environmental issues?

I want to mention Aarhus rights, and I know that the Deputy Chair of the Committee mentioned that. The removal of Aarhus rights from the Bill — rights relating to public participation, public access to information and public access to justice — is a matter of huge concern for me. Article 8 of the Aarhus convention, to which the UK is a signatory, requires effective public participation in changes and decisions that can significantly affect the environment, and yet no public consultation took place at a Northern Ireland level on the contents of these provisions. Does the Minister agree that these rights are important? Can he enlighten us as to why there is no mention of the convention? Why has that been removed?

In conclusion, I find the evidence of the Bill quite damning. The Bill and its provision relating to Northern Ireland are not good enough. The Ireland/Northern Ireland protocol has either not been considered or just not been addressed. There is no substantive commitment to non-regression or environmental law in Northern Ireland. The provisions relating to water quality do not instil any confidence that there will be no further deterioration on our rivers, lakes and coasts. The questions remain around public access to environmental justice. Let us not forget what is at stake here. It is our future and our homes. Are we willing to accept a future outside the EU with lower environmental protections? As Greens, we will not.

It is my belief and the belief of my party that the provisions of the Bill relating to Northern Ireland pose a threat to our environment, but this is not a done deal. We can do better and here is how: work to amend the Bill. It is great to hear that our SDLP colleagues will be doing that. I am calling on the Minister and everyone else to do exactly the same. Include a substantive commitment to non-regression. Include a sunset clause for Northern Ireland so that we can create our own environment Bill that reflects our unique context.

The Scottish LCM, on the extension of the Environment Bill provisions to Scotland, was recently postponed due to their serious concerns about the content of the Bill. Why can the same not be done here? Fix this Bill, and bring this LCM back when the provisions will work to protect our environment. Westminster has shown no regard for the consent of this institution for previous LCMs, this one will be exactly the same.

As it stands, I cannot endorse the extension of these provisions to Northern Ireland. We have an unprecedented opportunity to build back better with a just transition. To not do so is a dereliction of our duty. Thank you.

**Mr McNulty:** I thank the Minister for his statement on the LCM. I welcome parts of his statement.

Unless we act strategically and in harmony across these islands and, indeed, across the continent, we are facing a climate and ecological crisis, and the North of this island's unique and iconic environment will be under significant threat. Decades of insufficient environmental governance have led to significant environmental damage. The 'State of Nature 2019' report clearly demonstrates that our terrestrial, air quality, water and marine environments are suffering, with species and habitats being lost at an alarming rate.

Extensive regulatory dysfunction and unacceptable levels of disregard and the non-compliance of environmental law have resulted in substantial degradation to our environment and have had significant social and economic costs. Environmental NGOs have long argued for regulatory reform and the need for independent regulatory and statutory nature conservation body, as the Northern Ireland Environment Agency is an Executive agency within DAERA and not an independent body and only has limited functions. We are the only part of these islands without an independent public body charged with protecting and enhancing the environment.

The majority of environmental law here comes from the EU, and we have benefited from the further environmental governance provided by the European institutions, particularly the European Commission and the CJEU. The significance of this oversight is highlighted within national UK law and does not sufficiently enforce environmental law nor provide effective remedies and sanctions for breaches.

Following the transition period, the loss of oversight from EU institutions such as the EU Court of Justice risks further weakening of the environmental protection across the North where the threat of fines from the EU has long provided the greatest deterrent. There is a clear and urgent need to replace the lost oversight of the EU institutions. Brexit cannot be allowed to be used as an instrument to reduce environmental standards. It is more important than ever that we seek to proactively protect, recover and enhance the environment to ensure that nature is in better condition for future generations. We have responsibility for the stewardship of our environment: a clean healthy and well-protected environment that supports a sustainable society and economy. It is our duty to protect and improve the environment, as it is a valuable asset for the people of Ireland, and to protect all ecosystems, animals and ecology from the harmful effects of pollution.

I, therefore, welcome the introduction of the Environment Bill and its provisions. However, I strongly recommend

technical and substantive changes to the Bill to include more detailed and rigorous protective measures to ensure that it effectively protects and enhances the environment. The proposed office for environmental protection will monitor and report on environmental progress. This includes environmental improvement plans and targets, report and advise on changes to environmental law and take enforcement action on potential breaches of environmental law by public authorities, with its principal objectives being environmental protection and the improvement of the natural environment.

If the Environment Bill is enacted unchanged, the OEP will be responsible for monitoring the implementation of environmental law and taking action when public authorities are not implementing it properly. The OEP will be able to receive and investigate complaints from the public and initiate their own investigations into breaches of environmental law. The OEP will be able to provide advice and decision notices that inform the relevant public authority of its failure to correctly implement environmental law. In instances in which there is a serious failure or need for urgent action to comply with environmental law, the OEP can apply for judicial review of the public authority's action or lack thereof. Unlike the EU, however, the OEP will not have the enforcement power to impose penalties such as fines in instances in which public authorities continue to fail to comply with environmental law. That is obviously a major worry, as, if there are no consequences to breaches of standards, we may be open to major environmental exploitation.

DEFRA has said that it has plans for the OEP to be operational immediately following the end of the transition period, on 1 January 2021. Given the pandemic, is that date achievable and realistic? That is part of the reason that our party has strongly sought an extension to the transition period. The Environment Bill does not sufficiently clarify issues surrounding resource and interim arrangements for the OEP here in the North.

Subject to the NI provisions in the Environment Bill being commenced, a dedicated member from here will be appointed to the board of the OEP, yet that appointment process lacks involvement of or oversight by the Assembly. The Bill does not clarify the timescale for when the OEP is expected to become operational here. No interim governance arrangements are proposed, so the OEP must be operational by 1 January 2021 to avoid any gap in governance. If the OEP does not receive legislative consent and no other governance mechanisms are established for Northern Ireland, the only mechanism for challenging the legality of public authority decisions would be for civil society to apply for judicial review, which is a resource-intensive process. There is therefore a significant risk of a widening governance gap in the North in the case of a no-deal Brexit. Although the OEP will provide oversight of the implementation of environmental law as it is currently established in the Environment Bill, there remain limits to both remit and enforcement powers.

Also of concern is the fact that the OEP will be responsible for monitoring the actions of public authorities and that it is limited to providing decision notices. There is therefore a clear need for the establishment of an independent statutory nature conservation body for Northern Ireland that will monitor the actions of individuals and organisations and that can take enforcement actions that

can include, amongst others, financial penalties and civil sanctions.

An independent environmental protection agency could be responsible for implementing environmental law through, for example, licensing, monitoring the implementation of environmental law and taking enforcement action when individuals or organisations are in breach of the law.

The Bill provides a framework on which the Assembly could work to ensure the protection and enhancement of the environment. That work must commence apace. The environment cannot wait. The environmental principles, including integration, prevention, precaution, rectification and polluter pays, as well as the duty on the Minister to prepare a policy statement on the need to apply proportionally the principles in the development of policy, are to be welcomed. Enforcement is key. The Bill requires DEFRA, in the process of introducing new environmental regulations, to lay before Westminster a statement indicating that Ministers view the proposed Bill as not having the effect of reducing the level of environmental protection currently afforded by existing environmental law. That provision does not extend to the North but will apply to Northern Ireland as a reserved matter. That demonstrates a lack of environmental ambition. No regression is not enough. In the Bill, there are currently no provisions relating to targets or time frames for Northern Ireland.

The Bill in its current form does not achieve what has been promised, namely gold standard legislation, global leadership for responding to the environmental crisis and a world-leading watchdog. The Minister should set out a straightforward and substantive commitment to no regression on environmental law and to enhancement of environmental standards in the Northern Ireland provisions in the Bill. The duty to apply that and environmental principles should be strengthened to apply to Ministers and public authorities in the development of legislation, policy and decision-making.

The Assembly and DAERA should legislate for NI-specific environment, agriculture, climate change and fisheries Bills that provide for the protection and enhancement of nature, with standards that set the bar high and that can harmonise across this island and this continent. The Minister should develop the environment strategy to function as a long-term environmental improvement plan. That should be underpinned by an independent environmental protection agency and time-bound targets, covering terrestrial, air, water and marine environments. Without those, the government system here will be incomplete and less effective. Subsequent secondary legislation policies or strategies that come from those Bills — for example, the environmental strategy — should be shaped not around the principle of non-regression but around enhancement and ensuring that environmental protection is not watered down.

A robust Northern Ireland environment Bill, with sufficient associated funding, will deliver a significant benefits for the environment, our health and well-being, the economy and the prosperity of future generations. We support the LCM but qualify that support. There are too many gaps and too few protections.

#### 8.00 pm

**Miss Woods:** From the outset I reiterate and emphasise that no formal public consultation took place in Northern

Ireland around the environmental plans, principles and governance elements of the Environment Bill. Consultation happened UK-wide while Northern Ireland was without an Executive and with no sitting Assembly. It should then come as no surprise that the legislation is designed for England. The Bill is not tailored to the needs and aspirations of Northern Ireland and nor do the provisions extending to Northern Ireland adequately address the major issues that we face in environmental protection and the huge governance and enforcement gaps that lie ahead.

The legislative consent motion before us asks if we endorse the principle of the extension of the provisions. Like many others in the Chamber, I understand the urgent need to plug the legislative gap that leaving the EU will create with regard to environmental protection, but, unlike many here, I will not endorse the extension of the provisions of the Environment Bill as they stand. The Environment Bill in its current form and its provisions relating to Northern Ireland are insufficient and wholly inadequate to enable us to protect our environment.

Clauses 45 and 46 and schedules 2 and 3 deal with environmental governance and the office for environmental protection. Those parts of the Bill do not address the potential for overlap between the work of an OEP, as proposed, and, indeed, an independent environmental protection agency, as was promised in the 'New Decade, New Approach' document and that the Assembly voted for five months ago. Let us be clear: the OEP, as proposed, will have no powers to issue fines. Even though fines from the EU are rare, this removes the threat of fines, which is a highly effective tool. It will simply have no teeth.

The Bill attempts to address the concerns over the OEP's independence by requiring:

*"The Secretary of State ... have regard to the need to protect"*

the OEP's independence. However, that could easily be eroded in practice. The Secretary of State plays a major role in the appointment of members. They will appoint non-executive members who will then appoint the executive members. With regard to funding, paragraph 12 of schedule 1 states that the OEP will receive:

*"Such sums as the Secretary of State considers are reasonably sufficient to enable the OEP to carry out its functions."*

None of those provisions adequately ensure or protect the independence of the proposed body.

There is provision in the Bill for a specific Northern Ireland member to be appointed to the OEP board, but the Northern Ireland member would be appointed by DAERA. No provision is made for the appointment to involve or to allow involvement and oversight from the Assembly. Part 1 of schedule 3 provides for the OEP to report on environmental improvement plans, and part 2 provides for the OEP to report on monitoring and reporting of environmental law. Those reports are to be laid before the Northern Ireland Assembly, and yet, for some reason, the reports on environmental law are optional. I ask the Minister why that is. Paragraph 3 of schedule 3 provides for the OEP to offer DAERA advice on changes to environmental law, but there is no automatic requirement that that advice be communicated to the Assembly; instead, DAERA:

*“may, if it thinks fit, lay [the advice] before the Assembly”.*

That is simply not good enough.

A crucial element of environmental enforcement is the ability of ordinary individuals to provide information and to help initiate actions by an enforcement body. That process is currently facilitated by a complaints procedure to the European Commission. The Bill provides for complaints by individuals to the OEP but includes an unnecessary restriction through excluding individuals who exercise “functions of a public nature”. That will surely limit the number of admissible complaints and, therefore, enforcement. Judicial review is an option only where there will be serious damage to the environment and/or human health. It remains the strongest tool for the OEP and is very insufficient.

Schedule 3 does not refer to the interim environmental governance arrangements in the time following the transition period, so the OEP must be operational by 1 January 2021 to avoid a gap. Paragraph 4 of schedule 1 gives powers to DEFRA to appoint an interim chief executive until the OEP becomes operational, but there is no provision for an interim NI member, something that has been suggested by the Northern Ireland Environment Link. However, overall, having a token member on the OEP will not suffice. An office based in Northern Ireland would be required with appropriate staff and the resources to ensure effectiveness. Reporting restrictions on individuals who exercise “function of a public nature” should be removed, and there should be an alternative enforcement to judicial review with at least the power to issue fines.

Our core objective for environmental governance in Northern Ireland should be to establish an independent environmental protection agency that supersedes all other bodies. That was agreed in ‘New Decade, New Approach’ and voted for by the Assembly, I reiterate, five months ago.

I turn now to the governance gaps. As it stands, DAERA does not have any plans to take forward an environment Bill for Northern Ireland. If the UK Environment Bill does not go forward, it says that it is unlikely that there will be governance arrangements in place in time. We may end up with a gap at the end of this year where we do not have environmental principles or oversight. DAERA has also indicated that, if the Bill gets legislative consent and is implemented, that will not prevent Northern Ireland making changes to it or doing additional things that it wants to. However, while the Bill offers opportunities to address governance gaps that may arise as a result of leaving the EU, gaps may still arise; for example, during the period it takes to develop an environmental improvement plan for Northern Ireland or until an OEP is established here to take over the functions currently performed by the EU.

If the Bill passes in its current form, there will still be governance gaps in places where EU institutions have exercised governance functions, such as preparing legislation, conducting evaluations, sharing data or overseeing enforcement. The OEP proposes to address the gaps that will emerge in relation to enforcing EU law, but it does not do so in a complete fashion. Other gaps, such as the lack of sharing of environmental information through membership of the European Environment Agency, remain unaddressed. There may be governance gaps in terms of the independence of the OEP and

Northern Ireland’s limited representation on that. A number of stakeholders have expressed their desire for greater emphasis to be placed on the Assembly’s oversight and scrutiny role over aspects of the Bill such as the OEP. COVID-19 and time pressures resulting from the pandemic may also impact on the time frame required to make provision to deal with potential governance gaps.

I turn now to the environmental improvement plan. Clause 45 and schedule 2 contain provisions on environmental improvement plans that require DAERA to take forward a policy statement on environmental principles. Unlike England, Northern Ireland does not have a current environmental improvement plan. Paragraph 1 of schedule 2 provides for a plan to be created within 12 months of the Bill coming into force with the provision that, until then, the current plan is the default. However, as I say, Northern Ireland does not have a plan. This risks an immediate governance gap.

Clause 7 states:

*“An ‘environmental improvement plan’ is a plan for significantly improving the natural environment”*

but there is no indication of what “significant” means or how improvement will be measured and against what benchmark. Lack of specificity — I will move on, as I cannot do that word — in the wording allows scope for trade-off, weakening or poorer performance in some sectors against better performance elsewhere so long as the vague overarching goal of improvement is achieved. Improvement from a low benchmark would satisfy the requirements of the Bill but arguably fail to deliver the environmental improvement that is required to meet the Government’s commitment to a net zero by 2050, amongst others. This is particularly relevant for Northern Ireland, as it comes in a context of poor environmental history and considerable environmental issues. Northern Ireland needs to improve, but, more than that, it needs to be ambitious.

I turn now to the environmental targets and principles. No specific targets are provided for in the provisions for Northern Ireland, nor are any timelines specified. Without targets and timelines, the system of environmental governance proposed for Northern Ireland will be significantly weaker than that for England. It will leave Northern Ireland’s environmental governance architecture incomplete and potentially ineffective. Clause 1(2) only requires that at least one matter within each priority area be addressed, which leaves open the possibility of a piecemeal approach. The Secretary of State is responsible for ensuring that the targets are met and can also revoke or lower them where costs are deemed inappropriate. If a similar approach were taken in Northern Ireland, the already weak approach to environmental protection would not improve, especially if political will in favour of environmental protection declines. Greater reference should be made to the international standards based on expertise with minimum standards and more aspirational targets such as the UN sustainable development goals. Part 1 of schedule 2 leaves it up to the Department to decide what data it considers appropriate for the purposes of monitoring environmental improvement, but that should not be done without requiring coordination with other parts of the UK, the Republic of Ireland and the European Environment Agency.



Where is Northern Ireland's environmental improvement plan? The Department must bring one forward as soon as is feasible. The draft Northern Ireland environment strategy could be developed into a Northern Ireland environmental improvement plan if it contained clear targets and addressed some of the core concerns highlighted in the consultation. The Department has already indicated that the environmental strategy could be redesigned and redesignated as an environmental improvement plan without the need for further consultation.

Northern Ireland must introduce specific targets, not a copy-and-paste from the Bill proposed for England but targets that address the core issues for Northern Ireland. The Minister and Department should, therefore, identify suitable priority areas, building on those in the Bill for England and extending them to include Northern Ireland's core issues. Northern Ireland should then, at a minimum, set legally binding environmental targets for those priority areas.

The Bill fails to include priority areas such as soil quality. Soil health is an essential element of our environment and should be included in environmental targets. The lack of EU-derived legislation on that issue makes the role of targets here even more important.

Ideally, targets should be time-bound and front-loaded. Any review of an environmental improvement plan should be undertaken by an independent regulator or statutory nature conservation body. Policy statements developed on the environmental principles should not be subject to vague proportionality reasoning that allows for a trade-off between environmental principles and economic considerations.

DAERA should commit to working with the UK Government, the Republic of Ireland and the European Environment Agency to ensure that a common approach to data is adopted and enable effective, cross-cutting solutions to be devised on the basis of a shared understanding of the problem and consistent measurement approaches. The Northern Ireland Act 1998 provides for cross-border cooperation in environmental protection, so we already have it there.

The question before us today is a simple one: will we accept a future outside the EU with fewer environment protections? We, as Greens, will not accept that. The Bill and its provisions relating to Northern Ireland are not good enough. The proposed office for environmental protection will never fulfil the potential of the independent environmental protection agency that the Executive parties agreed to and the Assembly voted for. The governance gaps, the lack of an environmental improvement plan, targets and principles all need to be addressed. The Bill's architecture is not suited to the Northern Ireland context. It is not tailored to Northern Ireland's needs, so we call on the Minister to fix those problems through engaging with Westminster or bringing forward a Northern Ireland environment Bill. We need substantive commitment to non-regression. When it comes to our environment, we must not accept less protection or risk the erosion of our current standards. We must demand more. For those reasons, I will not support the LCM.

**Mr Poots:** A number of issues were raised by Members. A number of the same issues were raised by a range of Members, and I will seek to respond to them.

Interestingly enough, one of the first issues that was raised was one of the last that was raised, and that was non-regression. I have to ask the House a simple question: who is regressing? Who is granting regression? Nobody is proposing regression. There is nothing in the Bill that facilitates regression. Regression will happen only if the House decides that it wants to reduce environmental law. Regression lies in the hands of the Assembly, so regression is a straw man and should not have any bearing on people's views of the Bill: there is nothing in the Bill that creates regression. The only opportunity for regression is if Members wish to regress in environmental law.

Time is of the essence. People may have great aspirations. There is nothing wrong with having great aspirations for the environment, but, at this moment in time, we are leaving the European Union properly on 31 December. We will not do what some Members would wish us to do in legislation by that time, so we need to do what we can do. What we can do in terms of this legislation is ensure that nothing changes, nothing is reduced and we are not in a worse position than we currently are. That is what will happen if the Bill passes. The notion that we can legislate for something other than the OEP is for the birds.

#### 8.15 pm

Mr McGuigan raised the issue of fines not being high enough. That was after his having raised the issue of the independent environmental agency. Who imposes the fines? Many of the fines that are actually in law are unlimited, so who institutes the fines? Is it some politician who does not want to fine the individuals enough, or is it some government body that is influenced by politics? No. It is the independent courts. So, if you are looking for independence, and then you complain about people who have independence, the argument does not stack up particularly well.

The OEP can be extended to an exclusive Northern Ireland body, and the Assembly can decide that. If we want to break away, that too is a matter for the Assembly. It is not something that we are stuck to. However, a Northern Ireland member will be appointed by DAERA, and that member will be expected to have experience in environmental law, science and/or regulation, so that is what will be expected of us.

In terms of a regulatory body to deal with the private sector, the NIEA is, has been and will continue to be the regulatory body that deals with the private sector. No gap is created by introducing the OEP. The work of the OEP simply replaces the work previously carried out by the European Commission. It does not change it; it replaces it. It does the same work and takes the same actions. Therefore, the argument about regression and a move backwards is not something that can be backed up.

There is nothing to stop the Assembly or my Department introducing our own environment Bill. The LCM is something that we are bringing to you now that will ensure that the environmental protections that we currently have are not diminished. Therefore, not agreeing the LCM, as the Green Party suggests, would be foolhardy. It is like Emperor Nero fiddling while Rome burns. In this instance, whilst the Green Party fiddles, the environment burns.

Some Members raised the idea of a sunset clause. What is the benefit of a sunset clause? It merely puts pressure

on you to reach a particular date. If you do not reach it, you lose the protections. Therefore, having a sunset clause in a Bill such as this is a high-risk activity. It is much better to have something that offers protections. Then, if we devise something better, we can put it through the House, approve it and implement it, but a sunset clause does not help us to do that.

Some suggested that the Bill does not provide adequate standards. Mr O'Toole was one of the Members who suggested that. He has gone. He must not have been satisfied with the European Union, because we are implementing its laws and standards and they will carry on. So, Mr O'Toole, who seems to be very fond of the European Union, must not be particularly satisfied with retaining the European Union regulations, because the Bill is doing that. Again, if divergence is to take place, there is nobody else to do it but this House. So what have we to fear? Only ourselves, in that instance. We will be taking over the decisions on environmental legislation from the European Union. I know that some people were very slavish in their attitude towards the European Union and their desire to stay in it. Have a little confidence in your own ability to make your own laws, to do what is right for your own people —

**Ms Bailey:** Will the Minister give way?

**Mr Poots:** — and to respond to people and to the community's needs. I will give way in a moment. The people in this Chamber know better the needs of the people in Northern Ireland than a commissioner in Europe, who could be from any one of 27 countries.

**Ms Bailey:** Does the Minister agree that, although the House has always had the power to make changes, we have consistently seen environmental degradation and stubborn levels of pollution in Northern Ireland? While we can look to the EU, we have always had the ability; we have just chosen not to act on it.

**Mr Poots:** I have to counter that and say that we have not seen environmental degradation; we have seen environmental improvement. The Member said that our waterways and air quality are not good enough. I agree with her, and there is more to be done and more that we will do to improve water quality and air quality. We do not need the European Union to tell us how to do it. We know how to do it ourselves and we need to tackle it. The damage that is being done to many of our waterways is disgraceful and horrible and it needs to stop. We will work out how we can address that better than is currently the case but we certainly do not have to go backwards.

I do not have a particular issue with an independent environmental agency. However, I will say that the environmental NGOs in England, Scotland and Wales do not hold up the work of the agencies there as something that is so much better than the work that the NIEA does. Everybody can repeat it, but it is not some great panacea that is going to deliver brilliance that we currently do not have. We have an agency that is left to get on with its job and, in my opinion, does quite a good job. If the House wishes to create an independent environmental agency, that is absolutely fine, but it is not the panacea that some people make it out to be. It may be good but it may not be any better than what we currently have. That assessment needs to be carried out.

When it comes to casting unfounded aspersions on the OEP, as some people did, we do not have any evidence

whatsoever that it will not be independent or robust. The body has not even been created yet and, already, people are casting aspersions that it will not be this, that or the other. That is a ridiculous position to adopt.

I have absolutely no doubt that further change is coming in how we deal with the environment and ensure that it is well kept. John Blair raised the issue of habitat and species loss and, again, that is something that, I hope, we are slowly reversing.

I launched the environmental challenge fund just the other day and to do that, I went up to Slievenacloy, which benefited from the challenge fund last year. There is a wide range of species of grasses and flowers there that we are allowing to be promoted. Projects like that are making a real difference.

I have previously been to Glenwherry to see a project to bring back many of the breeds of ground-nesting birds that we had practically lost. I have to be blunt: one of the ways that that was achieved was by the removal of foxes. Some people might not like that, but a ground-nesting bird is easy prey for a fox. Therefore, if you want to save the ground-nesting birds and the indigenous species that have been in this country for millennia, those are the actions that you have to take. I agree with Mr Blair; we need to improve those areas, bring back species and create habitats that are suitable in order for them to thrive. We need to look at this as a holding position and then engage in how we can carry out further improvement.

The border was raised as an issue. It is not an issue. All the regulations that we have come from the European Union and we are carrying out the same regulations. The border is not an issue because we do not have different positions at this point. As we go forward, I suspect that we will face challenges, but the challenges may well be with people on the other side of the border keeping up with us. That may be the challenge. One will just have to wait and see. Opportunities exist there with the environmental improvement plan that we will facilitate and bring in, and that is something that we really need to do.

In closing, nothing in the Bill reduces protections. There is not one smidgen of evidence to support that assertion. Therefore, those who are voting against the Bill are doing so based on a straw man. I am thankful that most of the House support the Bill. It is absolutely necessary if we are for real about protecting our environment.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Environment Bill, as introduced on 30 January 2020, dealing with: environmental governance in Northern Ireland in clauses 45 and 46 and schedules 2 and 3; waste and resource efficiency in clauses 47-53, 56, 58, 62, 64 and 68 and schedules 4-9; water quality in clauses 81 and 83; and amendment of REACH legislation in clause 125 and schedule 19.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

*(The Temporary Speaker [Mr Wells] in the Chair)*

## Housing (Amendment) Bill: Final Stage

**Ms Ní Chuilín (The Minister for Communities):** I beg to move

*That the Housing (Amendment) Bill [NIA 06/17-22] do now pass.*

I welcome the further opportunity to speak about the Bill and why it is important for the future of our social and affordable housing programmes. Before I speak to the Bill generally, I would like to address a couple of issues that were raised in previous debates.

**The Temporary Speaker (Mr Wells):** I thank the Minister. I just want to outline the timetable of the debate for Members and the Minister. The Final Stage of the Housing (Amendment) Bill has been moved. The Business Committee has agreed that there should be no time limit for this debate and I will call the Minister to continue the debate on the Bill. As it is a debate on primary legislation, there is no time limit for speeches. So far, six Members have indicated that they wish to speak in the debate. Hopefully, it will not last too long. Minister.

**8.30 pm**

**Ms Ní Chuilín:** Thanks very much for that clarification: it was almost an invitation to Members to add their name to the list and talk for as long as they want. I assure Members that I want to cover only the issues that are pertinent to the Bill and to provide clarification on issues raised in the previous debate. It is important that people get that clarification.

As I was saying, Members raised a concern, as did I, about the very late publication of the report on the two consultations on reclassification. During the Consideration Stage debate, I said that I would establish what happened, and I have done so. I wrote to the Chair of the Committee for Communities asking that an explanation be provided, and I will share the response:

*“Minister Hargey considered the report alongside the draft Bill and related materials. She approved the report for publication on 18 March. Officials were advised of this on 6 April, during the period when IT equipment was limited, and rapid decisions were being made on adjustments to allow remote working. At that point, the report should have been prepared for publication, but, due to an oversight, this was not done. That was discovered on 1 June, at which time the officials took action. The report was issued to the Committee on 4 June, and it was published on the Department’s website and sent to all MLAs on 12 June. The officials in question have accepted full responsibility for the oversight. They have apologised to me and asked that their apology be extended to the Committee, and I apologise to the Assembly.”*

The second issue that I want to address is what appears to be a misunderstanding of the role of the Office for National Statistics (ONS). Some Members referred to ONS having rejected the amendments. I can confirm that that is not the role of ONS. The decision on what is or is not included in the Bill is one for the Minister, the Executive and, indeed, the Assembly. ONS will simply review the reclassification decision once the legislation receives Royal Assent.

When I spoke about the possibility of legal challenge, that was not about ONS. To be clear, it was about the risk that the Member for Foyle Mark Durkan had raised in his proposed amendments. I believe that the inclusion in the Bill of provisions to abolish the Housing Executive’s sales scheme would cause a legislative competence problem. That is because taking away the right that Housing Executive tenants currently have to purchase their home has the potential to engage article 1 of protocol 1 to the European Convention on Human Rights (ECHR), the right to property. In a process driven by the pressing need for housing association reclassification, the abolition of the Housing Executive’s sales scheme would interfere, without any clear reason, with that right to property. Any Assembly Bill provision that is incompatible with ECHR rights is not law, so the removal of the right to buy might be considered by a court not to have been effective.

The only supposed basis for abolishing the Housing Executive’s sales scheme as part of this Bill was to prevent a challenge arising from the difference between the right to buy and those who rent from a housing association not being able to do so. However, no such challenge could be successful, because the reason for taking away the right to buy from housing association tenants simply does not exist in relation to Housing Executive tenants. Removing the right of housing association tenants is a clear and integral argument in achieving reclassification by ONS, and it requires the abolition of the housing associations’ sales scheme.

A court is likely to consider that abolishing the Housing Executive’s sales scheme through this Bill would unjustifiably interfere with its tenants. There are good grounds to consider the abolition of the right to buy of Housing Executive tenants, but that needs its own policy justification. It simply cannot exist in a Bill that addresses a specific problem: the reclassification of housing associations.

Every Bill, once it has passed Final Stage and before it proceeds to Royal Assent, is passed to the Attorney General for him to consider whether it is within the competence of the Assembly as defined under section 6 of the NI Act. Should the Attorney General consider that the competence of the Assembly is in question, then, before the Bill proceeds to Royal Assent, the attorney may refer the Bill to the UK Supreme Court for a determination. In our current circumstances, this outcome would present a significant and costly delay to the Bill.

If we bring forward proposals with a different and broader objective, as I and my predecessor are committed to do, as part of a different Bill and a process that was considering how to maximise the supply of social housing, the courts would be more likely to consider abolition of the Housing Executive sales scheme as justified in the public interest and, hence, more likely to fit within the competence of the Assembly.

We should address the inequity between Housing Executive and housing association tenants. That is an issue on which the Department has been very transparent in the four years developing this legislation. The Department’s consultations on the Bill explored the point exhaustively. They gave particular consideration to the issue of the Housing Executive sales scheme for that very reason. That supported what, I believe, is a correct conclusion: achieve reclassification safely and securely

in the first instance through this Bill, and then address the Housing Executive sales scheme afterwards. My predecessor Deirdre Hargey and I committed to do that with all urgency. When my Department brings forward proposals for that scheme, it will be considered properly, in its own right and not as an add-on to a Bill proceeding under accelerated passage.

I remind the House why we need this legislation, and why we have worked, at speed, to put it in place. ONS determined in 2016 that housing associations should be classified as public sector because they observed a level of control of housing associations by the Executive through my Department. That is why the sole focus of the Bill is to remove or amend those provisions in current housing legislation that provide for that control.

The Bill will replace current consent processes, for a number of functions carried out by housing associations, with a notifications process. It will more clearly frame the circumstances in which the housing regulator may launch an inquiry into the activities of a housing association, and provides that those must be based in failure, or suspected failure, to comply with legislation. The Bill removes the power of the Department to petition for the winding-up of an association, a power that was never used. Creditor bodies can still use this. Finally, the Bill proposes to end the statutory house sales schemes for housing associations and introduces a power to enable the Department to support a voluntary house sales scheme.

I also remind Members and, in particular, I want to reassure tenants, that the Bill will not see a decrease in the regulatory authority exercised by the housing regulator. It does not diminish the relationship between the tenant and the association, nor the tenant's ability to engage with the regulator.

The approach to the legislation has been based on the direction from the Executive in September 2016, and does only that which is necessary to achieve reversal of the ONS decision. The ONS's reclassification decision put at risk the financial arrangements. We have to allow a register of housing associations to provide homes for our most vulnerable and to operate the Affordable Homes programme, which provides a route into affordable home ownership for many.

Passing this legislation will protect those programmes and ensure that the social housing development programme, and the Co-ownership programme, can continue in the future.

Just last week, I announced a £10 million investment from my Department to enable the Co-ownership scheme to open up again to new customers, following a pause in applications since March, due to COVID-19. While I am glad to be able to support the Co-ownership scheme, it is worth remembering that that £10 million, in itself, is equivalent to the cost of 150 social homes. It is a far better outcome for the public purse, and for those people who are desperately in need of social housing, that this money comes via financial transactions capital (FTC), which it will be able to as a result of this Bill.

I am committed to do more to deliver for those who are in real need, and this Bill means that we are leveraging in all the financial resources we possibly can to make homes available to those in need.

The maintenance and, hopefully, expansion of those programmes will also help the construction industry. I think that all Members will agree that having a strong construction sector will help to support economic recovery as we move into the recovery phase of dealing with this horrible pandemic.

In the previous debate on the Bill, we discussed the revenue that has been generated by the house sales schemes in the past and what has been done with the money raised. Capital receipts from housing association sales continue to provide funding which is used to deliver the social housing development programme. It must be reinvested in the provision of new social housing within two years, though associations can also use some of the capital that been generated to cover fees, such as solicitors' costs and valuation fees. The Housing Executive's available records indicate that £104 million has been generated by housing association sales, of which £89 million has been reinvested in new builds.

The position is different for the Housing Executive. Receipts from its house sales scheme are returned to the Department each year for consideration in the context of funding in the wider Department for Communities budget. Receipts from Housing Executive house sales since 2008-09 have been in the region of £170 million. The level of receipts that the Housing Executive, through the Department's capital grant, can retain each year is determined by the Department, with the balance used to fund other departmental priorities. Any receipts that the Housing Executive may retain through capital grant are used by its landlord services to fund in part, along with its own rental income, improvements to its own stock. It is not used to finance new build programmes. As I have said previously, there is a huge need for investment in Housing Executive stock if we are to ensure that its homes are fit for the future. That is a much wider problem. I am sure that we will return to it at a future stage.

I want to acknowledge the many stakeholders who have been involved in the Bill. It is right that I offer my thanks for all their contributions, and also thank the Committee for Communities for its support in getting the Bill through the House by accelerated passage.

Finally, I want to thank those in the Department for Communities and indeed in the Assembly, and the various legal teams, who have worked on the Bill and enabled it to get to this stage. I hope that all parties can give the Bill their full support. I commend the Bill to the Assembly.

**Ms Armstrong (The Deputy Chairperson of the Committee for Communities):** It is not very often that I have the Dispatch Box in front of me. I wish our Chairperson well. She is unable to be here due to a health issue. She will have the Dispatch Box back the next time.

I want to thank the Minister very much for coming forward and getting the Bill to this stage. It is almost four years since the Office for National Statistics took the decision to reclassify registered housing associations to the public sector and designate them as public non-financial corporations. During that period, we have relied on derogation after derogation from the Treasury to ensure that the impact of that technical issue is minimised. However, that derogation runs out in March 2021. I am, therefore, glad that we have reached the Final Stage of a

Bill that provides the housing association sector with some certainty.

The Bill itself is relatively straightforward, but the road to Final Stage was not quite so straight. My Committee colleague Mark Durkan presented a number of amendments, which were considered very sympathetically by Members, but did not get the same level of support when it came to the vote. It is understandable that the omission of the Northern Ireland Housing Executive's house sales scheme should be questioned when the housing associations' right-to-buy scheme is included. However, again, in a narrowly scoped Bill, it is the housing associations' right-to-buy scheme that is of key importance.

The status of the Housing Executive or its house sales scheme are not matters of concern for ONS, as has been highlighted by the Minister. The commitment that has been given by the Minister to quickly bring forward proposals on the future of the Housing Executive's house sales scheme is accepted by the Committee. Indeed, that will likely form part of a much wider and detailed consideration of the reform or revitalisation of the Housing Executive. The Committee looks forward to engaging with the Minister on that issue in the autumn.

As the Minister has highlighted, during discussions on amendments, it was made clear that the Committee was not in receipt of the analysis of responses from a consultation that the Department had had on key issues relating to the Bill.

When Minister Hargey briefed the Committee on 13 May on the need for accelerated passage, I do not believe that it would have changed the Committee's view, but it was an oversight that should not have happened, and that has been accepted.

#### 8.45 pm

I am glad to inform the House that, as per Minister Ní Chuilín's comments given in the House, the Committee was briefed last week on this matter by a senior departmental official. The Committee accepted that the cause of that oversight was no more than human error and was reassured that the Department is reviewing its procedures to ensure that it does not happen again. I thank the Minister for taking the issue so seriously and getting it resolved quite quickly.

The urgent need to reclassify registered housing associations is clear. These housing associations are the cornerstone of our social housing development programme. To be classified as public bodies renders their ability to raise private funds to build homes an impossible task. There is a tangible impact on those organisations as a result of how they are classified by the ONS.

It is the case that the ONS decision has prevented the Executive accessing funding through financial transactions capital — a government loan scheme that was used to support the housing co-ownership scheme. Clearly, that significantly impacts the funding of the Northern Ireland Co-ownership Housing Association and reduces the opportunity for people to get a foot on the property ladder. Maintaining this funding is costing the Department £3 million per month. That is money that can be spent on a range of other priorities, and any further delays mean that other important issues are denied that funding. The

Committee accepted the Department's position that the Bill had to be passed before the summer recess to reduce any further costs to the Department.

The Committee was informed that the ONS will review the Housing (Amendment) Bill once it has received Royal Assent, so the sooner that is achieved, the sooner ONS can reverse its decision. Registered housing associations will then have the confidence to plan their housing programmes and to access financial transactions capital, and that can be restored. At a time of uncertainty, the more certainty that the Assembly can give the better.

I will conclude where this process began, with the request for the Bill to proceed via accelerated passage. No Committee is ever entirely happy with accelerated passage, and the reasons to support it have to be important enough for the Committee to agree to set aside its statutory scrutiny role. In this case, the Committee agreed that the reasons were that important and the financial and wider societal issues warranted supporting the Minister's request. Today, we are glad to see the Bill reach its Final Stage. We look forward to it receiving Royal Assent and hearing, hopefully, soon after that, that the ONS has reversed its decision.

As an Alliance representative on the Committee, I thank the Minister for taking this forward so quickly. There are issues that we need to deal with with the Housing Executive, but given the fact that, today, we heard from the Finance Minister how much money is handed back because we cannot access the financial transactions capital, it is right and proper that we process this as quickly as possible.

**Ms Ennis:** I am not going to rehash the many arguments in support of the Bill that have been made over the last number of weeks, but I reiterate my praise for Minister Hargey and Minister Ní Chuilín in their determination to achieve the reclassification of the housing associations. We know the knock-on detrimental effect of not achieving reclassification. It has been well articulated by Members across the Chamber in the last number of weeks, not least of all the effect that it would have on the ability to build much-needed social homes, which would see this drop by 50% in real terms. I know that is something that none of us in this Chamber could stand over.

It was useful for the Committee to have received clarity from departmental officials last week on the ONS reclassification and why the Housing Executive could not be included in the Bill. It was also very encouraging to hear officials reiterate Minister Hargey's commitment to bring forward proposals around the Housing Executive sales scheme. That would give the Committee proper time for scrutiny, which is what we were all asking for. I am glad to hear Minister Ní Chuilín reiterate her support for that course of action here today.

New Decade, New Approach brings a focus on building homes in areas where objective need has been identified. Sinn Féin believes that adequate housing is a human right, and we will continue to promote that across the island. The unacceptable level of homelessness, North and South, needs to be addressed, and we are certainly up for doing that. Sinn Féin believes that the building of social and affordable homes should be targeted in areas of highest need, and rural areas need to be included and should not be forgotten about in that respect.

As an MLA representing a largely rural constituency, I know that housing development in rural locations has missed its target over each of the past five years. The Housing Executive's rural and place shaping teams need to work with rural communities and their representatives to examine their housing needs and support housing associations in the delivery of new-build schemes to address social housing need in areas such as south Down.

The Bill is about maintaining the support and supply of new homes, which is necessary to help families and people to access housing and have the security and dignity of a home. The Assembly must ensure maximum delivery of social and affordable homes, which will undoubtedly be achieved by the passage of the Bill. Sinn Féin will support the Bill.

**Mr Durkan:** I support the Bill. The Minister and other Members have outlined the necessity for the Bill and the undoubted benefits that it brings to enabling our housing associations to access more funding and build more much-needed homes as our housing waiting lists continue to spiral and more and more families face housing stress and homelessness. We must take every step within our power to address this shameful situation and afford our people the fundamental right of a roof over their head. Not only will the Bill allow us to build more social housing, but it will free up finance to support co-ownership, allowing some people an affordable housing option and a chance to get on the property ladder. I welcome the Minister's recent announcement in that regard.

While I support the Bill, and always have, I do regret the fact that my amendments at Consideration Stage were not supported. I have today listened to the Minister's explanation and I do accept it, although I still then question why the scope of the Bill was not wider in the first place. I am going to touch again on the rationale behind those amendments, not to try to argue for them again, but just to underline the urgency and importance of bringing that other piece of work that the Minister has promised to the Assembly.

Ending the mandatory right to buy in the Housing Executive as well as in the associations will stop us haemorrhaging over 400 homes a year from our social housing stock. For context, the answer to a written question that I received from the Minister this afternoon revealed that, in the past five years, we have built a paltry 5,270 new social homes. We have purchased just over 900 off the shelf and, through existing satisfactory purchase and rehabilitation, added around another 1,200 units, giving us a grand total of 7,411 additional social housing units in five years. In the same time, we have sold off over 2,000 units through the house sales schemes in the Housing Executive and the associations. This is madness. The Minister has given a commitment to bring forward a separate piece of work, which we heard about again from her today, to address the mess that has been made of the Housing Executive almost 10 years after a fundamental review of it, and I urge her to do so without delay. I welcome the ambition outlined by the Minister in a press release earlier today, and commit myself to working with her, and with anyone and everyone, to realise and surpass that ambition.

We as an Assembly must also support the Infrastructure Minister in her attempts to secure vital funding for Northern Ireland Water, because no drains means no cranes. If we do not have adequate waste and water infrastructure,

out best-laid plans for an ambitious social housing development programme will almost certainly go awry. I commend Minister Ní Chuilín for how she has taken on the baton from her predecessor and almost got to the finish line — it is very much in sight — with this Bill. The Bill will satisfy the ONS requirements to ensure the reclassification of housing associations. It is a start. It is a foundation on which to build — and build and build. I support the Bill.

**The Temporary Speaker (Mr Wells):** I said earlier that there was unlimited time available to Members, but I am glad to say that none of those who have taken part so far have seized upon that to make a very long contribution. We have just two Members left, Mr Andy Allen and Mr Gerry Carroll. Again, whilst I remind you that time is unlimited, I am sure that you will exercise restraint.

**Mr Allen:** Mr Temporary Speaker, I assure you that I will exercise restraint and will not speak for too long. I am sure that Members across the Chamber will welcome that.

I thank the Minister for setting out to the House and providing various updates to it on the queries that were raised at Consideration Stage. Indeed, I thank the Minister for the haste in which the Department came forward to the Committee to address the oversight around the consultation report. I agree with the Deputy Chair and do not believe that it would have had any bearing on the decision process that we have undertaken in the House.

I welcome the passage of the Bill, as all Members across the House do. It is a very welcome development. It is a Bill that has been in the making for nearly four years. Housing associations will all, of course, also welcome the Bill and the much-required clarity and certainty that it will bring for them. I also welcome, as my Committee colleague across the way did, the press release from the Minister setting out her housing programme, which we received today. Indeed, it is referred to as an ambitious housing programme, and I am sure that many Members will agree with the Member across the way who said that, in previous years, housing programmes have been less than ambitious. It is widely recognised that we have not been building enough houses, year-on-year, to meet the demand.

There has been much talk in the House today in various other debates, which I will not stray into, about our Assembly staff, and rightly so. Our Assembly staff and, indeed, my own staff are invaluable to me. A significant area of importance, although it is not the only one, in my constituency office is housing. I have heard many Members speak on that area, and I have spoken to other Members across the House about the many representations and queries that they receive from constituents in relation to housing. Those are not just about repairs to Housing Executive and housing association properties but are predominantly about the lack of social housing.

We in this House really do need to be ambitious. We need to back our words up with actions, and we need to start delivering. I welcome the Minister's announcement of the £10 million investment in the co-ownership scheme, and that is another scheme to enable, help and support individuals into affordable housing. I am sure that the Minister will be looking at other ways to ensure that she can maximise the uptake of financial transactions capital. Indeed, my party leader has pointed out today that the Finance Minister has indicated that FTC funding may be

available. I hope to see the Communities Minister lobbying the Finance Minister to get that funding and invest it into our housing stock. I promised to be short, so I will leave it there.

**The Temporary Speaker (Mr Wells):** Last but most definitely not least, I call Mr Gerry Carroll.

**Mr Carroll:** Mr Temporary Speaker, this may be one of the rare times that I am short. Members and you may be delighted to hear that. I will not speak at length. I have raised issues several times in debates during the various stages of the Bill.

I will quickly repeat my concerns and put them on record for the Final Stage. If passed, the Bill will restrict the powers of the Department in relation to the disposal of land and the merging of housing associations. The Bill will loosen controls, allow for deregulation and, in effect and despite comments to the contrary, will reprivatise housing associations. Going by previous debates, it is unlikely that any other Members or parties will support me on this, but I think that it is important that I and other smaller parties put on record their opposition to measures that they are opposed to. I put on record my opposition to the Bill and firmly state my concerns with it. I think that housing associations should remain as public bodies and, ultimately, be reintegrated into the Housing Executive.

**Ms Ní Chuilín:** I appreciate every contribution that has been made. This process, albeit under accelerated passage, has been very inclusive. Even the debates that we had about our differences were done mostly in a measured way, and I do share some of the concerns.

### 9.00 pm

When Members who have spoken, and even those who have not, read Hansard, I hope they will accept that, since the last debate, I tried to get answers to some of the queries that were raised then. I also tried to address some of the concerns that Mark Durkan raised through his amendments. I agree that, to proceed, we need the Housing Executive's house sales scheme. The difficulty with this is that they needed accelerated passage to meet the deadline. Other than that, I assume that this would have been taken forward just like any other legislation. Indeed, the less accelerated passage we use the better because, as MLAs and people who are looking at legislation, it should be the last resort rather than the first option. That has been accepted.

Not to rehearse all of the comments already made, but just under 7,500 homes over five years is quite disgraceful. That is on all of our watches and is quite disgraceful, given that there are 40,000 people on the housing waiting list and at least 26,000 in housing stress. That is a responsibility that we all have to step up to. Gone are the days when I had difficulties — I admit — around co-ownership because I felt that there should have been more options; I still feel that there needs to be more options. However, I know, from my own family and constituents — and we all get housing queries from constituents — that some families are paying £685 a month in rent to the private rented sector and some are paying £328 a month for a co-ownership mortgage. We talk about poverty, for someone who is on family or working tax credit, trying to pay their rent and not getting a house for years in north Belfast, west Belfast, Derry or right across. We all have really big pressures.

We need to be far more ambitious. As I said today, for me, it is the floor rather than the ceiling. I want to look at ways in which we can deliver more social housing. I want to look at surplus land and work with colleagues in the Executive to ensure that the infrastructure is there. I also want to look at opportunities for people to buy into different options to try to get the housing waiting list reduced.

This Bill, in its Final Stage, will mean that we will meet the commitment that most of us signed up to in New Decade, New Approach, because we could not have enabled the Co-ownership scheme to thrive without the financial transactions capital that it needed. Certainly, the housing associations and, indeed, more so, the Department, would face penalties of £3 million a month if this Bill does not go through. So, once again, I thank all the officials and everyone who brought this Bill to this stage for their contributions, and I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Housing (Amendment) Bill [NIA 06/17-22] do now pass.*

## Private Members' Business

### Concern and Anxiety over the Reopening of Schools

**Ms Mullan:** I beg to move:

*That this Assembly recognises the concern and anxiety that exists among teaching and non-teaching staff, as well as among parents and young people, in relation to the eventual reopening of schools; understands the challenges facing school boards of governors and principals in keeping children and teachers safe while providing high quality education; believes that any reopening of schools should be based on scientific and medical advice consistent with that provided by the World Health Organization and the European Centre for Disease Prevention and Control; and calls on the Minister of Education to engage and consult extensively with education stakeholders as well as parents and young people in advance of the reopening of schools in order to provide clear and early guidance.*

**The Temporary Speaker (Mr Wells):** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes for the winding-up speech. One amendment has been selected and that has been published on the Marshalled List. Please open the debate, Ms Mullan.

**Ms Mullan:** Thank you, Mr Deputy Speaker. First, I offer my deepest condolences to Noah Donohoe's mother, Fiona, to his family and friends and to the school community at St Malachy's College, Belfast, at this very difficult time.

At the outset of this debate I place on record my sincere gratitude and appreciation to all our principals and to our teaching and non-teaching staff. They have stepped up and delivered for our children and young people throughout the course of this unprecedented public health emergency. They have put their shoulder to the wheel and, whether it was providing supervised learning for our children, or for the children of our key workers, or delivering remote learning, they have played their part during this difficult period.

Likewise, I also pay tribute to parents and guardians who had to quickly adjust and adapt to new home learning arrangements for their children, whilst also balancing all of their other everyday commitments. I, like many others in the Chamber, am well aware of how difficult it has been, at times.

For our children and young people, this pandemic and the associated measures that came with it have no doubt hit them hardest. Many will have found it difficult to access appropriate equipment for remote learning; many will have had to endure difficult circumstances at home; and for many the sheer isolation and boredom of not taking part in the usual school day and missing out on that crucial social interaction and relationship-building will have had a profound impact on their emotional well-being and mental health.

To support our children, families and our teaching and non-teaching staff, the Minister must work with them and listen to them. We cannot allow the chaos that marked the period leading up to the closures to be replicated

come the end of August. That requires firm leadership as well as commitment to work in the spirit of collaboration and mutual respect. No doubt there will be some level of difficulty when schools do begin to reopen, but we can minimise those difficulties if we maximise cooperation and work together.

At this point, I acknowledge the role of our unions, which have worked extremely hard over this period, alongside the many stakeholders who provided support and came forward with solutions. Their role will be invaluable over the coming weeks and months.

It was wrong and absolutely unacceptable for teachers to hear dribs and drabs of information about the eventual reopening of schools, through unofficial channels. Our teachers and principals deserve far better than that. Official guidance released to date has been, at times, slow in coming, and it has also been marred by confusion.

We are now at the end of June and our teachers are preparing to take a well-deserved break. In recent days, many have been in their classrooms trying to redesign layouts and figuring out how many children that they can accommodate, and they are anxious about how remote learning and classroom learning will be delivered at the same time.

Furthermore, school leaders and boards of governors are trying to get to grips with coordinating what the new school day will look like in each of their settings. They are worried about health and safety and cost implications, and they are keen to get clarity on other pressing issues, such as transport.

As I alluded to, and as outlined in the motion, the widest possible engagement with stakeholders across the education sector is crucial. Understandably, one single, perfect solution does not exist, but in collaborating with, and collating all the experience that exists across, the sector, new and creative solutions will certainly present themselves.

I also re-emphasise, in accordance with the motion, the need to bring parents, guardians and young people into the process. We should be empowering them and giving them a sense of ownership, so that when the time comes for a return to school, they can have every confidence in the new arrangements.

I have touched on the mental health impact that COVID and school closures have had on our young people. It is important that, when reopening takes place, the schools are equipped with the necessary resources to support and address the emotional well-being of our young people. I understand that much valuable learning time has been lost due to COVID, but, in the short term, I am more concerned about ensuring that we support our young people in building their mental health and resilience back up.

With that in mind, it is appropriate to take the opportunity to once again commend the compassion and leadership shown by many grammar schools in their decision to suspend the use of unregulated transfer tests this year. That is a timely acknowledgement of the reality of how damaging those tests are for young people. I urge those schools that have not yet made the decision to suspend the tests to please reconsider. If there was ever a time to place the needs and well-being of our children above academic selection, it is now.



Childcare could be the defining issue of our recovery post-COVID. While I welcome the Minister's latest update on childcare, there remain many unresolved issues. That will be of particular importance come the autumn, with blended learning and the possibility that some children may be required to be at home during the week. Making the funding available is one thing, but the settings need to be able to apply for and access it. We do not want a repeat of the last round of funding, which has seen very little of the £12 million spent and seen money returned whilst the sector is struggling. We need our childcare sector resourced and ready to go in time for the reopening of schools, otherwise families will face further hardship.

There remains a lack of clarity from the Minister and from the Council for the Curriculum, Examinations and Assessment (CCEA) as to where we are with a review of curriculum and exam specifications for next year. I am concerned at the pace of the developments, and our teachers are in the position of having to plan their way ahead without distinct guidance from the relevant body.

The Minister should also remain aware of the fact that we are an island, and it would be helpful if regular engagement could take place with the Minister for Education and Skills in the South in relation to all these matters.

In conclusion, while much work has been done on all these issues through the education restart programme, it is quite evident that there remains much work left to do. I call on you, Minister, to enhance the approach, collaborate widely across the sector in a meaningful way and give reassurance and clarity to allay the concerns and anxieties of all those who will be at the focal point of reopening our schools. I ask Members to support our motion and the SDLP amendment.

**The Temporary Speaker (Mr Wells):** Ms Mullan mentioned in her speech that we are at the end of June. It would be helpful if the debate did not conclude at the start of July. *[Laughter.]* There are 12 Members down to speak in the debate, which is an unusual level of interest for a debate held at such a late hour, so I will have to try to keep matters under control to ensure that we stick to time.

**Mr McCrossan:** I beg to move the following amendment:

*Leave out all after 'Control;' and insert:*

*"further recognises the limitations faced by many pupils in accessing online courses and private tutoring; recognises the need for an essential catch up programme to be established for all pupils, especially those from disadvantaged backgrounds; and calls on the Minister of Education to engage and consult with all stakeholders, including teachers, parents and young people, on the reopening of schools and to ensure that no child loses out upon the reopening of schools."*

Thank you, Mr Temporary Speaker. I know that it is unusual for so many of us to be looking to speak at this time of night, and I have a two-hour drive beyond the end of the debate. It is good to see you in your temporary post up there. It is almost as if the naughty boy in the corner has been put to the front of the classroom for being bold, so it will keep you well behaved.

As SDLP spokesperson for education and as MLA for West Tyrone, I welcome this opportunity to move today's amendment on what is an extremely important, emotive

and difficult issue facing many principals, teachers and parents across the North.

I want to start my contribution by acknowledging the vital role teachers have played, and continue to play, during the COVID-19 pandemic. They have been active in ensuring that as many children as possible have access to distance learning and they have been planning rigorously for a return to the schoolroom and to teaching our children. I want to make it abundantly clear and put it on record that our teaching workforce is made up of very hard workers. They have not been on holiday; they have spent the last number of months preparing and ensuring that children continue to be educated with the resources available to them.

They commit every fibre of their being to improving the educational outcomes of every child across the North. I fully and wholeheartedly condemn any elected representative or member of the public, for that matter, who brings the teaching profession into disrepute or criticises the huge efforts and contribution that they make to our society and the education of our children. Those comments have been unhelpful, upsetting and inappropriate, and that has been shared with me by many teachers.

**9.15 pm**

Although I agree with the contents of today's motion as proposed, I believe that it is missing a key component. The key component is ensuring that all pupils return to school on an equal footing following the COVID-19 pandemic. Throughout the last number of months, it has become clear that many pupils face limitations in accessing online courses and receiving tutoring. It is important for the Chamber to recognise that poverty prevents many children accessing online teaching and that many parents cannot afford private tutoring.

Dr Noel Purdy from Stranmillis University College published a report in June this year that sheds some much needed light on the issue. It states that only half of the children in the North have access to devices capable of accessing online courses for schoolwork. It shows that 25% of parents do not have access to a printer at home. The report states that there are significant connectivity issues caused by poor broadband provision in many parts of Northern Ireland. Collectively, those issues have prevented many children from progressing their education over time. The SDLP believes that it is incumbent on the Chamber to do something about that. Despite the Minister's roll-out of electronic devices, which was very welcome, the fact that it was done in late June has meant that catch-up has simply not been possible. It is vital that we acknowledge that poverty has had a major impact on the education of our children and that impact has been exacerbated in the past four months.

The Institute for Fiscal Studies published a report in May stating that children from more affluent families spend 30% more time on home learning each week than children from more deprived backgrounds: a shocking figure. The Education Endowment Fund also published a report in June this year that adds weight to the claim, and it states that the impact of school closures on attainment:

*"will widen the attainment gap between disadvantaged children and their peers ... by 36%".*

That is another worrying figure. That margin is shocking, and it is one that we cannot allow to continue.

While it is clear that all children have lost out over lockdown, it is especially the case for those from socially deprived backgrounds. The SDLP believes that a catch-up programme paid for by the Department of Education is essential to ensure that no child is left behind. I, therefore, urge Members to support the SDLP amendment. It is important that we do everything we can to support all children in education. However, the most disadvantaged must be looked after. It is reprehensible that the two governing parties in the Executive continue to fall out over the simplest of things and our children lose out as a consequence of that.

**Mr Storey:** I thank the Member for giving way. I will clarify the point. First, I trust that he is referring to Northern Ireland when he talks about “the North” and is not talking about some other jurisdiction. Secondly, is there not a five-party mandatory coalition, or have I missed something in the last number of months? Is this not a classic case of, when it suits the SDLP, they will have a go, but, when there is credit to be had, they will take credit even for things they did not support in the first place?

**Mr McCrossan:** I am glad that the concerns I am sharing here will have such an invaluable impact on the education of our children. However, whilst we are talking about the Executive, if every Department is funded fairly — I absolutely include the SDLP in that, instead of the carve-up between the big two — I will be a happier man. Thank you for your intervention.

I now turn to the Minister’s plans, which were published last week, on the reopening of schools. The SDLP has engaged with principals and teachers from across the North of Ireland where considerable concerns have been raised. They believe that the guidance has been insufficient and that they have not been given enough time to properly implement the Minister’s plan before the end of August. That has been shared with Members from across the House. One of the main concerns surrounds the Minister’s plans for a one-metre social distancing rule in schools and plans to create bubbles where that is not possible. At the same time, teachers are expected to maintain a two-metre distance. It does not make sense, particularly with younger children, who may be distressed, need comforting or whatever and will need the attention of the teacher. The two-metre rule will be very difficult. School principals have rightly called out the measure as being unworkable and believe that classrooms can accommodate only 50% or less of the class under the guidance. That is especially the case for many rural schools, which are traditionally smaller. Many are already oversubscribed.

The Minister’s guidance also encourages schools to make use of all available space. Principals have not even been told what measures can be introduced to increase class sizes or teaching space. That brings me to a fundamental point.

**Mr Weir (The Minister of Education):** I thank the Member for giving way. To follow on from a point that Mr Storey made, that is the same guidance as was passed at the Executive unanimously, including the SDLP. All the details, particularly those on social distancing, were approved and supported by the SDLP Minister, so there seems to be a bit of a double standard here.

**Mr McCrossan:** Thank you, Minister, for accepting my concerns about children. I do not want to comment on the antics of the Executive, because, believe me, you would not like what I have to say.

Those are all questions that have, so far, not been answered. They are all massive issues to be addressed if the plan is to work and be successfully implemented in nine short weeks’ time.

The concern that I have is that teachers and principals have again been thrown in at the deep end and expected to bear a huge amount of stress in order to solve the many problems on which they have been asking for clarification since lockdown began. It is not fair that our teachers and principals continue to carry the burden of such stress.

It is imperative that there be additional cleaning staff in schools. I have addressed that issue with you, and I appreciate that you have recognised that there are issues that need to be addressed there. Other countries have reopened their schools successfully and employ cleaners on a full-time basis to ensure the health and safety of staff. If social bubbles are to work without there being rigid infection controls, there has to be no cross-contamination. That will be difficult to ensure, especially if areas such as toilets are not regularly cleaned. Schools need more guidance and reassurance on the issue, and it should not come at added expense to already stretched or overstretched budgets.

Principals say, “We want guidance that is clear”. Guidance has now been provided, although I do not agree with the method by which it was provided — through the BBC largely — but, now that they have received the guidance, the principals’ big question is this: “How do we implement the guidance? How do we ensure the safety of staff and pupils if we are not being allocated an extra pound or penny to ensure the safety of staff and pupils?”. For the public to have confidence in the safe reopening of schools and to ensure that children are safe and staff are comfortable returning to schools, we need schools to be safe and to have the money to put in place the necessary resources for that aim.

School transport, Minister, will be a huge issue. We can talk about the start and the end of the school day, but it starts when the child leaves the house in the morning and ends with the child’s return. If we are to talk about social bubbles and social distancing in schools, we need things to be put in place to ensure that, whilst on school transport, children are kept at a sufficient distance to ensure their safety.

Minister, I will finish on this. Personal protective equipment (PPE) has caused some confusion. You are on record as saying continually that there is no real requirement for it to ensure the safety of staff and pupils. Why is it that other scientific and medical advice has suggested that it is absolutely essential in a confined space, be that on public transport or in other areas? Minister, will you accept that it is a vital —?

**Mr Weir:** On a point of —.

**Mr McCrossan:** Go ahead, Minister.

**Mr Weir:** On a point of order, Mr Temporary Speaker. I have never said —.

**The Temporary Speaker (Mr Wells):** Point of order, Minister Weir.

**Mr Weir:** Is it correct, Mr Temporary Speaker, for the Member to misrepresent my views? I have never said that PPE is not needed in any set of circumstances. I have indicated the limitations of wearing it. The guidance directly gives the circumstances in which it is needed. I have never indicated what the Member suggests.

**The Temporary Speaker (Mr Wells):** Order. That is not a point of order.

Mr McCrossan, your time is up. I thank you for your kind words. The only criteria for the post of temporary Speaker are extreme old age and the possession of a pulse: nothing else. No talent whatever is required.

Talking of talent, I call the honourable Member Mr William Humphrey.

**Mr Humphrey:** Thank you, Mr Temporary Speaker, and I congratulate you on your elevation. I declare an interest as a governor of two schools.

We are minded to support the motion and the amendment, despite what we have just heard, because they underscore what the Minister has been doing, and he has been doing what they call on him to do.

Addressing the issues around schools returning safely and protecting pupils and staff is key to rebooting our economy, as is addressing the vital issue of childcare. I, too, pay tribute to our school principals, teachers, ancillary staff and governors for all that they have done to ensure that our young people stay safe during the COVID-19 pandemic.

Indeed, if you look at the motion, it talks about keeping children and teachers safe. It believes that the reopening of schools should be based on:

*“scientific and medical advice consistent with that provided by the World Health Organization and the European Centre for Disease Prevention and Control; and calls on the Minister of Education to engage and consult extensively with education stakeholders as well as parents and young people in advance of the reopening of schools in order to provide clear and early guidance.”*

Consistency of message around COVID-19 and the pandemic are absolutely crucial, and other Members have said that. Therefore, today's funeral, where Sinn Féin Members breached COVID-19 regulations, ignored advice from the Health Minister, the Chief Medical Officer, scientists, the Public Health Agency, the First Minister and the deputy First Minister, flies in the face of all of that. Indeed, at the press conference yesterday in the Long Gallery, the same deputy First Minister, when asked about social distancing and today's funeral by the BBC at the press conference in the Long Gallery, said:

*“Everyone who is attending the funeral should observe public health advice”.*

Therefore, what a message today's events are to the thousands of people who have responsibly stayed at home to shield because of their health. What a message to those people who have been practising social distancing. What a message to those National Health Service workers and

key workers over the last number of months. Indeed, my view is that the advice has undermined the Executive's message.

**The Temporary Speaker (Mr Wells):** I am sure that the honourable Member will go back to the core issues. Thank you.

**Mr Humphrey:** Indeed, my view is that today's behaviour undermined the Northern Ireland Executive's message and policy, undermined the Health Minister, undermined the Chief Medical Officer, undermined the scientific advice and undermined the Public Health Agency advice — not only undermined it, but, frankly, ignored it.

**Mr Storey:** I thank the Member for giving way. Surely we would be in the most bizarre situation if, as a result of this evening's proceedings in the House, with the motion having been passed, as it most likely will be, teachers deciding that, when the schools are reopened, they will just ignore all the guidance. What message would that send to parents? Yet, today, we have the deputy First Minister and Ministers and Members of the House flagrantly breaching the regulations in a way that has set a disgraceful example.

**Mr Humphrey:** I thank the Member for his comments and I agree with them entirely. As I said, they have not only undermined the guidance that has been given for months, they have totally ignored it. Indeed, I believe that Sinn Féin have undermined their position and credibility on the issue. Therefore, the question is —

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

**Mr Humphrey:** — about how these Members have behaved and whether their behaviour is a breach of the ministerial code?

No, I have already given way.

The Committee for Education's members will know that the Minister has made himself very accessible and he has been very responsive to the Committee and the House. They have said it in the House and in the Committee. I understand that the Minister has engaged face to face and on Zoom with some 750 principals during the COVID-19 pandemic. The Minister has held two public press conferences, and he is the first Executive Minister to do so. The Department of Education, under this Minister and his leadership, was the first Department to co-design a government policy document with stakeholders — principals — in the form of the New School Day guidance. Minister Weir has sought to work constructively with trade unions and he has sought their opinions.

Northern Ireland provided restart documentation well in advance of the other United Kingdom regions. Indeed — if I might be given some time — with regard to the public health position, in the Republic of Ireland, it states very clearly that the position is:

*“Public health guidelines to govern the reopening of schools in late August and September will not be published for some time, according to comments made by the Minister for Education in the [Irish Republic] ... Schools had been hoping for guidelines on social distancing and other public health matters to be sent out before primary schools close at the end of this month. However [the Minister for Education] ... said this afternoon [24 June] that the reopening of schools was ‘nine or ten weeks away’ and there was time to*

*continue to consult public health experts to develop and plan appropriate guidance.”*

The source RTÉ. Therefore, it is very clear that the Minister has been giving the leadership, not just in the United Kingdom but across these islands, including the Irish Republic.

Mr Temporary Speaker, I congratulate you on your elevation to your new temporary position and wish you well. We will support both the motion and the amendment depending on how the debate proceeds.

**9.30 pm**

**Mr Butler:** To lighten the mood a little bit, I will say that I am glad not to be following Daniel McCrossan for a change. I follow him on the Education Committee, and I was psyching myself up. I was thinking, “We will have to do this in alphabetical order instead of me following this guy when we are talking about education”.

On behalf of the Ulster Unionist Party, I welcome the motion and the amendment and their intent. As has been picked out, they perhaps have some imperfections but, in the round, we will support them. When we talk about our pupils’ return to school and the safety of the staff and all those who are connected with schools, it is really important that we are careful not to “catastrophise” every conversation that we have.

**Mr Weir:** I am not sure that that is a proper word.

**Mr Butler:** Catastrophise. I will have to eat more Soreen loaf and drink more tea. *[Laughter.]* The motion is good; its intent is good. It talks about looking at the concerns and anxiety of all the stakeholders across the piece, of which there are many. In the debate over the last number of weeks, teachers have been used and abused from different quarters. There seemed to be some people in the print media, for instance, who were itching for a fight. They were itching to get teachers into a corner and pitch them against parents. A number of petitions from other professions were doing the rounds, which worried me greatly. Those professions seemed to be pitting themselves against teachers and calling for the mass return of children to schools in September. I understand why some people might want to see that, but let us be clear: we have never dealt with anything like COVID in our puff; never once. There is no rule book for this.

We are doing our best. I believe that everybody is doing their best. I believe that everyone in the Chamber and each party are doing their best. What we need to do is give the leadership where it is needed. Even after today, we need to give that leadership. I do not want to see teachers getting caught in the crossfire. Mr McCrossan expressed it really well when he said that teachers have stepped up to the mark. The Minister, to his credit, has made himself available to engage with teachers at every opportunity, whether that is through their unions or directly. The Committee, through the Chair, has done that on every occasion. We have met different teacher unions. I have sat in on different Zoom meetings, as the Minister has, with the Ulster Teachers’ Union and other unions. There is no doubt that the intent is to have our children return as safely as possible, but the protection of everybody involved is crucial. To be fair, I do not think that the Minister has been

found wanting on collaboration, even though we disagree on certain points in the guidance.

Mr Graham Gault of NAHT — he will probably want to kick me in the shins for mentioning his name — posted a tweet of 140 characters on Friday night. I reckon that, in that 140-character tweet, he summarised what the guidance should be. I do not think that it needs to be a huge document. The reality of where we will be at the end of August and the start of September is that, if COVID has been dealt with, we will return. If social distancing is not an issue, we will return.

**A Member:** What was the tweet? *[Laughter.]*

**Mr Butler:** I will print it out tomorrow and put my name to it. You will probably claim if it is good, Daniel.

The reality is that what we need to be talking about tonight are the priorities. There are serious priorities, and I want to raise a couple of them. Transport will be a big issue and a serious issue if we are still facing the COVID pandemic. Even more than that, there are our special educational needs children and the complexities of their medical care and their vulnerability. We have all these new terms like “key workers” and so on that we are all getting used to. The reality is that a lot of these children are already facing challenging times in their education.

**Mr Lyttle:** I thank the Member for giving way. Will he recognise the constructive meeting that the Education Committee had with the National Deaf Children’s Society, which is a particular cohort of children whom we need to be conscious of in our response to COVID-19?

**Mr Butler:** I will absolutely. I thank the Chair for bringing that to my attention. They are another community within the education sector that is disadvantaged at times. We chatted with them on Monday and they brought a number of things to the fore. If the Minister has not spoken to them already, I am sure that he will. That is where our priorities need to be.

Mr McCrossan raised the issue of the correlation between poverty and educational outcome. Something new happened this time, with COVID. It was not just the children who find themselves socially disadvantaged. The children whose parents are key and front-line workers have not been able to avail themselves of the learning and support during these past three or four months. That leads me to my main point: I have a serious concern about the outcome of blended learning and what we expect it to be. I am not sure how we mark that. The discrepancy between those who have and those who have not has been pointed out. Even if we did give it to them all, the safest, best and most equitable place for any child to learn is in the classroom.

We need to do everything that we can, collectively, to see every child back at school, but safely, and give the guidance as best we can to the teachers and stakeholders that we are speaking about.

**The Temporary Speaker (Mr Wells):** The next Member to speak is Mr Lyttle. It would be usual for the Chair of the relevant Committee to speak early in the debate, though Mr Lyttle has indicated that he is not speaking as the Chair but as an individual MLA.

**Mr Lyttle:** I welcome the opportunity to consider how we work with our outstanding teaching and non-teaching staff,

parents and guardians and pupils to rise to the challenges facing education.

The first task is to move beyond the unacceptable narrative that some in the education sector are attempting to avoid doing their job. Our teaching and non-teaching staff need us to back them, not attack them.

We also need to move beyond a situation whereby the Education Minister tells me, via the media, that my job is to not be convinced by anything that is said to me. I make no apologies for finding the school leaders, teachers, parents and pupils with whom I engage to be convincing on a wide range of issues. I can respectfully give way to the Education Minister if he wishes to specify by whom he thinks I ought not to be convinced.

We need to work together. There is enough ingenuity in our community to deliver the leadership, communication and support needed by dedicated and innovative teachers and hardworking parents to help pupils to access their right to education. To be fair to the Education Minister, he and his Department have established ways in which that can be achieved. Clearer communication and engagement are possible via the Education Restart programme, the stakeholder group, the practitioners' forum and the childcare reference group that I was glad to propose, with the addition of improved parental and pupil engagement, and the cessation of announcements via the media and social media on Fridays at 5.00pm.

**Mr McCrossan:** I thank the Member for giving way. Does he agree that a lot of frustration among principals and teachers is due to the lack of clear communication from the Department of Education and the Education Authority?

**Mr Lyttle:** I agree with the Member. As I say, I think that the Minister has established avenues through which improved communication can take place if they are used in lieu of some of those other times and avenues.

Clear guidance is needed on social distancing. Whether it is 2 metres, 1 metre or no social distancing, clarity is needed, and acknowledgement by the Minister that anything less than no social distancing may have an impact on the ability of a school to provide full-time access for parents and pupils.

An Education Restart budget is needed. Regardless of the social distancing in schools in August, parents and pupils will need additional support. Additional support will also be needed for school accommodation, cleaning and staffing; classroom assistants; ICT equipment, whether devices, printers and broadband access to deliver digital equality; training for teachers in online learning, the like of which, I understand, is being provided via Stranmillis and C2K; guidance on blended learning; and a curriculum that is appropriate for the amount of time that children will be in learning, focused on educational, social and emotional recovery.

Leadership is also needed on post-primary transfer. It cannot be fair or necessary to test children in November and December 2020. I think that the Education Minister accepts that position somewhat. He said that those who think that children should not be tested in November and December for post-primary admissions have to come up with an alternative. His Department recommends alternative admissions criteria and statutorily requires boards of governors to have regard to them. They include

criteria such as free school meals, applicants from feeder and named primary schools, applicants residing in a named parish, applicants residing in a geographically defined area, applicants for whom the school is the nearest suitable school and applicants who have a sibling currently attending the school. They also recommend criteria that ought not to be used. Time will not allow me to go into those. However, I think that the Minister and I probably agree on some of them.

I ask the Minister this: what is unsuitable about the admissions criteria recommended by his own Department for post-primary admissions? Also, I seek clarification from the Education Minister as to whether his guidance requires primary schools to return P7 classes on a full-time basis in August, regardless of the impact of that on other year groups' access to school. Why is year 7 prioritised and not year 8, which is an actual transitional year to a new school?

Also in relation to post-primary transfer, I ask the Minister to reconsider his decision to decline my request to meet parents to discuss post-primary transfer.

We need leadership in special educational needs. The dysfunction in special educational needs provision alone is reason to immediately lift the temporary suspension of work on the independent review of education. We need urgent delivery of the childcare strategy and the emotional health and well-being framework.

We need to work together with the education sector to overcome the risks and challenges of COVID-19 and deliver the quality, equal educational opportunity for all.

**The Temporary Speaker (Mr Wells):** The next Member to speak will be Mr Frew. Just before that, I alert Mr Sheehan that because Mr O'Dowd has stepped aside, he has risen up the list considerably and will be the next to speak, after Mr Frew.

**Mr Frew:** Having looked at the motion and the amendment, I see no issue with them. I think that what they request of the Education Minister is reasonable enough. It is important that we take this opportunity to pay tribute to all the principals, teachers and staff of schools, not least, all the non-teaching staff, who are working and have worked hard over the past months, beyond the call of duty on many occasions, to provide the children with as much stable education material as possible.

We also pay tribute to all the parents who have had to homeschool under really trying, pressurised circumstances at home, where they are trying to work from home and get quality time with their children too. The whole thing becomes a mishmash, and that is really detrimental to family life. I must say that, when my children were younger, my wife took up the burden of homework duty in my house. The stress and strain of homework is mighty enough, but to homeschool children too must be a massive burden.

**Dr Aiken:** I thank the Member very much for giving way. Does he agree that one thing that might ease that burden would be to bring in proper broadband across Northern Ireland? Maybe some of the excess profits that BT has been making from the Land and Property Services contract could be used to provide all pupils across Northern Ireland with excellent broadband facilities.

**Mr Frew:** The Member raises a very important point. Going forward, it is crucial that children and business, right

across the Province, have adequate broadband. He is absolutely right to raise that.

Principals know their school and their staff best. Principals and teachers also know their pupils best. As regards the responsibility for moving forward safely, in this day and age, given the risks involved, there is no person better placed in a school to measure risk in that built environment than the principal of the school.

We do teaching staff and principals a grave disservice when we say that they do not have clear and proper guidance.

#### 9.45 pm

The Minister has traipsed round the Province, meeting school principals and teachers in every art and part of Northern Ireland, and he must get credit for that. He has listened and moved where he can and I applaud him for that. Many of the principals and teaching staff whom I speak to on a weekly basis have concurred with and echoed that sentiment and are thankful for it.

There is absolutely no doubt that we are living in very pressurised times and there are strains and uncertainties that will have to be ironed out. We have always worked with the maxim that missing one day's schooling is detrimental to a pupil's education. It is important that we try to get as many pupils back to school on a full-time basis as soon as possible in order that their educational opportunities are not hurt. That is vital going forward, and the only way to have equitable educational facilities and learning examples and experiences is to have pupils in school; there is no doubt about that. That is what we should strive to do.

Let us look at the wording of the motion. Everything is in a context, especially when we look at the day that we have had. The motion says:

*"That this Assembly recognises the concern and anxiety that exists among teaching and non-teaching staff, as well as among parents and young people".*

What of their anxiety today when they see and read the news and see Sinn Féin practising no social distancing and no responsibility with regard to what it has been preaching over the last number of months? What of the anxiety of teaching staff when they see that "Do as I say, not as I do" attitude? That has been so hurtful to the messaging and to the psyche of our people when they see the work that they have put in over the last three to four months. They have been trying to keep people safe and now they see people flaunting the regulations with disregard for the safety measures.

**The Temporary Speaker (Mr Wells):** I ask the Member to bring his remarks to a close.

**Mr Frew:** It is unbelievable that that has taken place today. It is a shame on the party on the opposite Benches that it has allowed that to happen. There have been many occasions in the past number of weeks —.

**The Temporary Speaker (Mr Wells):** The Member must bring his remarks to a close.

**Mr Frew:** I will leave it there.

**The Temporary Speaker (Mr Wells):** As I said earlier, the debate has attracted a lot of attention. Unfortunately,

I have to report that we will have time for only three more contributors — Mr Sheehan, Mr McNulty and Mr Aiken. I realise that that is a considerable disappointment to Ms Armstrong, Ms Hunter and Mr Carroll. Everyone used their time to the maximum and there were numerous interventions.

**Mr Sheehan:** Go raibh maith agat, a Leas-Cheann Comhairle Sealadach. Agus labhraim anseo anocht i m'athair ar bheirt ghirseach a bheas ag dul isteach i rang a haon agus rang a cúig i mbliana. Agus ba mhaith liom mo bhuíochas a ghabháil leis an phríomhoide, na múinteoirí agus an fhoireann iomlán i mBunscoil an tSléibhe Dhuibh.

I speak tonight as the father of two young daughters who will be going into primary 1 and primary 5 respectively this coming year. I want to put on record my thanks to the principal, the teachers and all the staff in Bunscoil an tSléibhe Dhuibh and Naiscoil an tSléibh Dhuibh for their dedication and diligence in helping us as parents over the last number of months. Bunscoil an tSléibhe Dhuibh is an Irish-medium primary school.

Agus, a Leas-Cheann Comhairle Sealadach, is cinnte go mbeidh fadhbanna ag earnáil na Gaelscolaíochta ag athoscailt dóibh i mí Mheán an Fhómhair i dtaobh sláinte agus sábháilteachta de agus an scaradh sóisialta.

It is certain that the Irish-medium sector will have problems with the reopening in September with regard to health and safety as well as social distancing. As it now stands — the Minister will be aware of it — 60% of the accommodation in the Irish-medium sector is housed in prefab or modular accommodation or buildings that were not designed as schools. That lack of purpose-built facilities will have a detrimental impact on schools facilitating their students, in particular those Irish-medium schools that are located outside urban areas, where alternative space might not be easily found in the surrounding area.

Irish-medium schools are already at full capacity. The Irish-medium sector is the fastest-growing sector and we want that trend to continue, not regress. Take Coláiste Feirste in west Belfast, which is the largest Irish-medium post-primary school on the island of Ireland. When a significant new development was opened in that school a few years ago, it had a capacity of 550. The enrolment now is around 680. How will it practise social distancing in classrooms?

There are concerns about a lack of available school space affecting parents in choosing Irish-medium schools for their children. The Education Authority and the Department of Education have based their social-distancing guidelines on classrooms of 60 square metres. As I mentioned, that does not accurately reflect the reality in Irish-medium education, in which some classrooms are as small as 37 square metres. Additional classroom space will be required and the Department has an obligation to work with the bodies that represent the sector to facilitate that.

Ba mhaith liom labhairt anois ar easpa na múinteoirí cáilithe a bhí ann roimh an phaindéim agus a bheas ann faoi mhí Mheán an Fhómhair i mbliana. I also want to talk about the lack of qualified teachers who were in the Irish-medium sector before the pandemic. Of course, that shortage will be exacerbated when schools reopen in September.

The Irish-medium sector is likely to be more acutely affected by teacher shortages, as a lack of teachers already existed before the current crisis. That will be made worse as schools return, with the risk of a severe shortage of qualified Irish-medium teachers to fill current vacancies, and Irish-medium substitute teachers to cover for teachers who are shielding. If the Department is to act decisively on the development of the Irish-medium sector, it needs to begin to address that shortage of teachers. We need to begin to engage with teacher training colleges as a matter of urgency to deal with that ever-growing issue.

Ba mhaith liom aird a tharraingt anois ar cheann de na ceisteanna is tábhachtaí don earnáil, is í sin, ceist na n-acmhainní oideachais. One of the areas that I want to draw attention to is the lack of educational resources in the Irish-medium sector. It suffers from a lack of bespoke resources for teaching and the remote learning undertaken by teachers during the lockdown period will have compounded that. Irish-medium principals —

**The Temporary Speaker (Mr Wells):** I ask the Member to bring his remarks to a close, please.

**Mr Sheehan:** —requested online resources and apps for appropriate distance learning. That needs to be considered by the Minister in the time ahead.

**The Temporary Speaker (Mr Wells):** I am pleased to report that Mr Aiken has generously removed his name from the list and, of course, Mr McNulty is entitled to speak in summation of the amendment. I am glad to say that we can get at least another two Members in. We have Ms Armstrong, Ms Hunter and potentially, if things go well, Mr Gerry Carroll.

**Ms Armstrong:** Thank you so much, Temporary Speaker. I was not expecting that. I will keep it brief, because I would like Mr Carroll to have his opportunity.

From the very start, I will declare an interest. I am a mum of a 17-year-old who is due to go into her A-level year, so my heart is broken with her. I am also a governor of a primary school and a post-primary school.

Of course, we will support the motion and the amendment — why not. However, can I please ask, as my colleague said, that we start building a bit of teamwork? We are talking about our young people across the whole of Northern Ireland. They do not need to hear politicians ripping lumps out of each other. What they do need to hear is that their schools will be a positive experience, that we will come out of coronavirus and that they will be able to get back with their friends again in a safe way.

Mr Frew brought it up, and I have to say to all the parents out there that there is a reason why I did not become a teacher — homeschooling has proved that completely.

I take my hat off to all those parents: to those who are at home all day with their kids, trying to work as well as homeschooling; and to parents who have had to go out to work and been worried sick about how their children are getting on while with whomever they have been with, perhaps they have been at a school in which they sit beside two or three others from very different age groups.

One size will not fit all. I do not know about the rest of you, but I get many calls from the parents of children with learning disabilities asking how, with social distancing, the

at shoulder support is supposed to happen and whether we can give them a solution.

We cannot lock the toilets in post-primary schools. Girls have periods: let us not shy away from that. We cannot exclude our young people from having access to space.

We need to see the teamwork for ourselves and for our teachers, while working with pupils and parents. We need to recognise not only the physical but the emotional needs of our young people, which will be one of the toughest things for classroom assistants and teachers, alongside parents, to deal with.

Young people need time to talk. Some have not had a good lockdown experience. Sadly, we know that the increase in domestic violence across Northern Ireland means that a number of young people have had to leave their home. Some have seen family conflict. Let us face it: we are fighting with each other in the Assembly because we are stressed out. It is non-stop. Our whole day, morning, noon and night, is work. We never get to leave it behind when at home. The children who have experienced loss and bereavement need time to speak. They need time to talk to each other, which is very hard when half of their classmates work at home for part of the week and the other half are at school. They then swap, meaning that they never see the other half of their class.

My heart breaks for pupils who are transitioning from P7 to year 8 — first year, in old money — and for those in upper sixth or fifth year who have left school. There was nothing: there was no real end for them.

We have to be aware that there will be difficulties because of the horrendous pandemic. We could see a rise in racist bullying in schools. Across the water, people of Asian background have been picked on and bullied by people saying that they are the cause of the virus because they are Chinese. There is a lot going on.

You know what? The message that we send from this place needs to be more positive. It has to be a message that young people are listening to because they want to hear about their schools, and we are talking about something that interests them. This is a great motion. We have a good Minister, and he cares. We have a Committee that also cares, and it meets people so often that I do not know how Chris Lyttle does it — my head would be turned. We have a good team here, and, for the sake of your young people, we should be talking more positively.

I am the mummy of a 17-year-old who regularly does my head in. She is looking to get out and torture wee fellas, but she is not getting to do that. *[Laughter.]* She wants to get back to school but is scared. She is scared. If a 17-year-old is scared, what is it like for a seven-year-old? We have a job to do, folks, and I really hope that we can do it and get these young people back to school as soon as possible. Let us work together on this.

**The Temporary Speaker (Mr Wells):** Many Members were shocked when Mrs Armstrong revealed that she had a child of 17. That is quite remarkable *[Laughter.]* After Ms Hunter, we may have time to get Mr Carroll in.

**Ms Hunter:** I echo Ms Armstrong's comments and sentiment about working together, which will be highly beneficial for us all. The SDLP recognises the sheer level of pressure and uncertainty that has arisen for teachers and pupils right across the North as a result of COVID-19.

Today, our concern pertains to ensuring the physical health of pupils in the coming months with the slow reopening of schools and reintroduction of classes.

My concerns derive from the different school sizes. Some schools, often the new builds, have capacity for more pupils due to being more spacious. Others, often the rural schools, may have to compensate through more pupils staying off, which could further impact on their education. I hope that the Minister can provide clearer guidance on that today.

We are happy to learn that the Department has received new IT devices for distribution to children who are experiencing difficulty accessing digital learning. Over the past few weeks, other MLAs and I have been contacted by families that are struggling to attain access to broadband, as mentioned earlier, and to the other technological tools needed for remote learning. This is a welcome announcement as we fear that some students, especially those from low-income families, have been left in the dark, and no child should suffer academically as a result of that.

In the light of these difficulties, we welcome the news that an increasing number of selective schools have decided that they will not use academic selection for 2020-21 and 2021-22.

#### 10.00 pm

I think that that shows great compassion and consideration of young people's mental health. At times, when students have been faced with so many difficulties over the past few months, academic achievement bears so much weight to young people. Speaking to young people, it is evident that academic achievement is a huge factor from which they derive their sense of self-worth. Sadly, some schools decided to continue with academic selection, despite the undeniable, unfair education deficits that have occurred as a result of the pandemic.

I have spoken with a young family in my constituency, a single mother who is a front-line worker. She is a carer. Her child gets less homeschooling than other children, due to the fact that, as a mother, she had to continue to work over the past few months. Is it fair that her daughter should be held accountable for an academic decline through no fault of her own? I feel strongly, and agree with other parties, that no child should be left behind. I hope the Minister can provide us with more clarity on health and safety within the schools. A catch-up programme is necessary. We want no child to be left behind. I support the motion and the amendment.

**The Temporary Speaker (Mr Wells):** Mr Carroll, you have four minutes.

**Mr Carroll:** Thank you, Mr Aiken. Feel free to step aside in any debate that I am not going to be called. *[Laughter.]* I will happily speak on most things and I am sure that people here, and the public, are delighted to hear me on every issue, so thank you very much.

In all seriousness, the fears outlined in this motion and the amendment are true for teachers, parents and indeed for pupils. I am more than happy to support the motion and the amendment. I thank the Members for bringing them.

Like others, I have been contacted by parents and teachers, and we continue to stand with them, ensuring

their safety and the safety of pupils of all ages is maintained and protected.

All along, throughout the pandemic, we have consistently called for the Executive to make decisions about reopening, and lifting elements of the lockdown, on the basis of scientific and medical advice, consistent with the likes of the World Health Organization and other bodies, as the motion urges. However, as Members know, that has not always been the case. We know the devastation caused and the failure to protect the vulnerable, particularly in care homes. As a member of the Health Committee, for two weeks in a row, I have asked for the scientific advice pertaining to implementation of amendments to the Coronavirus Regulations, and I am still waiting on it. It is frustrating that we are not getting that information, and we should, very quickly.

While I support the motion, the fears that the Members who proposed the motion outlined about schools reopening, are the exact same fears that workers in hospitality and other sectors will face by the end of this week. They may be forced into work, essentially, or lose their jobs, as the case may be, and nothing is mentioned or done about that. Obviously, the regulations passed today cement that in legislation.

There has to be a serious level of consistency in approaching this crisis. Earlier, the junior Minister referred to there being no linear approach. I think he is right, and he is being kind. The approach that the Executive have taken throughout the crisis has been very worrying and disastrous in cases.

Trade unions, who represent workers in bars, clubs and restaurants, who have been loud and clear about their inability to socially distance in the workplace, will no doubt wonder, as I do, why there is no motion calling for protection for them in the workplace, based on scientific and medical advice, as there is in tonight's motion. Staff in care homes will raise similar issues.

I support the motion and the amendment, and will take any opportunity to support teachers, parents and pupils, but other workers have been left without adequate protection and that needs to be addressed.

Robbie Butler said that teachers are used and abused, and that has very much been the case. Disgracefully, we have seen MPs attack teachers and their unions. Some of them are still waiting on an apology from Mr Wilson. He should do the right thing and apologise for his comments towards them. We have to pay tribute to our teachers and teaching staff for working throughout this pandemic, and working to educate our young people throughout the year, and also for taking action to close schools, when the Minister would not act and he dithered. It was teachers who —.

**The Temporary Speaker (Mr Wells):** Can the Member bring his remarks to a close, please?

**Mr Carroll:** I will leave my comments there. I am happy to support the motion and the amendment.

**The Temporary Speaker (Mr Wells):** Thank you, Mr Carroll. I now call the Minister of Education, Mr Peter Weir, to respond to the motion. Mr Weir, you have 15 minutes in which to speak.



**Mr Weir:** Thank you, Mr Temporary Speaker, sir. I know that you have been waiting to hear that terminology for quite a period of time. I congratulate you on your post.

I want to join with other Members, including the mover of the motion, who mentioned the sad death of Noah Donohoe, and pass on my sympathy to his family and his school, St Malachy's College. While, to the best of my knowledge, we have been fortunate enough that no school-aged child in Northern Ireland has died from the COVID-19 virus during the pandemic, it has, perhaps, gone unnoticed that, during that period, a number of pupils throughout Northern Ireland have, sadly, passed away for a variety of reasons. Equally, I want to pass on my sympathies to their families and schools.

I thank all Members who have spoken in the debate. I welcome the opportunity to speak on these issues. I am sure that not everyone will agree with everything that I say. I would not necessarily agree with everything that was said in the debate.

I will say at the outset that I do not see any particular problem with the motion on the anxiety that exists, or the amendment. As is often the case when motions are tabled in the House, a number of elements of them have probably been overtaken by events that have either already happened or are in progress. However, that is no reason to divide the House.

I am fully aware from speaking to principals, school staff and pupils that there are genuine concerns and anxiety about the reopening of schools. Previously, I have noted that the issues that we face across society, and particularly in education, are unprecedented. Young people have outlined their concerns in a range of surveys. They include the 1,000 children who have contributed to the Youth Forum survey, and, indeed, many young people continue to respond to the Education Authority's weekly survey, which is facilitated by Youth Service.

While there is no consensus on the issue, the biggest concern out there, which is shared by parents, teachers, trade unions and pupils, is about the lost learning and opportunities, and a desire to get back to school. There is consensus on that. I will reiterate what I said earlier during Question Time: I believe that we are on a good trajectory at present, and, if things continue to move in the way in which they have been moving, I hope that the Executive will agree that we are able to move to a position before the start of term where we can ensure that every pupil in Northern Ireland will be in school five days a week. Surely, that is a hope that we all share.

I am conscious of the practical challenges. An incredible amount of work has been done in a short space of time to develop responses to the situation. Again, I want to put on record my appreciation for the incredible work that is being done by schoolteachers, leaders, classroom assistants and, indeed, all those who have been working with such dedication in the wider education sector throughout this challenging period.

The new school-day guidance, which was published by the Executive on 19 June, sets out a framework under which schools can, now, plan to reopen. The guidance was co-designed under the auspices of a practitioners' group, facilitated by my Department, by 20 school principals. It represented every sector and age range in education. It included the controlled, maintained, voluntary grammar,

Irish-medium and integrated sectors. It included special schools. It involved nurseries, primary schools and post-primary schools. It had a very broad range. While the broad principles will be similar across other settings, it is recognised that there is additional work to be done in youth and early-years provision. Indeed, last week, we were able to issue particular guidance for special schools. I pay tribute to the work of the principals. They operated with an intensity that was beyond their day jobs and provided invaluable professional and operational insights.

Drafts of the guidance were also shared with trade unions, sectoral body representatives, the Chief Medical Officer, the Department of Health and the Public Health Agency. All feedback that is consistent with the remit of the practitioners' group is in the drafts of the guidance.

The time frame and notice that we have been able to give schools for preparations has been mentioned. There needs to be a balance. If we are to take account of the views and have that co-designed process, that will mean that, naturally, things will not move as quickly as they can in other bits, but we are ahead of the game compared with other jurisdictions.

Mention has been made that, as yet, there is no clear picture of what is happening in the Republic of Ireland, where one of the parties here sits as the main Opposition in that jurisdiction.

In England, prior to 1 June, there was relatively little notice given. Indeed, we still await the guidance as to what they intend to do in September. Scotland, which is starting at an earlier stage than us, has also issued guidance. It is on a fairly similar time frame to us. Wales, where schools resumed on 29 June, issued guidance on 11 June, which was 18 days beforehand. Whatever criticisms that can be made about timescale, we are a couple of months ahead of that.

Mention has also been made that the Department will try, as much as possible, to provide financial support where additional necessary resources are required for schools to help in reopening. We will work together with the sector on that.

Mention has been made of childcare. There is now an Executive childcare recovery scheme. It will learn from some of the weaknesses in the current system, but it is critical that childcare is aligned with school reopening. Indeed, reaching a point at which schools are able to be fully open is one of the biggest single actions that can be taken to ease the pressures on childcare.

Mention has been made about year groups. The position of years 7, 12 and 14, as transition years, is consistent with what has happened in other jurisdictions. For example, in England, apart from the very youngest in primary schools, their P6, which is the equivalent of our year 7, was one of the areas prioritised, as was those entering the final year of GCSEs and A levels.

The principals that we worked with emphasised that guidance needed to have broad parameters but also have a level of flexibility. Indeed, the aim was to get that guidance out as quickly as possible with Executive approval. There are a range of other issues that will need to be considered and, indeed, are being considered.

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

**Mr Weir:** With respect, I am trying to get through quite a few items. I know that there will probably be other issues that can be picked up tomorrow in the Education Committee.

I am aware that some feel that the guidance does not go far enough. I suppose that it is striking the balance between producing a 52- or 54-page document when I know that it has been suggested that it can all be put in 140 characters. I suspect that if the Department issued 140 characters as a response, there would be complaints.

Mention has been made about the issue of transport. Again, that is an issue that the Executive are looking at collectively. It is critical, and I think, probably grasping the nettle of finding routes in terms of transport which means that actually strict social distancing is not particularly compatible with full school transport. The previous position of the Department for Infrastructure was a 15% cap on those who can travel on buses. That is something that I do not think would work or be acceptable.

On the one-metre distancing side of things, this obviously predated any decision as regards the wider Executive position on one metre. Ultimately, there is no distance that is safe. It is about providing mitigation measures. Indeed, if you speak to medical experts, they will not say, "One metre is safe" or "Two metres is safe". It is about providing protection. We worked on the detail of it. The draft guidance was shared with the Chief Medical Officer and the Chief Scientific Adviser. We worked alongside the Department of Health and the PHA on the detail of the guidance. I would maybe quibble slightly about the references to WHO or others in the motion, but we have worked with bespoke teams in Northern Ireland. It has that level of support and adherence.

As indicated, on the curriculum, detailed guidance has been published on curriculum planning for 2021. CCEA is continuing to work on how we will deal with examinations. This is not just a Northern Ireland issue, but there is an impact on the curriculum in respect of where we are, and that is inevitable. So, it is about concentrating on the basics.

Again, one of the slight restrictions in the curriculum, particularly for those later years when there are public examinations in which pupils here sometimes take examinations from outside Northern Ireland.

We have to ensure, working with colleagues, that we have a level playing field across a range of jurisdictions. We have to make sure that Northern Ireland pupils are not disadvantaged.

#### 10.15 pm

Mention was made of doing things in conjunction with different Ministers. I am in regular contact with the Education Ministers in England, Scotland and Wales. I have spoken directly to and had conversations with the now outgoing, departed Minister in the Republic of Ireland and am seeking an early discussion with the new Minister there. There will be an opportunity to learn from that experience. We are fortunate that the Northern Ireland curriculum is specifically designed to be adaptable and dynamic. Therefore, it can create the ideal scaffold to support and underpin teaching and learning. The limited prescription that we have gives schools the flexibility to choose what to teach and for how long and how often and to use approaches that best suit their pupils.

I turn now to the amendment. In April, my Department conducted a survey of school principals to look at strategic approaches to distance learning and access to online learning. The survey showed that all schools were using either online or hard-copy approaches. I take on board the point that has been made about broadband. Obviously, that lies outside the remit of my Department. The proposals that are being put forward by the Department for the Economy for rolling out broadband will be of long-term help but will not be there in every case. School principals who reported that pupils might be experiencing barriers to online work reported that the main reason was lack of access to a device, often followed by that lack of access to broadband. Consequently, we have adopted a three-stage process, first of all looking at what devices were already in existing stock. Then, there had been about 3,500 devices that were being sought by EA and being procured. We are now at that second stage, and, during the last week, a number of those have been rolled out to try and address that. The Department is also in a position where it is going to central procurement to try to fill the gap as well.

We will not know definitively where we are until we see in September, but we can all make an assessment that, no matter how brilliant the teaching that has been done and no matter how good the remote learning that has been done in a lot of cases, it is, as, I think, somebody mentioned, there is no substitute for that face-to-face classroom teaching, which is why I am so keen to see that resume in full. We have also been giving some thought for some time to how we do that level of catch-up. Again, while they may have been overwhelmed by the focus on the reopening of schools, as part of summer schemes and, indeed, summer and beyond recapture of learning, proposals were put to the Executive. I will outline briefly the strands within that. I am glad to say that today, in the June monitoring round, there has been agreement by the Executive, and funding has been made available for that. That is for the remainder of this financial year. There may well be other costs that will run into the following year. It has three strands. There are two smaller interventions during the summer. Where schools are looking voluntarily to provide some level of additional summer learning, the Department will provide financial support. Teachers deserve a break, however, and, consequently, it is only where schools have volunteered to do that and want to do that. We feel that they should not do that to their own detriment, and therefore there is a degree of support. We are looking at support over the summer of a virtual classroom that people can tap into. Both of those, in the grand scheme of things, are relatively low-cost, but we are looking, as we roll out into next year, at an engage programme that will ensure that, in particular, those from a socially deprived background are provided with additional support and additional interventions in their learning. From that point of view, I think, I am at one with the amendment, if not always necessarily in the words that are used in the speech — I look forward to Mr McNulty's summing-up — but at least in terms of the spirit of what is there.

The issue of mental health has also been raised. While a lot of young people are very resilient — perhaps more resilient, at times, than some of us adults in that regard — there is a need for support for mental health. If there is additional help we can give from the Department of Health, it will be welcome, but there has already been an allocation of an additional £5 million into the budget this

year for mental health. As with all Ministers, if the budget were considerably bigger, I would be happy to make that stronger.

I appreciate that there are probably issues that I have not been able to touch on in 15 minutes. I am sure that, in one of our lively exchanges at the Education Committee tomorrow, they will be revived in that regard. Although we may have some salvos fired across different parts of the Benches, I take on board the fact that there is a broad consensus on what is being done, what needs to be done and the outcome that all of us seek, which is to ensure that our children get back to that full level of learning. That is shared not only by all MLAs across all parties but by teachers, parents and pupils.

**Mr McNulty:** It is a pleasure to wind on this important debate. I will begin, however, by offering my condolences to Noah Donohoe's mum, Fiona, his family, his friends and his classmates at St Malachy's College and to the volunteers, the police and the rescue organisations who all put in such a heroic effort in trying to locate him.

I also pay tribute to our schoolteachers, principals, classroom assistants, school staff, pupils and parents. Their roles and environments have been completely reconfigured, and it is sad that many teachers feel that they have been used and abused during the pandemic.

Given the hour, I will not rehash verbatim what each Member has said in the debate. You all know what you have said, and it is in Hansard anyway. Across the Chamber, we are in agreement on a number of matters, including concerns about addressing IT, broadband and online inequality; acting to address the education of children who come from deprived areas or from families with lower incomes; social distancing capabilities and capacity in schools; staggered starts; an accelerated catch-up programme for all kids; social bubbles; blended learning provision that is fair and equitable; accelerated school maintenance; appreciation for the work of trade unions; and the addressing of school transport concerns.

We have heard a lot about mental health issues but not enough about physical activity, and incorporating physical activity into the restart is another concern. Further concerns to be addressed are staff numbers and possible shortages in specific areas and the ability of schools to meet the needs of students with special educational needs. A major challenge for the education system is that no child should suffer academically as a consequence of the pandemic. We need a reopening procedure that has the capacity to address any mental health issues, zero tolerance of bullying and childcare that must be aligned be aligned with school reopening. There was a bit of disagreement on academic selection and the example set by some political leaders today, but, it is important to reiterate what the Minister said: it is a cause for celebration that no school-age child has passed away as a consequence of COVID-19. That is a cause for celebration.

Principals, teachers, pupils, staff and parents seek clear, unambiguous and realistic guidance on a safe return to education in the classroom. As the Minister said, teachers want to teach. I have not met one teacher over the past two or three months who was in holiday mode. They were very caught up in trying to adjust to and address the challenges they faced in teaching kids, some in the classroom and some remotely. Parents have had to change their routines

enormously too and have adapted to become even more hands-on in the education of their kids, all the while juggling their day jobs. Major tribute should be paid to them. Most of all, I think of the girls and boys of school age who are dying to get back to see their friends and teachers and dying to get back to school. It is a unique situation where kids are crying for school. At the end of August and start of September, I think, we all want to see a safe, fair, positive, challenging and encouraging learning environment for every pupil, every teacher and every staff member to return to. I support the amended motion.

**The Temporary Speaker (Mr Wells):** I call Catherine Kelly to wind up the debate. Catherine, you have 10 minutes.

**Ms C Kelly:** The motion was tabled before the Minister's statement last week. Since then, guidance has been provided, but we feel that tonight's debate is important and has been useful to ensure that the concerns that remain are highlighted.

The past three months have had a significant impact on our children and young people, parents, childcare practitioners and school leaders, many of which we have heard about this evening and I will touch on later.

Never before has our education system faced so many challenges. Many of our preschool children are to begin formal education in eight weeks. Their parents are busy buying uniforms and preparing for their children's first day. What will that actually look like? Some settings and classes are not big enough to hold all the children attending in September. Some settings and classes may be big enough but they do not have sufficient staff numbers to allow for more than one protective bubble. Recent guidance, issued by the Department, mentions a blended learning approach for preschool similar to that of schools. How can this apply to preschool children, when their education is based mainly on play? How do preschool leaders ensure that learning is being achieved at home through play? Department of Education guidance does not take this into account. It is not sufficient to attach the preschool restart with school restart. This is a worrying time for preschool leaders. Will the Department issue its PEGs funding earlier so that preschool leaders can prepare their settings and, if needed, recruit and vet staff? Will the community and voluntary preschool settings receive support through a new scheme from the Department of Education or the Department of Health? Both Departments need to consider these questions. Settings need support to sustain themselves so that they can open their doors, with confidence, in September; reassure parents who are dropping their children off on their first day; and hold on to their skilled staff, whom we rely on so much to educate our children.

Another cohort of parents who received guidance on the return to school was parents of children who attend special schools. Many parents and school leaders had been waiting on the guidance, hoping that it would include a plan and details for a safe return but that has not been the case. Schools have been left having to read between the lines and incorporate their own plans for September. Friday's guidance has not reassured parents. If anything, they have even more questions. How do special schools that are already at maximum capacity welcome all children back and ensure that they are socially distancing? If remote learning will, again, come into play, the Department needs to ensure that all children are being taught remotely. In

the past three months, many parents have raised issues around the lack of remote learning and the absence of any digital connection with teachers, classroom assistants or friends.

Some of us will remember a young person, a number of weeks ago, explaining their feelings during lockdown as being sad, isolated and lonely. There cannot be a return to this kind of remote learning. The guidance also mentions a reduction in health therapies and/or support provided. That is very concerning. For many children and young people, those therapies are a lifeline. I urge the Department of Health and the Department of Education to ensure that every effort is made to remove any barriers to children and young people being able to avail themselves of this.

Tomorrow is 1 July and, as yet, parents have not had sight of what summer provision will look like for their children. There is huge frustration amongst children, young people and their parents. The most vulnerable in our society need to know when summer provision will begin, what it will look like and who will be delivering it. Since March, many parents and their sons and daughters have had little or no interaction with the outside world, no school and no respite. Summer provision is crucial to support families after such a long period with little or no support. The mental health and well-being of children and their parents is paramount. They are crying out for some sort of provision, urgently, to reengage their children. This must begin as soon as possible and without delay. We are all more than aware that our childcare sector is on its knees. My party colleague mentioned in her opening statement that childcare will be a defining issue, and she is right.

We have seen many welcome interventions in recent weeks, where the key worker definition no longer applies to childcare. Capacity has ceased within settings, albeit that a play pod has been introduced, and indemnity will now cover all children until the end of August. These are very welcome easements and especially today's announcement from the Finance Minister that £10.5 million in financial support will be allocated to the sector to enable sustainability.

**Mr Lyttle:** I thank the Member for giving way. I recognise the consistency with which she has raised childcare provision at the Education Committee. Does she agree that it is vital that details of how to apply for that additional funding for childcare are made clear, as quickly as possible, to the childcare sector?

### 10.30 pm

**Ms C Kelly:** Thank you for your comment. I agree wholeheartedly. We need guidance and detail as soon as possible and urgently. We have no detail yet on how this will be administered, but one thing is for sure: it cannot be a repeat of the previous scheme, with its complex and bureaucratic application process, and with many still waiting for support, after the scheme was first announced over eight weeks ago.

The new allocation needs to be readily available, with no barriers in place. Families need childcare now more than ever, and that is why our health and social care trusts need to work as quickly as they can to ensure that settings and childminders can reopen their doors safely, and parents can return to work, content that their child is in the best possible care.

COVID-19 has shone a spotlight on how crucial to society our childcare sector is. Without it, it is likely that many women would not be working, and children would be without vital early education and care. Until we have more information on how the funding that was announced today will be allocated, what the process will be for applying for funds and when applications will open, this vital economic sector is at risk of collapse. Not only will that have significant implications at this time of crisis, but, in the weeks and months ahead, when we are trying to rebuild our economy.

Many comments have been made tonight. Mr McCrossan mentioned the hard work of our school leaders over the past three months. Mr Butler mentioned transport and the huge issue that that is: how can we ensure the safety of children and young people when they travel to and from school? Mr Lyttle talked about the need for a restart budget, given the many costs that are associated with restart when school budgets are already at capacity. Mr Frew mentioned parents and how the past three months of homeschooling has been incredibly stressful. Those are only some of the hugely important issues that have been highlighted this evening, and I thank Members for their contribution. It is imperative that Minister Weir takes into consideration all the points that have been made tonight. I urge Members to support the motion and the amendment.

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

*Main Question, as amended, put and agreed to.*

**Resolved:**

*That this Assembly recognises the concern and anxiety that exists among teaching and non-teaching staff, as well as among parents and young people, in relation to the eventual reopening of schools; understands the challenges facing school boards of governors and principals in keeping children and teachers safe while providing high quality education; believes that any reopening of schools should be based on scientific and medical advice consistent with that provided by the World Health Organization and the European Centre for Disease Prevention and Control; further recognises the limitations faced by many pupils in accessing online courses and private tutoring; recognises the need for an essential catch up programme to be established for all pupils, especially those from disadvantaged backgrounds; and calls on the Minister of Education to engage and consult with all stakeholders, including teachers, parents and young people, on the reopening of schools and to ensure that no child loses out upon the reopening of schools.*

**The Temporary Speaker (Mr Wells):** I remind Members that the next plenary sitting of the Assembly is on Monday 6 July.

Before I finish, I thank Mr O'Dowd and Mr Storey, who remained throughout the debate and did not even have an opportunity to speak. That they were prepared to do that is an example to all MLAs. I thank everyone who kept to time to ensure that the debate finished on time.

*Adjourned at 10.33 pm.*

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# Northern Ireland Assembly

Monday 6 July 2020

*The Assembly met at 12.00 noon (Mr Principal Deputy Speaker [Mr Stalford] in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Allister:** On a point of order, Mr Principal Deputy Speaker. Is it within the functions of the Speaker of this House to use social media to advertise and promote funeral arrangements in circumstances in which prevailing Executive guidance at the time prohibited such promotion and advertising?

**Mr Principal Deputy Speaker:** Strictly speaking, that is not a point of order relating to the business of the House, Mr Allister. What I will say is that, when I am in the Chair, I make every effort to be neutral and impartial and to leave the fact that I am a DUP Assembly Member to the side. It is important that anyone who exercises such a function should try to do the same.

## Standing Order 20(1): Suspension

**Mr Butler:** I beg to move

*That Standing Order 20(1) be suspended for 6 July 2020.*

**Mr Principal Deputy Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20(1) be suspended for 6 July 2020.*

**Mr Principal Deputy Speaker:** There was one dissenting voice, Mr Allister's, but I am satisfied that cross-community support was demonstrated.

## Standing Order 15(1): Suspension

**Mr Butler:** I beg to move

*That Standing Order 15(1) be suspended on Tuesday 7 July, for the purpose of the motion on ministerial breaches of COVID-19 regulations and guidelines, and that amendments to the motion shall be given in writing to the Speaker not later than 9.30 am on Tuesday 7 July 2020.*

**Mr Principal Deputy Speaker:** Before we proceed to the Question, I again remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 15(1) be suspended on Tuesday 7 July, for the purpose of the motion on ministerial breaches of COVID-19 regulations and guidelines, and that amendments to the motion shall be given in writing to the Speaker not later than 9.30 am on Tuesday 7 July 2020.*

**Mr Principal Deputy Speaker:** As there are Ayes from all sides of the House and no dissenting voices, I am satisfied that cross-community support has been demonstrated.

## Committee Membership

**Mr Butler:** I beg to move

*That Mr John Stewart replace Mr Doug Beattie as a member of the Committee on Standards and Privileges.*

*Question put and agreed to.*

*Resolved:*

*That Mr John Stewart replace Mr Doug Beattie as a member of the Committee on Standards and Privileges.*

## Northern Ireland Public Services Ombudsman: Nomination

**Mr Butler:** I beg to move

*That this Assembly, in accordance with section 3(1) of the Public Services Ombudsman Act (Northern Ireland) 2016, nominates Margaret Kelly for appointment as the Northern Ireland Public Services Ombudsman.*

The Public Services Ombudsman Act 2016 delegates to the Assembly Commission—

**Mr Principal Deputy Speaker:** Mr Butler, you just need to move the motion at this stage. I have some House rules to outline before the debate can begin.

The Business Committee has agreed to allow 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and a further 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. I now call Mr Butler to open the debate on the motion.

**Mr Butler:** Thank you, Mr Principal Deputy Speaker. You could say that I am a slow learner at times. What to do is actually written on my notes. I just chose to ignore it.

The Public Services Ombudsman (Northern Ireland) Act 2016 delegates to the Assembly Commission the responsibility for determining the criteria for appointment and making arrangements to identify, by fair and open competition, a person to be nominated by the Assembly for the role of ombudsman. The appointment of the ombudsman is by royal warrant and is for a single period of seven years.

Like the House when it established the ombudsman's office, the Assembly Commission believes that the ombudsman carries out an important and effective function in ensuring that there are free, independent and impartial services for handling complaints about public services in Northern Ireland. Good governance and oversight are important to enable us all to be confident that our public bodies are carrying out their functions in a fair and transparent manner. In addition, the ombudsman can initiate investigations when there is a reasonable suspicion of maladministration or, in the case of health and social care, where there is a reasonable suspicion of systemic injustice.

The ombudsman also performs the role of the Northern Ireland Judicial Appointments Ombudsman and Local Government Commissioner for Standards. Members will recall that shortly after the resumption of Assembly business in January of this year, the Assembly nominated an acting ombudsman, Mr Paul McFadden, to ensure that this important role did not stay vacant until such time as the recruitment competition for the office of ombudsman was completed. I thank Mr McFadden for undertaking the role of acting ombudsman during what has been a challenging period.

The recruitment process involved myself, Mr O'Dowd, the Clerk/Chief Executive and Rosemary Agnew, the Scottish Public Services Ombudsman. I place on record my thanks to Ms Agnew for her insight and willingness to help the Commission with the competition. I am delighted to inform the House that the recruitment competition has now been concluded and that Margaret Kelly was identified as the successful candidate.

Members may know Ms Kelly from her active work in the voluntary and community sector over the past 30 years. She is an honours graduate in politics and economics from Queen's University and holds a master's degree from Bristol University in social science, with a focus on racism and ethnic minority communities. Ms Kelly has a wealth of experience in working with children, young people and families and has held senior roles in many children and family organisations. Since September 2015, she has been the director of Mencap Northern Ireland. During that time she has been responsible for developing a range of early intervention services for children with a learning disability and their families. She has worked with children, adults and families to ensure that the needs of those with a learning disability have a higher priority with public services.

Ms Kelly has worked with the Assembly and a range of Departments on the development and improvement of policy and practice. She also has extensive experience in commissioning, managing and publishing research, as well as ensuring that an evidence base underpins policy and practice.

I record the Assembly's thanks to the former ombudsman, Marie Anderson, for her work as the first ever Northern Ireland Public Services Ombudsman (NIPSO). Today, the Commission seeks the Assembly's agreement to the nomination of Margaret Kelly as the Public Services Ombudsman. I have no doubt that Margaret's skills and experience will enable her to be an excellent ombudsman. I commend her nomination to the House.

**Ms Bunting:** I rise as the Deputy Chairperson of the Audit Committee. As Members will be aware, the Audit Committee plays an important role in scrutinising and agreeing the budgets and Estimates of the Northern Ireland Public Services Ombudsman, as well as those of the Northern Ireland Audit Office and, more recently, those in relation to the Assembly Commission.

Although the appointment of the ombudsman is a responsibility for the Assembly Commission to manage, the Audit Committee has an important relationship with the ombudsman. At its meeting on Thursday 13 February 2020, the Audit Committee received a briefing from the Office of the Northern Ireland Public Services Ombudsman. One of the issues raised at that meeting was the vacancy within the ombudsman's office and the impact of that vacancy on the work of NIPSO as a whole. At that time, members noted that the nomination and, in turn, the formal appointment of the acting ombudsman would be for a period extending no longer than the first anniversary of the vacancy of ombudsman arising — that is, up to 15 July 2020 — or until the appointment of a successor ombudsman.

Members were keen that that risk was addressed and the post of ombudsman filled before the deadline expired, and, consequently, the Committee agreed to write to the Assembly Commission to request a timetable for the recruitment and appointment of the Northern Ireland Public Services Ombudsman. The Speaker replied to the Committee, indicating that the Commission had been prioritising the vacancy in the ombudsman's office and had agreed on the urgency to appoint a new ombudsman, given the time limit on the powers of the acting ombudsman.

I think that I win the prize for the number of ombudsman mentions in one paragraph.

The Committee also noted that the Commission would be proceeding with a recruitment competition to facilitate the appointment of an ombudsman, the result of which is today's motion and nomination. I expect that, like me, the other members of the Audit Committee will be pleased to see the vacancy in the office addressed and look forward to engaging with the new ombudsman as the Committee continues to progress its work with NIPSO.

**Mr Allister:** I am not very familiar with the history and work of Margaret Kelly, so anything that I say is not to be taken to reflect upon her capacities and abilities. I did not hear about anything in her background that indicated that she has legal expertise. I think that, given that, very often, the ombudsman's function involves quasi-judicial functions in reaching judgements, assessing evidence and all of that, it might have been advantageous to have had someone of such a background. We have not been told, and I would like to know, how many applicants there were for the post and how many were interviewed.

The ombudsman has a right to self-initiate investigations. I suggest to Ms Kelly that the first investigation that she should initiate is one of recent events in Belfast City Council, where there appears to have been gross maladministration in the selective preference given to one applicant family in the use of the crematorium over others.

Belfast City Council needs to be strongly held to account in respect of its administration of that matter. How is it that eight families, on Tuesday, were denied the privileges, the rights and, it turns out, the overnight change in the law that no one was told about? How is that eight families were denied all that, and one family was afforded those special treatments? That, surely, is a matter of maladministration.

12.15 pm

**Mr Principal Deputy Speaker:** The subject under discussion is the appointment of an ombudsman. I appreciate that your comments relate to the functions of the ombudsman's office, and you have got them on the record. I am happy to let you resume, but it is important that you come back to the appointment of an individual. That is what is under discussion.

**Mr Allister:** I thought that I was speaking on that topic, because I was talking about the function whereby the ombudsman can initiate investigations. I was giving Ms Kelly some advice as to what she might initiate an investigation about. The point is there. It is crying out for investigation.

When the Commission come to reply, could they also tell us what progress they have made in the appointment of a Standards Commissioner for the House, which is a long-outstanding vacancy?

**Mr Beggs:** I welcome the proposal and support the appointment of Margaret Kelly as the Northern Ireland Public Services Ombudsman.

I first got to know Margaret a couple of decades ago, when she was a policy officer in Barnardo's, one of the biggest children's charities in Northern Ireland. Through that, she had close involvement with Assembly Members, public representatives and, indeed, with government officials, particularly in the Department of Health. When I was Chair of the all-party group for children and young people, I found that measured and knowledgeable advice came forward.

Margaret subsequently became the chief executive officer of Mencap, one of the largest charities in Northern Ireland, which cares for those in need of support. She has shown her professionalism there, and I have no doubt that, in the role of Northern Ireland Public Services Ombudsman, she will act in the best interests of the Northern Ireland public and, hopefully, assist in providing a better Administration for all the people of Northern Ireland.

**Mr Gildernew:** I would also like to welcome the appointment of Margaret Kelly to this important role. I have worked with Margaret on a number of issues in relation to her work on the all-party groups, and also in her role in Mencap. Her insights into the difficulties faced by carers and families, struggling with very difficult situations, will be of great value to her in the role. That perspective will be something that the ombudsman will benefit from.

I would also like to wish Marie Anderson, who I worked with on a number of issues, well in her future, and acknowledge that she made the ombudsman more accessible to families and people badly in need of representation. There is a major issue with the health and social care complaint systems, and I think that the Public Services Ombudsman could have a key role in the time ahead.

**Mr Principal Deputy Speaker:** No other Member has indicated that they wish to speak. I call Mr John O'Dowd to make a winding-up speech and conclude the debate on behalf of the Assembly Commission.

**Mr O'Dowd:** I welcome the contributions made by Members. In relation to a number of questions raised by Mr Allister, all those who were interviewed met the criteria of the post as advertised. I have a figure in my head of the number of candidates who were interviewed, but I do not want to give the House the wrong figure. That figure — the number of candidates who were interviewed for the job — can be supplied to Mr Allister and put on the record. I welcome that there was a significant number of applications, and that a significant number of them met the criteria for interview. I welcome that.

I reiterate the point made by my Commission colleague Mr Butler in recognising the assistance provided to the recruitment panel by the Scottish Public Services Ombudsman, Rosemary Agnew. Her expertise and input were invaluable, as we sought to identify the best candidate for the post of ombudsman. I feel that we have done that. I sincerely believe that Margaret Kelly will be a highly effective ombudsman, who will help to ensure that public services can be delivered in the best possible way, and held to account, for all our citizens.

I urge Members across the House to support the motion, which I commend to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly, in accordance with section 3(1) of the Public Services Ombudsman Act (Northern Ireland) 2016, nominates Margaret Kelly for appointment as the Northern Ireland Public Services Ombudsman.*

**Mr Principal Deputy Speaker:** Members should take their ease for a few moments to allow the junior Minister to arrive for the next item of business. Thank you.

## Executive Committee Business

### Executive Committee (Functions) Bill: First Stage

**Mr Kearney (Junior Minister, The Executive Office):** Iarraim go dian an Bille a chur chun cinn. I beg to introduce the Executive Committee (Functions) Bill [NIA 08/17-22], which is a Bill to make provision concerning the decisions which may be made by Ministers without recourse to the Executive Committee.

The Bill addresses the implications for the decision-making function of Ministers of the judgements of the High Court and the Court of Appeal in the judicial review of a planning decision by the permanent secretary of the Department for Infrastructure.

*Bill passed First Stage and ordered to be published.*

### Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020

**Mr Principal Deputy Speaker:** The next two motions are to approve statutory rules relating to the Health Protection (Coronavirus, Restrictions) Regulations. There will be a single debate on both motions. I will ask the Clerk to read the first motion, and I will then call on the Minister to move it. The Minister will commence the debate on both motions. When all who wish to speak have done so, I shall put the Question on the first motion. The second motion will then be read into the record, and I will call on the Minister to move it. The Question will then be put on that motion. If that is clear enough, we will proceed.

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

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020 be approved.*

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

**Mr Lyons:** There are two motions before the Assembly today. With your permission, Mr Principal Deputy Speaker, I will address them both in my remarks.

I will begin by outlining the changes brought about by these regulations and the reasons behind the Executive's decisions. First, the amendment No. 7 regulations amend regulation No. 5 to allow an additional circumstance whereby people can leave their home to visit another person's dwelling, either alone or accompanied by others, provided that the maximum number of persons in the dwelling is no more than six. The Executive considered that this easement would make provision for informal childcare arrangements between family and friends to resume. I know that it has been much welcomed by many people, especially grandparents who previously had been unable to have contact with grandchildren.

Before I outline the further changes to the regulations brought about by amendment No. 8, let me remind Members that while the approach of the Executive has not been to make decisions based on a timetable, we have recognised that some sectors benefit from future indicative dates. That means that our decisions are taken on the basis that sectors and citizens will have the information that they need, including some indicative dates, guidance, where necessary, and strong messaging. With that in mind, the Executive gave advance notice to people and relevant sectors of the dates from which they could resume their activities and operations. The following are the regulatory changes that were made to give effect to those dates.

The Executive agreed to amend regulation 3 and schedule 2 to allow businesses, such as hotels, restaurants, cafes, bars and coffee shops, to reopen from 3 July, subject to certain restrictions relating to the serving of alcohol. The Executive considered that that relaxation would assist in allowing people to leave their home, improving well-being and increasing the sense of normality, as well as restoring the livelihoods of those employed in the sector.

The Executive further agreed to amend regulation 4 to allow holiday accommodation, such as caravan parks,



to open from 26 June, to allow people to travel to a second home and to allow visitor attractions, such as historic houses, culture and heritage centres and outdoor attractions, to open from 3 July. These relaxations will provide significant economic benefits for the tourism and hospitality sector. They will also allow people to take much-needed leisure breaks after the difficult restrictions that we have all been living under since late March.

We have been pleased that representative bodies from the food and drink sector, including UKHospitality, the Northern Ireland Hotels Federation and Hospitality Ulster, have worked closely with the Department for the Economy, the Public Health Agency (PHA) and the Health and Safety Executive (HSE) to produce timely and appropriate guidance to enable those businesses to reopen.

The Executive agreed to further amend regulation 3 to allow premises used as indoor sports facilities to open for the purpose of training undertaken by elite athletes. The Executive recognised the comprehensive protocols that sporting bodies have in mind to allow this.

The Executive also agreed to amend regulation 4 to allow places of worship to hold religious services, other than baptism services or certain wedding services, and Bible readings from 29 June. Junior Minister Kearney and I had very positive meetings with church leaders to agree the guidelines that churches would adopt to allow for services to recommence.

The Executive agreed to amend regulation 5 and schedule 2 to allow nail, hair, beauty, barbers, tanning salons, electrolysis and acupuncture businesses to reopen from 6 July. I know that that relaxation has been particularly welcomed by Members who have participated in all our debates to date.

In previous debates, Members raised concerns about the time lag between the Executive making decisions and the opportunity for the Assembly to hear and debate those. I am taking the opportunity today to update the Assembly on decisions made last week.

Last Monday, we agreed that the number of people allowed to attend outdoor gatherings was to be increased from 10 to 30, and then, on Thursday last, we agreed to give legislative effect to allow a range of activities and sectors to restart. These included: the reopening of museums and galleries from 3 July; the reopening of bookmakers' offices from 3 July; the reopening of close-contact services — massage, tattooing, piercing and spas, not including thermal treatments — from 6 July; and the restricted opening of restaurants and bars in private members' clubs from 3 July.

### 12.30 pm

As we reduce the degree of regulation, it is guidance and adherence to that guidance that will become more and more important. We cannot defeat COVID-19 with fines and penalties alone. The choices that each of us makes will determine the outcome.

As I close, it would be remiss of me not to mention the importance of compliance with the regulations. The events of the last week are well rehearsed and will, no doubt, be a matter of further debate today. However, I want first to recognise the pain that many people feel at this time. We have all made sacrifices over the last number of months,

because we wanted to comply with the regulations and with the rules that had been put in place for the simple purpose of saving lives. I know that people are angry. They are angry that the rules have been broken; they are angry that there was a denial that the rules had been broken; they are angry that, when they highlight those issues, they are accused of making party-political points; they are angry at the lack of remorse; and they are angry at themselves for having kept the rules when others have not. Many families who saw what happened have asked themselves why they went to the lengths that they went to when others then broke the rules. I have had families coming to me saying that they feel like mugs because of it.

I have been contacted by one family in my constituency who asked me to share their story. Thomas McFarlane died during this period of restrictions. His family told me of the lengths that they went to to comply with the regulations. His grandson, who had come home from Scotland, stayed in the family's garage so that the family would comply with the rules. They did not get to grieve as they wanted, and Thomas McFarlane did not get the funeral that he deserved. His name may not be familiar to everybody here, but I think that most people have probably seen the picture of him taken as he was led away from the scene of the Abercorn bombing in 1972, guided by two ladies as the blood poured down his face. He suffered from post-traumatic stress disorder for the rest of his life. His family shared in that suffering, and they felt that the funeral last week and their inability to have one as they would have liked was a final kick in the teeth from the republican movement.

I understand the anger felt by many who say to me that it appears that all funerals are equal but some funerals are more equal than others. How do we respond to that? First, although the credibility of some of the messengers may have been damaged, the credibility of the message remains unchanged. The regulations are still required, they are still necessary, and we still need to adhere to them. Secondly, two wrongs do not make a right. I urge people over the next number of days, especially those in my community, "Please stick to the regulations. Adhere to them. Do not let those who organised the funeral last week be the yardstick by which we measure ourselves. Just because others have broken the rules, don't think that their irresponsibility gives us licence to do the same". Let us make sure that we keep the rules, not just for the sake of keeping them but so that we can protect the health and the lives of people here.

I also say to those who have adhered to the rules, "Please do not regret the fact that you have done so. Your sacrifice was worth it. It was not for nothing, and it probably saved lives. Let me very clear: your loved one was not worth less than anybody else; your grief is no less than anybody else's". We thank them for sticking by the rules and doing what was required of them. I urge others to do the same, and I commend the regulations to the Assembly.

**Mr Principal Deputy Speaker:** I thank the Minister. Before I commence the debate, I remind Members, insofar as is possible, to direct their comments to the content of the regulations that the Minister was referring to. I also remind Members that tomorrow a motion will be debated that stands in my name alongside the names of Ms Kellie Armstrong, Dr Steve Aiken and Mr Colin McGrath, so there will be ample opportunity. I want to impress on the House,

without trying to restrict debate in any way, to try to direct remarks to the regulations that the Minister was referring to.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** As I have said in every debate on the amendment regulations, the Committee welcomes the lifting of the restrictions when the time is right. The First Minister and deputy First Minister attended our Committee meeting on Wednesday past and provided an update on the Executive's response to the pandemic. The Committee was concerned about the wider health, societal and economic impacts of the regulations and the significant and serious implications that the crisis has had for all sectors of our community and the economy. Members were, therefore, pleased to hear that a process to develop an Executive strategy for recovery has begun. It is clear, though, that, for the strategy to be effective, we need constructive collaboration between Departments, local government and the private and community and voluntary sectors. No one can work in isolation. We have a long road ahead of us, but the road is worth travelling if it leads to effective health, economic and full recovery.

On the face of things, it looks as if we are moving fast towards normality. We can go back out for a meal, we can get a haircut later today and we can go out to the museums. However, it is important to emphasise that things are not normal. A pandemic situation is not the norm. We might be able to do all of the things that the junior Minister has outlined, but we must do them responsibly whilst observing social distancing guidelines and washing our hands frequently. The evidence shows us that the community transmission rate is now as low as it will get in the absence of a vaccine, but, for that situation to continue, everyone must continue to show discipline and be compliant.

I would like to make one or two remarks as an SDLP MLA. I thank the Minister for his report this afternoon. I see that you are now prompting many of the questions that we are going to ask and our remarks, so that allows my remarks to be somewhat shorter.

I welcome the continued relaxation of the regulations, safe in the knowledge that you are introducing them after consulting our scientific community and the leading experts. It would be, of course, remiss of one not to ask and encourage the community of the North to do their level best and stick to the regulations and stick to the guidelines. It is fairly obvious that some in this place think that the regulations that we pass here do not apply to them, and I want to send a clear and unequivocal message that the regulations apply to everyone. We all must do what we can. It is unfortunate that those in positions of responsibility have chosen to be lax in their approach to the regulations. That has caused difficulties. That has caused confusion. It does not make the journeys that we all must make any easier. I commend people who have stuck with the rules, made the sacrifices and borne the scars of the impact of the regulations. Thank you. Thank you for making that sacrifice. You have helped to stop the spread of the virus. You have helped to save lives. You know where your loyalties lie: with all of us in our community and not the narrow constituency of your mates.

This will be a long journey. There will be no quick and easy solution until we see a vaccine. The relaxation of the regulations does not mean an immediate return to business as usual. It is a move to a new way that we all must adopt immediately so that we can save lives, stop the

spread of the virus and continue with our lives as best we can in a common effort and with a common purpose.

**Mr Gildernew (The Chairperson of the Committee for Health):** Ba mhaith liom cúpla focal a rá le leasuithe a seacht agus a hocht. I wish to update the House on the Health Committee's consideration of the latest amendments to the regulations.

Once again, I acknowledge the enormous work being done by all those working to protect public health and manage the ongoing risks and challenges presented by the pandemic. It is clear from a range of sources that continued vigilance is essential. The Committee was briefed on amendment (No. 7) and amendment (No. 8) last Tuesday, 30 June. The Chief Environmental Health Officer advised of the main easements for each, as outlined by the junior Minister. In relation to small groups being able to meet indoors under amendment (No. 7) and the broader suite of easements provided for by amendment (No. 8), Members reflected their ongoing desire to have a better sense of the scientific evidence informing decisions. The Committee awaits a reply to correspondence sent to the Department on the matter, and the view was expressed that the Committee should be provided with relevant evidence assessing the safety of the easements before being asked to give support to relevant regulations.

The Committee returned to the issue of enforcement raised in relation to previous amendments and was advised that the regulations had now been amended in such a way as not to require an amendment to the enforcement provisions on each occasion.

Such is the pace with which changes are being made and considered in the Chamber that the Examiner of Statutory Rules had not had a chance to report on the amendment (No. 8) regulations prior to the Committee's consideration, since they had been laid only a few days earlier. The Committee therefore agreed to support both statutory rules, subject to the Examiner's report. The Examiner reported on Friday and highlighted an issue for clarification in amendment (No. 8) around reference to places of worship being able to open for purposes including "bible readings" and whether it was intended that the regulations should facilitate all faith communities in holding services involving readings from other sacred texts. Her report advises that the Department of Health has indicated that the regulations do not fully reflect its policy intent and that it will bring a corrective amendment shortly. I hope that the junior Minister will provide an assurance on that point in his winding remarks. The Committee has not had a chance to consider the Examiner's report, but I hope that this information assists Members today in coming to a conclusion.

**Mrs Cameron:** For many debates here, we have been talking about significant steps in the easing of lockdown but maybe smaller than what we do today. We do not underestimate the necessity for each move, but it is worth noting that the changes to the regulations we have here probably represent the biggest step forward. I am sure that many of us can say that we never knew that so many people owned caravans before lockdown kicked in. I know from messages and emails received over the last days and weeks that the move to reopen those much loved escapes is very welcome.

Our tourism and hospitality sector has been particularly hit by the lockdown period, so it is welcome that we now see

our bars, restaurants, cafes and hotels once again opening their doors. We have a fantastic industry here, and it is in desperate need of public support. I really encourage the public to get out there and spend their money in their neighbourhood. With one-metre social distancing, turnover sits at 70%. That is hugely challenging and does not reflect an environment where a living can be made. Out of hope, we have to continue on the path to normality. We hope that further easements of restrictions can be implemented to help those businesses, going forward.

Family life has also been hugely impacted on. The indoor gathering provisions are very welcome. They allow children to see granny and granda, which, I know, has been so keenly anticipated and is now enjoyed by many. I often think about how lockdown has impacted on the minds of our young people, and it is bound to have brought so many questions about changes to normal routines and activities. That is something we need to be cognisant of, moving forward.

#### 12.45 pm

The last area that I wish to mention is the reopening of places of worship. Faith is fundamental to the way in which many people in Northern Ireland live their life, and the act of public worship is a key part of that; it is not an optional extra for them. I know that many congregations and church leadership teams struggled to level the idea of closing churches with their beliefs. Faced with such a significant threat to the health of their congregations, they did the right thing and closed their doors. I commend so many churches for the innovative ways in which they have adapted through online services. I also want to commend folk such as Colin Tinsley, who made school assembly and Bible clubs available to kids.

Once again, I commend all the people of Northern Ireland who have adhered to the regulations and guidance to allow the restrictions to be eased. It is not easy; it is difficult, and many people have had to do difficult things to get us to this point. That is why the recent actions of so many on the Sinn Féin Benches in the Chamber are so shameful. There was no respect for the regulations, the wider public or our front-line healthcare workers. There was no integrity to front up and tell the truth. The Sinn Féin version of equality is supremacy, arrogance and entitlement. I beg the public not to weaken their resolve in the face of the reckless actions of some so-called leaders. We have come so far; let us not ruin it now.

**Mr Beattie:** These are amendment Nos 7 and 8 of , I think, 10 amendments so far; I am sure that there will be an awful lot more to the coronavirus legislation. I have not spoken before on this, because I supported the Executive and the Executive Office and trusted them when they asked us to adhere to the regulations. However, I am not sure that I can say that any more. I am not sure that I can even support the regulations any more.

The legislation was the most draconian and far-reaching possible, and the amendments ease the restrictions but do not take them away. They just give more guidelines and more restrictions that everybody has to adhere to. It is a drip feed towards getting us out of lockdown, and it is the right way to do it, if we all abide by it. We have to understand what we did as an Executive and an Assembly nearly four months ago, those difficult decisions that we made.

In an attempt to protect the health of our citizens from the effects of COVID-19, we have damaged the health of our citizens. Mental ill health, already at crisis levels, is now at epidemic level. Amendment (No. 7) aims to address that. In an attempt to protect our economy with furloughing, grants and support measures — all of which were needed and were welcome — we have damaged our economy. Small and medium-sized businesses find it extremely difficult to take root even with the amendments, and some may never open again. Amendment (No. 8) aims to deal with that. In order to save lives, because of the pandemic, we have cost lives. As we close down services, people with cancer and other illnesses have succumbed to the ravaging of their bodies and have passed away. We did that — the Executive and the Assembly. In order to protect all our citizens — young and old, sick and healthy, working-class, middle-class, Catholics, Protestants and neither, foreign nationals, visitors, key workers, the furloughed, those who were shielding, the people frightened by a pandemic that had already cost them dearly — we curtailed people's civil liberties. We allowed the sick to die scared and alone. We stopped people mourning and going with their families on that final journey that is so important in our culture on this island.

People accepted those hardships with grace, sorrow and understanding. They lost moments that they will never get back. Yet, Sinn Féin drove a coach and horses through that sacrifice with an act of selfishness, arrogance and pure privilege. Words cannot express how angry and sad I am today. Many people in our society are angry and sad at what has happened.

The actions of Sinn Féin have trampled all over the hurt, the pain and the sacrifice of this society, and you do not have the good grace to stand up and say sorry for doing so and to make amends for it.

The hard facts are that the Executive and the Assembly grappled with the restrictions over the past four months, and I know from my colleague the Health Minister, Robin Swann, that that weighed heavily on him, as he had to make life-and-death decisions. Look at us now. What a sorry bunch we are. All that we said, all that we told — pleaded with — society to do has been undermined. Everything we say now has been undermined, and it was undermined by a deputy First Minister who simply does not care.

**Mr O'Dowd:** On a point of order, a Phríomh-LeasCheann Comhairle. I believe that you made a ruling at the start of the debate as regards the legislation going through today. There will be an opportunity for Members to debate their concerns etc tomorrow. Perhaps you would like to make that ruling.

**Mr Principal Deputy Speaker:** I do not think that I made a ruling. To be fair, I think what I said was that it was important that Members related their comments to the content of the regulations. In his introductory remarks, I think, the junior Minister addressed some of the issues that Mr Beattie is addressing. However, I reiterate that a motion has been tabled and there will be an opportunity for a thorough discussion of those events tomorrow. I encourage all Members to direct their comments, please, to the content of the regulations that are being amended.

**Mr Beattie:** I acknowledge what Mr O'Dowd has said. Fair enough, I understand what you are doing. You are trying to protect your deputy First Minister and maybe even some of

your Ministers and MLAs who also broke the regulations. If we want to relate this to what we are talking about here, we need only look at amendment (No. 7), where it says that no more than six people can gather in a house. What about the 45 all crammed in together in a building with no social distancing, with an MLA from the Member's party posing beside them? That is a clear breach of amendment (No. 7). We can relate to all of these. The problem is that, as we drip-feed the changes, if we do not adhere to them, it is absolutely pointless to do that. It undermines the Executive's credibility. It means they have lost integrity and moral authority. It means that, as we sit here trying to ignore that, when we look at the amendments and ask people to adhere to them — remember what we said: we are on 10 now, maybe going on to 12 — we are really saying to people, "You have to do that, but do you know what? We don't".

Yes, we may have a debate about this tomorrow. That will be for tomorrow. I am talking about the amendments today. The question is simple. Will Sinn Féin address the issue of the MLA who was in a room with 40 to 50 guys dressed in black and white with no social distancing, breaching amendment (No. 7)? If the answer is no, they have no credibility.

**Ms Bradshaw:** I will speak on behalf of the Alliance Party. My colleague Kelly Armstrong will address the wider issues during the debate tomorrow.

For many in our society, the changes made by amendments (No. 7) and (No. 8) have brought us closer to a return to normality and a resumption of activities that bring joy and amusement. Amendment (No. 7), which amends regulation 5, allows people to visit others in their home. That has, undoubtedly, brought untold joy to people from all walks of life but especially, as Mr Lyons pointed out, to grandparents, who have had to learn to use electronic devices to engage with their treasured grandchildren during the pandemic. When we saw the photographs of recent family reunions, we were all reminded of the purpose of the lockdown restrictions: staying apart so that we could reunite in the future. I do not think that any of us will take for granted again that quick pop in for a coffee with a loved one. Those chats and connections are so valuable to our sense of community and belonging, and, no doubt, it will go some way towards easing some of the poor mental health and well-being issues than many of our constituents have experienced during this prolonged period of isolation.

As we turn to amendment (No. 8) and the opening up again with mitigations of our restaurants, bars, hair salons, beauty bars and visitor attractions, we must remember how difficult the process has been for those businesses. I reference in particular the small operators who have a few staff and are just pursuing their passion by going it alone in enterprise. They have faced the most horrendous financial circumstances over the last few months. We will all have received those distressing phone calls and emails from constituents who needed answers about the status of grants because they needed to ensure that their staff, with their own bills, got paid in time. Let us not forget that, while financial measures were brought forward by the UK Government and our Executive Ministers, there were delays in those payments and, worse still, there were many who were not eligible and were forced to take the decision to close their business as a result of the COVID-19 lockdown. As Mr Beattie has just pointed out, we know of many who

will sadly not reopen this month. Moving forward, we must bear it in mind that, from small cafes to hairdressers, with the current restrictions, many are left with much uncertainty about whether they will survive. During the coming weeks and months, we will continue to need to balance the need for effective and clear public health guidance and advice with not placing unnecessary pressures on those businesses, so as to allow them to open their doors, to continue to provide a service to their local community and to provide opportunities for employment.

The other group of people who are of high importance to the regulatory changes are the staff who will be working in our visitor attractions, nail salons etc. We need to give them confidence that the lifting of the lockdown restrictions has been done with clear evidence and careful thinking. I hope that the Executive's decision to support the Infrastructure Minister's request to make wearing a mask on public transport compulsory, albeit with some exceptions, will give them the extra confidence, when they return to work in the coming weeks and months, to use our trains and buses.

Further to that, the childcare needs of some of our returning workers must not be forgotten. With amendment (No. 7), we know that grandparents can begin to be an option again for that, but there are still many who will not have full childcare cover. It is a reminder of how interlinked our society is and the important role that we have in the legislature in ensuring that, when we amend the health protection regulations, we reflect on the full consequences of the announcements. I repeat my support for Mr McGrath's suggestion last week that, when we get the announcements of easements from the Executive Office, we are given an opportunity in the Chamber to ask questions of the junior Ministers about what that means in practice for our constituents and when they will receive updated guidance and advice.

In closing, I ask that the public, as they return to our hospitality and beauty businesses and to visiting their loved ones, are ever mindful of the need to be vigilant and careful. No one in the Chamber wants to see a second spike in cases with more deaths, illness and misery.

**Mr Sheehan:** As I say on all of the occasions when we speak on these issues, in normal circumstances this would be draconian legislation that, I am sure, most in the House would not support. However, given the crisis that we are in with the pandemic, it was essential that the regulations were brought in when they were brought in. As it turns out, we were very much ahead of the curve, compared with what was happening across the water.

Of the amendments that we are debating, amendment (No. 7) is particularly welcome with regard to visiting other houses and opens the door again for grandchildren to visit their grandparents and for grandparents to take up the role that many of them do in childcare. So, that is very welcome, and it is very welcome in general that the restrictions are being eased.

#### 1.00 pm

Of course, the amendment (No. 8) regulation relates to the easing of restrictions to allow the reopening of various businesses: hotels, bars, restaurants, cafes, coffee bars, indoor training facilities, places of worship and visitor attractions, as well as enabling people to stay in their

second home. Hairdressers, barbers, beauty salons and so on can also reopen.

Although the restrictions are being eased, there will still be major problems, particularly for small businesses. My wife will not readily forgive me for telling you here today that she was at a beautician at eight o'clock this morning for the first appointment because she is going away tomorrow. The beautician had on a full face visor, apron and gloves — the whole shebang — and she told my wife that she would be working until nine o'clock tonight. It is very welcome, of course, that people can get back to work, but by the time that she was finished with my wife, the sweat was pouring out of her. The amount of PPE that she has to wear is very awkward, and, in the heat of the salon, makes for very uncomfortable working conditions for anyone. She said to my wife that, if this continues, she'll be off sick in two weeks' time. We all know the problems that will be faced by other businesses as well.

We know, of course, that there is a time lag before we debate these amended regulations: they have already come into effect. On 29 June, another regulation was amended to increase from 10 to 30 the number of people allowed to attend outdoor events.

In general, all these easements of the regulations are welcome. However, I heard the First Minister say on the radio this morning that the R rate had risen above one in London. That is very concerning, and as the easing of these —

**Mr Allister:** You were not too concerned last Tuesday.

**Mr Sheehan:** As the easing —

**Mr Principal Deputy Speaker:** Sorry, Mr Sheehan, just one moment. It is not in order to heckle another Member when they are on their feet. We do not do that in this House. We should treat each other with respect.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Member in question regularly heckles, so it is water off a duck's back to me.

It is concerning that the R rate has risen again in London, and, of course, we all know about the lockdown in Leicester and other places. As the easing of the restrictions continues, we need to be careful.

In our last debate on the subject, junior Minister Lyons raised the fact that I had mentioned the wearing of face masks. I welcome the fact that that is being introduced on public transport. However, the point that I had made during that debate was that the Chief Scientific Adviser had said that he was concerned that when he went into a shop, he was the only one wearing a face mask. By coincidence, he was on Radio Ulster shortly after the last debate, and, in that interview, he stated that the wearing of face masks would significantly — significantly — reduce the transmission of the virus. That is probably another area that the Executive need to look at.

I welcome the relaxation of the restrictions. I will leave it there.

**Mr Butler:** Like my colleague Doug Beattie, this is the first time that I have spoken on the regulations. Looking through them, I think that the import of the implications of the easements of the regulations has been highlighted by many Members. These are not normal times, and this is not normal legislation. The regulations have been

described as draconian. Let us hope that we never have to revisit them again.

I want to take the opportunity to congratulate the majority of the wider community, businesses, the community and voluntary sector and, in particular, statutory services, who have had to look at the amendments to the regulations and alter how they provide their services, how they keep us safe and how they serve us.

In respect of the amendments, in particular, amendment (No. 7), we all welcome the easement. The ability to spend time with each other in someone else's home is really, really welcome. That is the case for many reasons. There are many social reasons for that. We have talked about mental health at length since I became an MLA. We cannot waste an opportunity not to raise it as the most significant issue even at a time such as this with COVID. In fact, COVID has potentially magnified what was already a pandemic and a crisis that we had here in Northern Ireland. It has certainly stymied the ability of the health service and those health professionals who work in mental health from doing the best that they can. It has forced them into unique challenges with, for instance, face-to-face counselling and the ability to interact on that very personal basis because what you lose when you spend time with somebody is picking up on the little cues that you get that words do not give, whether it is the wink of an eye, the nod of a head, a fidget or a nervousness. We welcome the easing of the amendments and the ability to have that social interaction again.

The SDLP MLA Sinéad Bradley heads up the all-party group on social isolation. That is something that is really gaining momentum. The ability for families to socially integrate again is really important. However, we cannot forget that we still have the crisis of mental health that existed before COVID. It was not COVID that caused it. We have problems here that are decades old, which we are collectively trying to fix, but COVID has magnified that.

We will look at all the implications of COVID, and we will talk about some of those things tomorrow because COVID has brought death to the door of many, whether it is through COVID or whether it is to do with a lack of services, but that mental health impact will be felt for generations. It is something that we will have to deal with and collectively adjust and be honest about what we did and did not do at this time.

The inability to grieve in a time like now cannot be learned from a book or be fixed by a book. It will take time and it will take the rebuilding of confidence. I welcome the easing of the amendment (No. 7) regulations.

If we look briefly at the amendment (No. 8) regulations, it is good to see feet on the ground of our town centres once again. It is remarkable to see the lengths that have had to be taken to provide social distancing inside and outside shops. It is weather dependent, and, obviously, the last few days have not been kind, but there has been a great financial impact on our shops. Whilst the intervention of the British Government has been very welcome and gratefully accepted, we need to discuss the ability to trade on in the weeks and months to come. The easement that we are seeing here that allows our shoppers to go back and shop local is really important because our local shops underpin our employment opportunities for the people who live in our community, so it is vital that we encourage

people to shop locally but safely. We see the adherence to the regulations and we see that footfall.

I was reading recently of the richest people in the UK. I am not sure if the owner of Amazon, Jeff Bezos, is the richest, but he was not impacted by COVID. I would go so far as to say that there were people who financially benefited to extraordinary measures that we would not enjoy here. We need to see that our legislation marks time with our businesses and with our health to ensure that people return with confidence to support the businesses that underpin Northern Ireland plc. I welcome the amendments.

**Mr Blair:** I will address some specifics and outworkings of the amendments to the regulations. Before I do that, I thank the Minister for the statement. I welcome the amendments, which will, of course, assist in restarting the economy and also, very importantly, give signs of recovery and reassurance to those who have adhered patiently to the regulations in the interests of public health. As others have done previously, I, too, want to pay tribute to those in Northern Ireland, from all communities, for their efforts in battling coronavirus and keeping themselves and others safe.

I would like to address the fact that it is extremely difficult to apply a one-size-fits-all approach to some aspects of recovery. I wish to draw particular attention to specific needs in rural areas in Northern Ireland. While efforts to roll out initiatives such as pavement cafes in city and urban areas are very welcome, we need to address the reality that they will not fit every street, small town or village across Northern Ireland. I raise that issue not to negate the value of the excellent initiatives that have come forward but simply to point out that different approaches and priorities will be required in different places. Bars, restaurants and hotels in rural areas may need considerations that are wider than simply the use of pavement areas. Often, at those businesses' locations, there is an outdoor area with an open or semi-open aspect, or outbuildings, that could be utilised further if there were a desire to do so. One hardly needs to point out that the rural economy and local jobs rely heavily on those businesses restarting successfully and sustainably.

I am pleased to hear that, in recent days, an inter-agency group has been set up that will be led by the Department for Communities. It seems that it will look at how recovery will be best accommodated within the remaining coronavirus regulations. It is my hope that other Departments will join with Communities to look not just across Departments but across all localities in Northern Ireland. Hopefully, flexibilities and temporary arrangements can be considered by the working group for a range of businesses and areas, bearing in mind the differences in local settings and opportunities that are available. Those are likely to involve some, at least, temporary reconsiderations of planning and licensing matters. It would be reassuring to know that the Executive and the Executive Office will consider those specific needs and challenges in rural areas as they take that forward. Hopefully, the junior Minister will reflect on that when he responds to the debate.

**Mr Chambers:** I, certainly, welcome the relaxations that are contained in the amendment (No. 7) and amendment (No. 8) regulations. I must say that I had some personal concerns about the amendment (No. 8) regulations, on the opening of certain premises where food and drink are consumed. However, I must say that the hospitality industry

has risen to the challenge over the weekend, and I do not believe that we could find any fault in how it has approached its responsibilities towards keeping people safe.

We have to recognise that those relaxations, welcome as they are, are only part of the road back to normality. They are only part of the journey. We are not there yet. The pandemic is still claiming lives, making people ill and causing families misery. We cannot lose sight of that. The message is still very much about social distancing and washing our hands. The simple things that we have been told and messages that have been preached over recent months still very much apply. If we are serious about protecting public health, we all must continue to buy into that guidance and those restrictions.

As other Members have said, we have all made sacrifices because of the introduction of the coronavirus regulations and guidance. If we look around us, we see that even the democratic process has been compromised to the degree that only so many of us can be in the Chamber to exercise that process at any given time.

We have all made sacrifices around the education of our children and grandchildren. People of faith have made sacrifices around their ability to join in public worship. Families have made sacrifices around family gatherings, and one of the big things is that we have all made sacrifices around not being able to visit relatives and family members who are in hospital, nursing homes or care homes. Those are huge sacrifices that we have all had to make. However, the one sacrifice that trumps them all is the sacrifice that we have had to make around our attendance, or lack of attendance, at the funerals of friends. The most recent funeral of a friend that I attended was, maybe, two and a half months ago. In the meantime, a lot of my friends have died and have been buried, but you did not know where or when they were buried because of the restrictions around the number of people who can attend the funeral.

#### 1.15 pm

We have to recognise, as Mr Beattie said, that the restrictions, particularly around funerals, are not directed at any one section of the community on the basis of religion or political positions. They are regulations that have affected every home throughout Northern Ireland. The regulations are not in place, and they have not been put in place by the Executive, for fun. They are here for a reason, and that reason is to protect us all and to stop the spread of this dreadful virus.

Over recent weeks, we have had instances where we have seen irresponsible behaviour around gatherings on beaches during the good weather, albeit, thankfully, nothing like what we witnessed on the south coast of England. However, we have had large gatherings, particularly of young people, on beaches, and we have had protest meetings and gatherings to protest about various issues. We all accept that those sorts of gatherings are ill-advised. In his opening remarks, the junior Minister said that fines alone are not the answer. Of course, they are not. We all have a civic responsibility to exercise the regulations and guidance that are given, and we have a responsibility to show civic leadership.

Last week, I spoke on the day of the funeral that has been in the news in recent days. When I spoke, I did not

have knowledge of any of the circumstances around that funeral or of what happened subsequently at Roselawn crematorium. I told a story, and I will repeat it, of a neighbour whose husband had served in a uniformed organisation of the state. He was a long-serving member. There would have been an expectation, I think, that his cortege would contain colleagues from that uniformed organisation and, no doubt, they would have carried his coffin with pride. That lady followed the hearse from a funeral home, where they had a short service, and stopped in the middle of the road, not far from where I live, and had to say her goodbyes to her husband of some nearly 60 years. It was quite poignant: she had to kiss the window of the hearse. That was her goodbye to her husband, whose body was then taken to Roselawn for cremation. She had to make that farewell in the middle of a public street, with traffic flowing past her and people walking up and down. Not a terribly dignified way for anybody to say goodbye to a loved one. That lady made that sacrifice, about two weeks ago. I cannot start to imagine what her feelings were when she saw the news last Tuesday and heard about all that went on at the crematorium. I am sure that they were sadness and disappointment. I am sure also anger, and I can understand the anger.

I am talking about only one lady, one family. We all know families that have made the same sacrifices. Hundreds of families have made that sacrifice over funerals in recent weeks. I had dozens of emails over the weekend asking me, as a public representative, for an explanation and to comment. I really do not know what to say to people. I have respect for the House, I have respect for the Executive, I support the Executive. I have been a cheerleader for all the regulations. It is the responsibility of us all to be cheerleaders for what will protect life and limb.

The Chief Scientific Adviser told the Health Committee that he walked into a shop with his face mask on and was surprised that others in the shop did not have face masks. He may have been referring to the proximity of people in a confined space. I am not sure that he was indicating that he wears a face mask when he walks up and down the street. The face mask can give a degree of mitigation against the transmission of this virus. The greatest mitigation is to avoid large gatherings. The events of last Tuesday, which we will debate at length tomorrow, were totally ill-advised. It was disappointing that Members of the House and our Executive saw fit to attend that funeral and could not make the sacrifice.

I have heard "I could not attend the funeral of a friend". I could have said that 20 or 30 times over the past couple of months. What gives those saying that they had to attend the funeral of a friend the moral right to take that position? I can understand colleagues in the House wanting to have been at that funeral last Tuesday. I totally get it, and if there was not a pandemic, I would have no quarrel with hundreds of people going and doing all that you do at that type of funeral. I would have had no difficulty with that, but we are still in the middle of a pandemic that we are all trying to fight.

Let us be under no illusions: another surge could take many more lives. We all have a responsibility to do what we can to ensure that that does not happen.

**Mr Allister:** This is a sham debate because we are debating regulations made by an Executive, when that Executive, collectively, do not believe in regulations in

some respects. The sham is further underscored by the fact that the debate will be responded to, on behalf of the Executive, by junior Minister Kearney, who, when we debated these matters last Tuesday, when he ought to have been here to move or to answer, chose instead to breach the regulations by attending the funeral of a person who was neither a member of his household nor a relative. When the regulations were abundantly clear in regulation 5(2)(g) that no person should attend a funeral of someone who is not of the same household or a relative, junior Minister Kearney, with his cohorts, decided that that law was not for him. Yet today, in a display of incredible hypocrisy, the House will be treated to a junior Minister responding to the debate on regulations that he does not honour. How low can this place sink? That is why I said that it is a sham.

Fundamental to the contract between Government and the governed is that the Government that make the laws keep the laws before they expect the people, for whom they are also made, to keep them. Yet, here we have a situation where we have Ministers in the Executive, who sit around the Executive table and make these laws, when the opportunity requires them to, flagrantly breach them. Where is the loyalty? Where is the collective responsibility? The answer is that there is a greater loyalty when it comes to Sinn Féin members of the Executive; the greater loyalty is not to the Executive or to any system of government, it is fidelity to the republican movement and to paying homage to the gruesome heroes of that movement. That is the greater loyalty that trumps obeying their own laws.

That is what we saw last Tuesday. We saw Ministers openly and unapologetically, after demanding loyalty to law from everyone else, setting themselves above the law. Those are Ministers who took a pledge of office that included an obligation to:

*"support the rule of law unequivocally in word and deed".*

Unequivocally in word and deed. Last Tuesday, we saw deeds that were in flagrant breach of the very rule of law that applied at that time to funerals. Why was that? I will say it again: they told us that there would be no exemptions. However, when fidelity to the republican cause demands homage to people such as Mr Storey, that trumps everything, which is what we saw last week.

As for supporting the rule of law unequivocally in word, in addition to the sham situation of this debate, we have had the sham apology. We had Michelle O'Neill, effectively the joint First Minister in this part of the United Kingdom, saying, "I'm sorry if people were hurt, but I didn't cause it". What a sham of an apology. Then, of course, lest anyone be in any doubt, she copper-fastened it by saying, "I will never apologise". So much for saying sorry about anything when you immediately take any shred of contrition, of which there was none to start with, and underscore it by saying:

*"I will never apologise for attending the funeral of my friend".*

What was she saying? She was saying that, whatever about her Pledge of Office or whatever about unequivocally by word and deed supporting the rule of law, there is a greater loyalty that she has, and that is to the republican movement. That is the Achilles heel — in fact, it

is far more — of the Executive and the Assembly. We are now in a situation in which the Executive's credibility has been shredded by themselves, by an integral part of the Executive. All that the Executive parties can say is, "We're very disappointed". That is what they will tell us tomorrow in a motion: "We're very disappointed". No condemnation, no demand for resignations, just, "Isn't it disappointing?". How pathetic.

### 1.30 pm

We will, no doubt, be treated in the winding-up speech today to a recitation of all sorts of weasel words, but the reality remains that this is an Executive populated on the Sinn Féin side by Ministers who believe themselves to be above the law: the very law that they make. I cannot imagine a more shattering position for any Government to be in than for those who make its laws to set themselves up as being above those laws and then come to the House with the pretence that they need to have it approve regulations that, when it suits, some will not even obey. What a sham.

The other junior Minister, Mr Lyons, told us about other amendments that have since been made. One is the amendment (No. 9) regulations. The amendment (No. 9) regulations were made at 9.30 pm on Monday evening last. What did the amendment (No. 9) regulations do? They allowed, instead of 10, 30 people to participate in an outside gathering. When did they come into effect? You might have thought that they could have been laid in the House before they came into effect. Oh, no. They came into effect 90 minutes later — at 11 o'clock last Monday night — before they were even laid in the House, never mind debated. Why was that? Maybe we have the answer in the utterly bogus excuse proffered by Sinn Féin as the justification for being at that funeral: they sought to self-isolate the cortège from the funeral and sought to suggest that the cortège was only 30, even though they had elbowed family members out of it to keep it at 30 so that they could be there themselves. "The cortège was only 30: therefore they did not break the law": utterly bogus. Totally spurious. Regulation 5(2)(g) is emphatic in its terms. Is that why amendment (No. 9) was made and published at great haste late into last Monday evening: so as to provide a fig leaf to Sinn Féin? Were the DUP complicit in that? Did they not see what was happening? That, the very next day, a gruesome hero of republicanism was to be buried? Did they fall blindly or not so blindly into the trap of providing a fig leaf for Sinn Féin, even though that is all that it is? It is utterly bogus. It does not exculpate them from the breach of the law. The public, who have been watching on in amazement, will want to know what was the haste and urgency that the statute required to make that amendment before it could even be laid in the House. It is not the first one that has been made without being laid — I grant you that — but it is the one made in the shortest time with the most obvious political ramifications. So, many questions.

I come to an issue about marriages. I have raised it many times. I raised the issue of indoor weddings last Tuesday and the fact that indoor weddings are still prohibited. Yet, from today, you can have an indoor piercing carried out. You can have a ring put through your nose, but you cannot have a ring put on your finger indoors. What sort of logic governs the Executive's timescale in this? I make a further plea: why oh why, if you can have religious services, if you can have funerals, if you can have Bible readings and all

those things — we saw many of them yesterday across the Province — why can you not have an indoor wedding? Really, it is time the Executive dealt with that. I trust that they will.

**Mr Carroll:** It is concerning that we are again being asked to amend the coronavirus regulations without any clear focused or detailed scientific rationale or medical evidence for doing so. It is something that I have repeatedly raised in the Health Committee, and I do so again today with concern. The Health Minister stated at the Health Committee that the virus had not gone away; indeed it has not. I, alongside many others, are worried that the Executive are moving too fast to lift the restrictions. We hear repeated pleas from scientists about the measures being implemented far too quickly, and we need to listen to those concerns. If there is medical evidence or a scientific basis for the actions, surely it would be provided to the public and to the House.

The truth is that the Executive and the Tories moved too slowly to enact the lockdown in March because they prioritised economic concerns and profit rates over health concerns. Now, we see the situation in reverse, as the Executive move to lift lockdown hastily to appease similar economic interests. I am concerned that the Executive have moved to lift restrictions such as those outlined in amendment (No. 8) not because we are reaching near-elimination of the virus on this island but because they are, seemingly, being leaned on and lobbied by business interests above all else. We often hear about the economy and the need to protect the economy in the debate, but we have to remember that the economy does not exist on abstract notions or theories but on the actual activity and labour of working people. Without workers, there is no economy to speak of. The pandemic has shown that chief executives and corporate bosses are nothing without the skills and labour of people who are often paid very little. Those people, who are often not well paid, should not be forced back to work en masse when there are still concerns over their safety and the virus more generally.

It is worth saying that, by many accounts, we were already heading towards a recession before the crisis, although, admittedly, one not as deep as the one that, we are told, will come. Recession is not inevitable though. It is due to capitalist economics, and we need to move away from society being run in that way. Systems based on addiction to growth and the accumulation of wealth in the hands of a tiny elite are a health risk to many and need to be dismantled if we are to avoid economic ruin, climate disaster and many other problems. Economic competition seems to drive the bulk of the decisions on the coronavirus response. Once a decision is made in the South, it appears that scrambling goes on to make a similar decision in the North. There is a clear attempt to get the last of the consumer spend of the summer with the changes to these and other regulations. We have to prioritise: health concerns should come before all else.

I will be crystal clear: I have no issue with people visiting family safely. People have gone for months without doing that and without seeing their loved ones, and, as Members have said, their mental health has been impacted. Therefore, I have no real issue with amendment (No. 7). However, with such decisions, there is a clear issue of autonomy; that is, people can take it upon themselves to visit family members having weighed up the potential risks



and taken the guidance into account. People have a choice about whether to do that, but workers who are being forced back into work do not have that free choice; they cannot make the same choice. It is deeply concerning that, with the furlough scheme still in existence, workers are being forced to return to work in such large numbers, particularly in the hospitality industry. I made my concerns about that clear at the Health Committee. Seemingly, I cannot force a Division in the House today, as I am in a minority, but, for Hansard, at least, I repeat my view that I do not support the opening of bars and other outlets so soon and with such haste. In that regard, I pay tribute to all those who have raised health and safety concerns, in particular Unite's hospitality branch, which has raised concern after concern about the opening of the hospitality sector's bars and restaurants. I encourage anybody working in those sectors to join Unite and other trade unions to protect themselves and their colleagues at this time. We all know about the potential for a second wave and the possibility of clusters in workplaces. If those do arise and we have a situation like the one that has emerged in Leicester, the Executive will have some serious questions to answer in that regard. It is an issue of the utmost severity.

I have a few questions for the junior Minister to answer. Can the Minister indicate how the Executive plan to oversee and inspect the reopening of bars and restaurants? Bars may function well — by most accounts, it appears to be the case that they did at the weekend in Belfast, at least — but, as the days go on and when profit and motive come into it and more alcohol starts to flow, are people seriously confident that social distancing will be adhered to? Will an inspection plan be in place? Do the Executive plan to just sit and hope and wait and see and respond if the R rate rises? We need some clarity and clear answers on those fundamental and important questions.

We know that vulnerable people were failed at the start of the pandemic with inspections not taking place in any real sense in care homes. If the Executive failed elderly and vulnerable people, where is the confidence that the actions of people in bars and restaurants who may be healthy and may not have underlying health conditions will be inspected? The public and those who work in hospitality need clear answers to those questions, and I would like the junior Minister to provide them.

**Mr Principal Deputy Speaker:** No other Member has indicated to me that they wish to speak in the debate, so I call the junior Minister Declan Kearney to conclude and make a winding-up speech.

**Mr Kearney (Junior Minister, The Executive Office):** Gabhaim buíochas leis na Comhaltaí sin a chuidigh le díospóireacht an lae inniu, agus cuirimse fáilte roimh a dtuairimí sa díospóireacht. I welcome today's debate and thank Members for their contributions and views.

Our five-party power-sharing Government have been committed to working in partnership with all sectors of society, extending through business, faith and community leaders, our sports organisations and others, as we have sought to provide leadership, clarity and decision-making during this challenging time.

As I explained to the House in the past, all the decisions in relation to lifting restrictions have been made with careful consideration and clear reference to three broad criteria: community well-being and public health; developing a

pathway to economic and social recovery; and ensuring, at all times, the resilience of our health and social care system.

#### 1.45 pm

The joint heads of Government published a road map of relaxations, matched to indicative dates, from now until the end of August. That was discussed at length, in Committee and in the Chamber. The timetable makes it clear what the coming weeks look like, and how we can move back, from August, through the succeeding weeks. We all want to see a return to a more normal way of living, but the reality is that, what we have now, is the development of a new normal. We need to learn to live with the virus, at least for some time to come, because, as other Members have pointed out, in this debate and previous ones, coronavirus or COVID-19 remains in our midst.

A Phríomh-Leas-Cheann Comhairle, ba mhaith liom léirmheas a thabhairt ar an díospóireacht anois. I would like now to turn to some of the points that Members made during the debate. I will try to touch on most of the key issues and focus, in particular, on those aspects relevant to the amendment regulations at the centre of the debate.

Colin McGrath spoke first, and he addressed the House initially as the Chair of the Executive Office Committee. He emphasised the need for compliance by everyone. He thanked our society for continued sacrifice, and impressed, in his contribution, the need for common purpose to be shared. I agree with him on the importance of a recovery strategy, and the need for an intensive engagement with civic society on that strategy, because that, and a coordinated approach, is the key to a successful delivery. I welcome his recognition of the many sacrifices that have been made by so many of our fellow citizens and the key workers who have held the front line against COVID-19, because they have saved lives.

Colm Gildernew spoke next, and he set out how the Health Committee approached these amendments. I will ensure that the officials address the omission to which he referred. The publication of the scientific advice is to inform the collective decisions and it needs to be taken forward by the Executive for consideration, alongside all our Committees, which exist to perform democratic scrutiny of all legislation and regulations.

Pam Cameron welcomed the easement process to date to assist in getting business back to work. She addressed the needs of children and also highlighted the importance of churches and places of worship once more being open. She made the point that the relaxations bring welcome relief to the hard-pressed hospitality sector, and that they bring undoubted benefits in mental health terms and in how we can all seek to get back to that form of new normality, specifically through being able to access places of worship, acts of worship, families being able to meet, in however limited terms, and being able to visit holiday homes. She welcomed the positive engagement with church leaders, which I and Minister Lyons have been directly involved in, and the positive leadership that our church leaders have been providing throughout this period. She also delivered a criticism of Sinn Féin Members of the House.

Doug Beattie spoke next. He rightly referred to the need for the restrictions and the cost of them to be fully

recognised in terms of the economy, the normalisation of social life and the mental and physical health and well-being of our citizens. I welcome the fact that these regulations allow us to make real progress on the path back to normality, and Doug Beattie indicated that he sees the trajectory opening up on that basis. However, he raised and spoke at some length on particular concerns, and there will be more to be said on all those issues, as you said, Mr Principal Deputy Speaker, on another day. I recognise the profound and enduring hurt felt by all those who have experienced a bereavement as a result of the pandemic and of those who have been unable to grieve as they would wish. I acknowledge and deeply regret the hurt that they do and must feel.

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

**Mr Kearney:** No, Mr Allister, I will not.

Paula Bradshaw spoke next and highlighted the difficulties faced by local businesses and the very real prospect of some businesses, even as we move through our recovery, facing overall closure. She raised masking and suggested that wearing masks is likely to become a very important confidence-building measure in the time ahead. She repeated a concern that she raised before about the delay in notifications of how we move through lifting restrictions for the public.

Pat Sheehan then spoke, and I agree with him about the importance of the role of grandparents and the value of intergenerational care and family life, which is such a feature and distinct characteristic of our society. I also agree with him that we must recognise the sacrifices that so many people continue to make in having to work with the adaption or the adjustment to uncomfortable PPE or to the repurposing or reconfiguring of businesses so that their services can continue to be provided. It is very arduous, and I welcome and appreciate with significant gratitude the manner in which those businesses are seeking to adapt.

**Mr Chambers:** I thank the junior Minister for giving way. Mr Sheehan expressed concern about a rise in the R number in London, which is cause for concern. Does the Minister agree that what is more relevant to the House is the local R figure and what we all should be doing to help to keep it low?

**Mr Kearney:** Yes, I agree with the Member. Our focus needs to be on the region and on ensuring that we minimise the development of the R number and keep a very close focus on all the other indicators that provide our medical and scientific advisers with the data that allows them to provide us with advice.

Returning to Pat Sheehan's comments about face coverings, I thank him for highlighting, along with Paula Bradshaw, that it is strongly recommended that the public should, in fact, use face coverings in enclosed spaces where social distancing in particular is not possible for short periods. Those circumstances will extend not only to public transport, shops and other retail environments but to those where we find ourselves visiting family or friends indoors and, indeed, to when we are in healthcare settings.

**Mrs Cameron:** I thank the junior Minister for giving way. On wearing face coverings, which I am not opposed to in any circumstance if it helps to combat the virus, will the junior Minister inform us whether he or his colleagues

wore a mask when they attended that funeral, given that there was no social distancing in place either indoors or outdoors?

**Mr Kearney:** On that particular matter, yes, I did, and I will habitually wear a face mask when I am doing the shopping and when I find myself in circumstances where it is difficult to socially distance, such as in shops, shopping centres and so on.

Robbie Butler's contribution came next, and he spoke about the pressures, pre-COVID, on our health and social care system. He emphasised, importantly, not only the significance of local shopping but of the ability to do so safely. There is a potential link between the use of face coverings in that context. I agree strongly with the Member's remarks on the importance of social and family life and the real dangers of indefinite social distancing and the difficulties that that causes not just for older people but for some of our young people and, most especially, those who live with special needs. I agree strongly that, as we emerge from the pandemic, we must not lose sight of the important issue of mental health and well-being.

John Blair stressed the difficulty of a one-size-fits-all approach being taken to how we move forward in relation to recovery. He specifically highlighted that as an issue in relation to rural areas and he pointed to the need to address licensing and planning issues, particularly in a rural context. I fully agree with the Member on that particular matter. We share a constituency, and very significant parts of that constituency are rural, in and of themselves.

Alan Chambers reminded us that these amendments and the lifting of restrictions are only part of a journey. He spoke about the level of sacrifice that we have all experienced throughout this period and he stressed the vital importance of civic leadership being demonstrated. He also, very poignantly, recalled the personal grief of friends and neighbours close to him and in his area during this period.

The final Member to speak was Jim Allister. He chose to make a personal attack on me and to describe the debate as a sham. He repeated his concern about the facilitation of indoor funerals, but I can assure the Member that that particular issue is going to be addressed by the Executive presently.

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

**Mr Kearney:** No, I will not, Mr Allister.

I am sorry, I misdescribed Mr Allister as the final Member to speak. The final Member to speak was Mr Gerry Carroll, who stated that the Executive are moving much too quickly. He feels that the easements and the relaxations are coming at a pace. Specifically he disagreed with elements in relation to the amendment (No. 8) regulations. He feels, in his view, that that kind of amendment, and the restrictions being lifted, are principally being influenced by business interests. He expressed his lack of confidence that appropriate inspections will be carried out in a number of the settings that will now be allowed to go back to business as a result of the lifting of restrictions. I can assure the Member that, in the same manner that the Executive have worked with other appropriate agencies throughout this period to ensure that we have safer workplaces, that practice will extend to the new

workplaces that are reopening and providing services as we move through this phase of recovery.

Mr Principal Deputy Speaker, allow me to say this: I, too, have listened to the voices of those who have lost loved ones. No family's grief is any more important than any other family's. I am also deeply concerned that those grieving families are experiencing, right across our community, more hurt over recent days, and I am sorry that that is the case.

I assure those Members whose points I have not addressed in the debate — although I think that I have — but in the event that I have left any particular issue out, I will respond in writing and will direct officials to do so.

In conclusion, notwithstanding the erroneous and direct criticism of me personally, I will continue to act with integrity to observe the ministerial pledge and code *[Interruption]* to act in the interests of all citizens living in our society, to uphold the basis of the Good Friday Agreement and the operation of our power-sharing Government and our political process going forward.

A Phríomh-Leas-Cheann Comhairle, molaim an rún agus na rialacháin don Tionól. I commend the regulations to the Assembly.

**Mr Sheehan:** On a point of order, Mr Principal Deputy Speaker. Is it in order for Members in a sedentary position to be grunting in the Chamber?

**Mr Principal Deputy Speaker:** I think —.

**Mr Allister:** Further to that point of order.

**Mr Principal Deputy Speaker:** I will address Mr Sheehan first and then I will take your point of order, Mr Allister.

The guidance on the conduct of the House is generally clear — I think that all Members know this — that debates should be temperate and Members should be respectful towards one another. In answer to your question, sustained heckling is not appropriate. I think that “grunting” was the word that you used: when I am in the Chair, I will allow a little grunting but not sustained heckling. I think that that is the best way of putting it. Sustained grunting is a different issue.

## 2.00 pm

**Mr Allister:** For the avoidance of doubt, I was expressing utter disbelief in the affirmations and the obfuscations of the junior Minister. Is it in order for a junior Minister to come to the House and engage in weasel words and obfuscations on an issue such as this?

**Mr Principal Deputy Speaker:** “Weasel words” is your term, but they are not defined in Standing Orders. Members may take exception to answers, but the answers that a Minister gives are the answers that a Minister gives. There is ample opportunity for Members to cross-examine Ministers on the Floor of the House.

*Question put and agreed to.*

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020 be approved.*

**Mr Principal Deputy Speaker:** Members, before we start the next item of business, I advise you that an urgent oral

question will be taken at the end of Executive business today. That will be at the conclusion of the Second Stage of the Executive Committee (Functions) Bill. Can I ask Members to take their ease for a moment?

**Mr Lyons:** The second set of regulations have to be voted on.

**Mr Principal Deputy Speaker:** Oh, I beg your pardon. The second motion has to be voted on. I am terribly sorry, Minister.

## Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020

Resolved:

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 be approved. — [Mr Kearney (Junior Minister, The Executive Office).]*

**Mr Principal Deputy Speaker:** I ask Members to take their ease for a moment while we change the top Table. Thank you.

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

## Executive Committee (Functions) Bill: Accelerated Passage

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

*That the Executive Committee (Functions) Bill proceed under the accelerated passage procedure.*

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

**Mr Lyons:** I welcome the opportunity to address the Assembly on the motion. It would be our strong preference to have even a short Bill such as this progress through the conventional procedure, including a full Committee Stage, as that would permit detailed scrutiny of its clauses. The Bill is intended to address the implications for ministerial and Executive decision-making of the judgements of the court in the case brought by Mr Colin Buick against a decision of the Department for Infrastructure to grant planning permission for a waste incinerator. It is necessary to clarify the circumstances in which a Minister is required to refer a matter to the Executive Committee where that matter may be cross-cutting, significant or controversial. As I explain to the Assembly in accordance with Standing Order 42(3) why accelerated passage is being sought and the consequences of it not being granted, it might appear to Members that this is a somewhat academic issue. However, if it is not resolved quickly, it could have important consequences for the economy and, particularly, our pressing need to promote investment in our infrastructure.

The Assembly will be aware that a cross-cutting matter is defined as one that cuts across the responsibilities of two or more Ministers. Planning decisions had up to then been regarded as solely the preserve of the relevant Minister on the basis that, though of interest to other Ministers, such decisions did not cut across their statutory responsibilities. The court, however, defined the planning decision in question as a cross-cutting matter by eliding the concepts of responsibility and interest and therefore potentially making all planning decisions subject to agreement by the Executive Committee and effectively making it the relevant authority rather than the Minister. The Executive have agreed that that is not an appropriate position, but ignoring the court's judgement would risk opening up planning decisions to legal challenge simply on the basis that they had not been agreed by the Executive. Such a situation would have profound implications for a number of significant planning decisions that are expected during the remainder of this year and could lead to significant investment and employment opportunities being deferred or lost. We believe that that vulnerability can be quickly and simply rectified by means of the Bill before us today.

In accordance with Standing Order 42(3), the First Minister and deputy First Minister appeared before the Committee for the Executive Office to explain the purpose of the Bill and the need for accelerated passage. They are grateful to the Committee for its support and therefore also seek the support of the Assembly in approving the motion.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** I am pleased to speak to the motion on behalf of the Committee for the Executive Office. On 23 June, the Committee for the Executive Office received notification from the First Minister and deputy First Minister

that they intended to introduce an Executive Committee (Functions) Bill and seek the Assembly's support for accelerated passage. The Committee did not consider the matter at its meeting on 24 June, as an explanation was not provided of why accelerated passage was needed and what the consequences would be if it were not granted. However, in compliance with Standing Order 42(3), the First Minister and deputy First Minister provided that explanation to the Committee at its meeting on 1 July.

The Committee understands that the urgency around the legislation is to remedy the situation where planning decisions that could be open to challenge because of the judgement in the case of Buick cannot be made by the Minister for Infrastructure; rather, they need to be approved by the Executive Committee. The Minister has already provided significant detail on the issue, and I do not intend to repeat it. However, I want to point out that, in deciding whether to support the request for accelerated passage, the Committee took into consideration the current COVID-19 pandemic and the need to regenerate the economy as quickly as possible, especially as we move into the recovery phase. Members recognised that infrastructure projects were absolutely key to recovery and that any further or unnecessary delays in planning decisions could have serious implications for our economy. It was the Committee's firm view that decisions on the planning applications that are currently sitting on the Infrastructure Minister's desk need to be made as soon as possible. The legislation would allow that to happen and needs to be progressed with urgency. The Committee for the Executive Office, therefore, supports the motion that the Bill proceeds under accelerated passage procedure.

As an SDLP MLA, I welcome the accelerated passage, as it will allow for the quickest possible introduction of the Bill, which will help to make for a smoother passage for the decisions that may come down the line. The Bill allows a lot of major decisions that are currently in, for example, the planning system to be taken quickly, and that will provide a positive boost for the economy of the North and allow major projects that are in the system to be delivered on the ground faster, as that allows for the potential for jobs in our construction industry and, with new factories and facilities, more jobs in all of our communities. I appreciate that the drafters of the Northern Ireland Act 1998 may not have understood every nuance of the implications of their Bill, but often it is in practice where the best understanding of matters comes from, and I appreciate that that is the case here. I welcome the fact that we will not delay the passage of the Bill with a lengthy Committee process and look forward to its further progress later today and its swift enactment.

**Mr Stalford:** I associate myself with the comments made by the Chairman of the Committee. Paragraph 14 of the memorandum that has been circulated in relation to the content of the Bill clearly states its purpose:

*“will ... clarify that the decision-making functions of the Department for Infrastructure and its Minister under the Planning Act (NI) 2011 and regulations ... under that Act are the responsibility of that Department and Minister ... (with the exception of planning policy formulated under section 1 of the Act) are to be excluded from the requirement under section 20 of the Northern Ireland Act 1998 for referral to the Executive Committee.”*

The explanation is plain, and the reasons why we need to do it are plain. We all know that, as a consequence of putting our economy into cold storage for four months, there will be serious economic slowdown and, potentially, a devastating recession. Government has at its disposal the potential to assist in getting out of that recession and in stimulating *[Interruption]* — if I was in the Chair, you would be getting reprimanded for that, so I will just reprimand you without being in the Chair *[Laughter]* — and in stimulating economic growth. One of the ways in which government can do that is to ensure that planning processes around major infrastructure projects are sped up. The Bill gives government a flexible tool whereby jobs and opportunities can be provided for our people, who will struggle with the economic consequences of the situation that we are in.

**Mr Storey:** I appreciate the Member's giving way.

Obviously, this is a necessary requirement in relation to what happened in the courts. However, Members need to also take into account what the Audit Office has said in relation to the £700 million overspend. That report, which, some Members seem to forget, has been made public, makes clear reference to the problems in the Planning Service. My concern is that, while the legislation has to be made to respond to what happened in court, we also need to take into account the fact that, if we want progress, it has to be on the basis of a Planning Service that is fit for purpose.

**Mr Stalford:** I absolutely agree. I speak as a Member for South Belfast, where, if you stand still long enough, they will build a house on top of you. I understand why people are naturally concerned about the way the planning processes work. What I have seen in my constituency, certainly at a housing level, with issues like garden-grabbing and huge apartment blocks going in everywhere, is of concern in terms of how it works. However, there are also issues around major economic projects that can stimulate job growth and job creation. In those instances, it has taken far, far too long for businesses to get through the planning process. We need to recalibrate how planning works in this country; there is no question about that. In this small way, if it makes it easier to get decisions made that create jobs, that can only be a good thing. Therefore, I support the accelerated passage of the Bill.

**Mr Sheehan:** I support the Bill. It is a sensible and effective approach to the uncertainty that was introduced into the planning process by the Buick judgement. The Bill allows the Minister for Infrastructure the autonomy to work effectively in the planning process. Not passing the Bill would leave the Minister open to legal challenges on decisions that she might make and would mean that planning decisions would have to go to the Executive. We all know that that would create greater bureaucracy, more prolonged delays and the jamming up of the whole planning process.

As has been mentioned by others, such delays would have a detrimental impact on our economy.

## 2.15 pm

As we come out of the COVID-19 crisis and the economy comes out of cold storage, there is a need to get things moving quickly. The planning process needs to be agile and nimble to get the infrastructure sector up and running again. I support the decision to grant accelerated passage

to the Bill, which will allow the Minister to deal with the growing pile of planning applications in her in-tray.

**Ms Bailey:** This is an important Bill but I cannot support the granting of accelerated passage. I listened to the meeting when the Committee looked at the Bill last week but it spent only a few minutes on it. I do not believe that that represents either good governance or good scrutiny. Accelerated passage should not be used to rush the Bill through. Without proper scrutiny, we cannot understand its full implications.

There was a judicial review and a judge ruled while we had no Assembly, Executive or Ministers. Things were forced into the courts. Since we have been back, we have been asked on numerous occasions to accelerate pieces of legislation or to pass legislative consent motions without proper scrutiny. We are continually hearing from a lot of Committees that we do not have the proper time to look at those matters. The Committee on which I sit has been looking at the Environment Bill, the Fisheries Bill and the Agriculture Bill, all of which are coming through. In our evidence sessions, stakeholders told us that there are many problems and issues with those Bills, yet we are consenting to accelerated passage or to legislative consent motions.

I hope that the legislation will not be used, for example, to make planning decisions that will have a detrimental impact on the environment just to get the economy back on its feet. Planning applications have environmental impacts, as do capital projects but no expediency should be used just to keep the show on the road. Let us not forget that the Executive and Ministers already have the ability to make decisions but continue to delay them. As a recent example of that, we all know that Northern Ireland needs an energy strategy and that the sector is waiting for targets, for example, for renewable electricity. Yet, after many responses to the consultation, we are hearing now that the Minister says that the strategy will not be produced until November next year.

I do not see how accelerated passage will help us to have any confidence that planning decisions will be made in any better way. As Mr Stalford said, there are many issues with the planning system at the moment, but this will not do anything to instil faith or confidence in ministerial decision-making.

**Mr Deputy Speaker (Mr Beggs):** I call the junior Minister, Gordon Lyons, to conclude and wind up the debate on the motion. I am sorry; I have had an indication that Andrew Muir wishes to speak.

**Mr Muir:** Thank you very much, Mr Deputy Speaker. The Alliance Party will vote for the Bill today. The Buick judgement makes the Bill necessary to allow the Minister for Infrastructure to decide on regionally significant planning applications, as has been outlined by some other Members. I declare that I was previously a councillor on Ards and North Down Borough Council.

The Alliance Party will support the Bill in the context that planning statistics in Northern Ireland make for very grim reading, as other Members have said. For context, the average length of time taken by councils last year to decide on major planning applications was 53 weeks against a target of 30 weeks. The figures for regionally significant applications that are decided by the Department for Infrastructure, and which are key to the motion today,

are even worse. In the year to March 2020, regionally significant applications had an average processing time of 74 weeks — way over the 30-week target. At least that was an improvement on the year before, where the processing time was an unbelievable 261 weeks.

**Mr Humphrey:** I thank the Member for giving way. Will he agree that, while no one wants to see accelerated passage, at the end of the day, it is vital that we have legislation that allows Northern Ireland to go forward and our economy to recover as quickly as possible and nothing that puts Northern Ireland at a disadvantage with the rest of the United Kingdom, indeed the rest of Europe, in getting inward investment? I also make the point to the Member that judicial reviews —

**Mr Deputy Speaker (Mr Beggs):** Will the Member address the Chair?

**Mr Humphrey:** Does the Member agree that judicial reviews are far too readily available and slow down the process of development in Northern Ireland, which places Northern Ireland absolutely at a disadvantage when we are trying to develop our economy and build new homes, which are so badly needed, for our people?

**Mr Muir:** I thank the Member for his intervention. We do need to look at why there are so many judicial reviews in Northern Ireland. That will have to be explored over the months ahead. Why are we unique in having so many judicial reviews?

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

**Mr Muir:** Yes.

**Mr Storey:** The Member will be aware that the Northern Ireland Audit Office —

**Mr Deputy Speaker (Mr Beggs):** Would Members, again, address the Chair, so that their comments can be picked up by Hansard?

**Mr Storey:** Apologies, Mr Deputy Speaker. I always like to look at the person I am speaking to, Mr Deputy Speaker.

The issue is that, next year, the Northern Ireland Audit Office will carry out two very important pieces of work; one on procurement and one on planning. Those will be fundamental because they look at issues that have created massive problems for investment in Northern Ireland. I very much welcome the fact that the Audit Office will be taking that work forward.

**Mr Muir:** I agree. I think that is important work to be considered. I know that the Public Accounts Committee, of which I am a member, is considering major capital projects, but that is all related. As I was going to say, anything that can speed up planning decisions in Northern Ireland is to be welcomed, and that is why we support the Bill.

At the end of last year, there were 38 regionally significant planning applications waiting for a decision by the Department for Infrastructure. Of those, 23 had been waiting longer than two years. The two oldest had been waiting for 13 years each — 13 years. How can we attract the investment that we so badly need if regionally significant planning applications are taking so long?

The Bill is welcome, but it must be only the start of a major shake up of our planning system in Northern Ireland, and

I recognise that it is largely an Infrastructure issue, but the Bill is presented from the Executive Office. We must reform the pre-application discussion process so that major issues are caught early and dealt with. We also need to ensure that statutory consultees are properly funded so that consultation deadlines are adhered to.

**Mr Buckley:** I thank the Member for giving way. Does he agree that, often, statutory consultations and the length of time that it has taken for some Departments in particular to come back has put a huge strain on our Planning Service locally? Again I mention in the House, that, for me, one of the main culprits is often the Department for Infrastructure and its Roads Service, where we have continuous delay and a lack of correspondence and engagement with the proposal's developer or agent or even with elected Members. If that could be addressed, surely we could get to a situation where we could speed up the process.

**Mr Muir:** I agree. In my time on the council, I dealt with a planning application that took, I think, nearly two years because, quite frankly, a statutory consultee was messing around, not coming back and then, eventually, coming back with further queries. That was a proposal for a business, and it was delayed as a result.

Furthermore, it is time for us to consider whether an independent planning authority, such as An Bord Pleanála in the South, with the authority to take regionally significant planning decisions is something that we wish to consider here in Northern Ireland. Such a body could make informed, independent decisions on planning applications. Crucially, keeping politics out of planning decisions, it could lead to the more-timely decision-making that we so badly need.

All of that should be considered as part of the forthcoming review of the 2011 Planning Act, which the Minister for Infrastructure has promised to bring forward soon. As a member of the Infrastructure Committee, I look forward to working constructively with the Minister on that issue.

Finally, I would be grateful if the junior Ministers could outline the timetable for the remaining steps of the Bill, assuming that it passes Second Stage. I disagree with Clare Bailey around the issue about accelerated passage because I feel that the issue does need to be progressed and we need this legislation in place as soon as possible. Thank you very much.

**Mr Deputy Speaker (Mr Beggs):** I call the junior Minister, Gordon Lyons, to conclude and wind up the debate on the motion.

**Mr Lyons:** Who knew that a debate on accelerated passage could touch on so many issues in such a short time. I thank the Members who have contributed so far and who have indicated their support.

To pick up on the comment that Clare Bailey made, the Bill does not affect the integrity of the planning process or the quality of the decisions that are taken. Rather, it is about who should take that decision: whether the Infrastructure Minister can act alone or whether she needs to take it to the Executive Committee. I am sure that we will hear more about this in the coming debate, but, on the motion for accelerated passage, I thank Members for their support and I urge them to support the motion.

**Mr Allister:** Will the junior Minister give way?

**Mr Lyons:** I give way to Mr Allister.

**Mr Allister:** I have not heard any explanation proffered as to why this necessary legislation — I accept that it is necessary — was not brought sooner. We have known about this for a very long time. Why is it that, in the last week in Stormont, a Bill is suddenly being brought when it could have gone through the processes much earlier?

**Mr Lyons:** Mr Deputy Speaker, I do not think that Mr Allister was here for my earlier remarks. When I first introduced the accelerated passage debate, I set out why it is necessary. With regard to timescales, we are obviously trying to get this done before the summer recess, as well, so that it can be put in place for then. Obviously, yes, we would like to bring through legislation as soon as it is ready, but we have got to the stage where we have the Bill and we are trying to make sure that we can get it through all its processes.

**Mr Stalford:** Will the junior Minister give way?

**Mr Lyons:** I give way to Mr Stalford.

**Mr Stalford:** I sympathise with the point that the Member from North Antrim makes, and I am aware that the Speaker of the Assembly has written to the Executive to raise concerns about legislative scrutiny. However, when motions come forward to permit accelerated passage or to suspend Standing Orders in relation to a Bill, the Assembly has the ability to control how that is done.

**Mr Lyons:** That is a factual point. This is the opportunity for Members to put on the record what they believe should happen with regard to accelerated passage. I look forward to Members supporting the motion. Thank you.

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind Members that this motion requires cross-community support.

*Question put.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** Clear the Lobbies. The Question will be put again in three minutes. I remind Members that we should continue to uphold social distancing and that Members who have proxy voting arrangements in place should not come into the Chamber.

**2.30 pm**

**Mr Deputy Speaker (Mr Beggs):** Before I put the Question again, I remind Members that, if possible, it would be preferable to avoid a Division.

*Question put a second time.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that, during a Division, social distancing in the Chamber continue to be observed. In order to facilitate that, I ask the following: any Members in the Chamber who are not due to vote in person should consider leaving the Chamber until the

Division has concluded. Those Members who wish to vote in the Lobbies on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first. Any Member who has voted may then wish to leave the Chamber until the Division has concluded. Any Member who needs to vote in both Lobbies should not leave the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing.

*The Assembly divided:*

*Ayes 80; Noes 4.*

## **AYES**

### **Nationalist**

*Ms Anderson, Dr Archibald, Mr Boylan, Ms S Bradley, Mr Catney, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin.*

### **Unionist:**

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

### **Other**

*Ms Armstrong, Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle, Mr Muir.*

*Tellers for the Ayes: Ms Ennis and Mr Stalford.*

## **NOES**

### **Unionist:**

*Mr Allister.*

### **Other**

*Ms Bailey, Mr Carroll, Miss Woods.*

*Tellers for the Noes: Ms Bailey and Mr Carroll.*

<i>Total Votes</i>	<i>84</i>	<i>Total Ayes</i>	<i>80</i>	<i>[95.2%]</i>
<i>Nationalist Votes</i>	<i>38</i>	<i>Nationalist Ayes</i>	<i>38</i>	<i>[100.0%]</i>
<i>Unionist Votes</i>	<i>36</i>	<i>Unionist Ayes</i>	<i>35</i>	<i>[97.2%]</i>
<i>Other Votes</i>	<i>10</i>	<i>Other Ayes</i>	<i>7</i>	<i>[70.0%]</i>

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford [Teller, Ayes], Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Swann and Mr Stewart.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Ayes], Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey [Teller, Noes].*

*Question accordingly agreed to.*

*Resolved:*

*That the Executive Committee (Functions) Bill proceed under the accelerated passage procedure.*



## Standing Order 42(1): Suspension

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

*That Standing Order 42(1) be suspended for 6 July in respect of the passage of the Executive Committee (Functions) Bill.*

**Mr Deputy Speaker (Mr Beggs):** In accordance with convention, the Business Committee has not allocated any time limit for the debate.

**Mr Kearney:** The purpose of the Executive Committee (Functions) Bill is to provide greater clarity for Ministers on the circumstances in which they must refer matters to the Executive Committee for agreement. It also provides an exemption from referral to the Executive Committee for certain decisions taken by the relevant Minister under the Planning Act 2011.

The functions of the Executive Committee are set out in section 20 of the NI Act 1998. Those functions are primarily the ones set out in paragraphs 19 and 20 of the Good Friday Agreement/Belfast Agreement. Of those functions, the one that is of most relevance to the Bill is the provision of

*“a forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers”.*

Secondly, the Executive Committee are given the function of

*“discussing and agreeing upon—*

*(a) significant or controversial matters that are clearly outside the scope of the agreed programme referred to in paragraph 20 of Strand One of that Agreement”*,

that is, the Programme for Government. Those functions are also reflected in the obligation placed on Ministers to bring certain matters to the Executive Committee under paragraph 2.4 of the ministerial code.

I will give Members some background to the need for the Bill. In 2017, the Department for Infrastructure, in the person of its then permanent secretary, took the decision to approve a planning application for the construction of a waste disposal incinerator at Mallusk in County Antrim.

**Mr Deputy Speaker (Mr Beggs):** Order. I ask the Minister to resume his seat. I remind you that we are debating a motion to suspend Standing Order 42(1); this is not a debate on the merits of the Bill that the Member is referring to. Can I draw you back to the suspension of Standing Order 42(1)?

**Mr Kearney:** I beg your pardon, Mr Deputy Speaker. I will recalibrate and address the matter in question.

Standing Order 42(1) provides that there shall be a minimum of five working days between each stage of any Bill. It is recognised that providing that time between stages helps to ensure detailed legislative scrutiny by the Assembly by providing Members with the opportunity to consider the legislation that is being proposed in detail. The joint heads of government acknowledge that the suspension of any Standing Order is far from ideal. However, they feel that the Executive Committee (Functions) Bill has a particular urgency that justifies it on an exceptional basis.

Legislation is needed urgently to address the implications for ministerial and Executive decision-making of the judgements of the court in a legal challenge to the Department for Infrastructure's decision to grant planning permission for the waste incinerator. It is also necessary to clarify the circumstances in which a Minister is required to refer a matter to the Executive Committee, where that matter may be judged to be cross-cutting, significant or controversial. Without those clarifications, considerable uncertainty will continue to exist around the integrity of decisions taken by Ministers, particularly the decisions that are urgently needed to support the recovery of the local economy. The Bill is therefore important to the operation of the Executive.

We acknowledge that all legislation is important and that the Assembly must be afforded an opportunity for thorough scrutiny. We have issued advance copies of the legislation, along with its explanatory and financial memorandum, to all Members. The First Minister and the deputy First Minister also met the Executive Office Committee on the matter and accordingly seek the support of the Assembly in approving the motion to suspend Standing Order 42(1) today.

3.00 pm

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** I speak in my capacity as an SDLP Member, because the Committee has not given consideration to the matter, but we would certainly support the suspension of the Standing Order.

**Mr Kearney:** I simply refer to the contribution made by the Chair of the Executive Office Committee and reiterate the importance of passing the Bill in order that we can regularise the anomalies that we are currently trying to resolve.

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind Members once again that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 42(1) be suspended for 6 July in respect of the passage of the Executive Committee (Functions) Bill.*

## Executive Committee (Functions) Bill: Second Stage

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

*That the Second Stage of the Executive Committee (Functions) Bill [NIA 08/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** In accordance with convention, the Business Committee has not allocated any time limit to the debate.

**Mr Kearney:** The purpose of the Executive Committee (Functions) Bill is to provide greater clarity for Ministers on the circumstances in which they must refer matters to the Executive Committee for agreement. It also provides an exemption from referral to the Executive Committee for certain decisions taken by the relevant Minister under the Planning Act 2011.

The functions of the Executive Committee are set out in section 20 of the NI Act 1998. First, those are the functions set out in paragraphs 19 and 20 of the Good Friday/Belfast Agreement. The most relevant of those to the Bill before the Assembly is that of providing a:

*“forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers”.*

Secondly, the Executive Committee are also given the function of:

*“discussing and agreeing upon—*

*(a) significant or controversial matters that are clearly outside the scope of the agreed programme referred to in paragraph 20 of Strand One of that Agreement”.*

The “programme” referred to is the Programme for Government (PFG). Those functions are also reflected in the obligation placed on Ministers to bring certain matters to the Executive Committee under paragraph 2.4 of the ministerial code.

I will now give Members some background on the need for the Bill. In 2017, the Department for Infrastructure, in the person of its then permanent secretary, took a decision to approve a planning application for the construction of a waste disposal incinerator at Hightown, Mallusk in County Antrim. An application for judicial review was granted by the court. The key issue in the judicial review was whether the decision could be taken in the absence of a Minister, and the court ruled that that could not happen. However, the judgement of the court and the subsequent appeal by the Department, while upholding the original judgement, added further dimensions to the question. The judge also determined that this was indeed a cross-cutting issue. It involved the interest of the Minister responsible for the Department of Agriculture, Environment and Rural Affairs because of its specific waste management functions. It also extended to the joint heads of government and the Executive Office because of the impact on compliance with EU directives. In that latter regard, the Ministerial Code states that responsibilities of the joint heads of government include EU issues. The judge also considered the matter to be significant because of its importance for waste management policy. It was also judged controversial because of the evident political differences reflected in the

papers relating to the decision. The matter, therefore, was considered by the Executive Committee in accordance with their function of discussing and agreeing on:

*“significant or controversial matters that are clearly outside the scope of the agreed programme referred to in paragraph 20 of Strand One of that Agreement”.*

The judge also said that, as there was no Programme for Government in existence, the matter was outside the scope of such a PFG.

The Bill will address the implications of those judgements in three main ways. First, in accordance with the judgement, it will amend section 20 of the NI Act. The amendment is to make it clear that a matter that is significant or controversial should be referred to the Executive Committee if it is outside the scope of a PFG that has been approved by the Assembly and is in operation and in circumstances where no such programme has been approved and is, therefore, not in operation. That means that the absence of a PFG, for whatever reason, cannot be used as a reason for not referring a matter to the Executive Committee for decision. That is the purpose of clause 1(2).

The wider definition of “cross-cutting” had been interpreted as applying only to matters that cut across the statutory functions of two or more Ministers. It did not encompass those in which they simply had an interest, although the matter might, as in this case, be supportive of other Ministers’ aims or objectives. The judgement means that the range of matters that would require referral to the Executive could be widened substantially, with the inherent difficulty of measuring the extent and nature of the interest that another Minister might well have in the matter. It could also tend to undermine the executive authority of individual Ministers in their areas of responsibility.

Specifically, it means that planning decisions that were considered the sole responsibility of the relevant Minister and were not referred to the Executive Committee for agreement would henceforth need to be so to remove the risk of legal challenge on the cross-cutting principle. That would make the Executive Committee the de facto planning authority rather than the Minister for Infrastructure, in whom the statutory power is vested. The Bill addresses that point by providing that a Minister does not need to refer a matter to the Executive Committee if it affects the exercise of another Minister’s statutory functions only incidentally. In this context, a statutory requirement for one Minister to consult another is not considered as affecting:

*“the exercise of the statutory responsibilities ... more than incidentally.”*

Finally, to place the remit of planning decisions beyond doubt, the Bill provides an exemption from referral to the Executive of certain decisions made by the Department or Minister for Infrastructure under the 2011 Planning Act or regulations or orders made under that Act.

The Bill will, therefore, offer much-needed clarification to Ministers on the extent of their obligations to the Executive Committee, ensure that an appropriate degree of ministerial authority is preserved and, finally, place reasonable limits on the extent to which ministerial decisions, including essential planning decisions, could be challenged on the grounds that they are cross-cutting.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** At its meeting on 1 July, the Committee for the Executive Office considered the general principles of the Executive Committee (Functions) Bill, and the First Minister and deputy First Minister attended the meeting to answer members' questions.

The Committee is aware of the judgements of the court in the case of Buick, who successfully challenged the decision by the Department for Infrastructure to grant planning permission for the construction of a waste treatment plant and energy from waste plant at Mallusk. The Committee is also aware that the Court of Appeal held that the decision to approve the application was a cross-cutting matter that required the approval of the Executive Committee. As was referred to in the debate on accelerated passage, that situation needs to be remedied to ensure that the Minister for Infrastructure can make planning decisions without challenge and without referral to the Executive Committee except in particular circumstances.

It is important to point out that the Bill does not remedy the matter just in relation to planning decisions; it could apply to other scenarios in which there is an interest of more than one Minister. It is also important to point out that any planning or other decision can still be brought to the Executive for consideration if three or more Ministers think that it is significant or controversial.

The junior Minister outlined in detail the general principles of the Bill, but, in short, it will allow the Minister for Infrastructure to make the decisions that she is best placed to make without challenge and provides clarity on matters that need to be brought before the Executive Committee.

The Committee noted that a number of high-profile planning applications will come forward for decision this year, and it is essential that any vulnerability to the integrity of the planning process is removed. The Committee for the Executive Office therefore supports the Bill's general principles.

The Bill is proceeding under accelerated passage, and I highlight the fact that it has three clauses: one is the commencement date and another is the title, so, in effect, there is one clause. The Committee undertook a question and answer session with the First Minister and deputy First Minister for any members who had questions. I think that it is well accepted that the point about whether a decision should be taken by one Minister or more than one Minister is a general one. It is a fairly reasonable point, notwithstanding the fact that the decisions taken can be open to further scrutiny, if required.

On behalf of the SDLP, I welcome the Bill. It will allow for better, speedier decision-making. It removes ambiguity and will enable more openness and transparency, as one Minister can own a decision and, if needed, it can be challenged. We have some dark and difficult economic days ahead. We will want to see some quick decisions being taken, especially regarding planning, to enable swift developments that can deliver jobs. I do not want to see bad decisions — no one does — but a quick decision is not necessarily a bad decision. The construction and other key economic sectors will want to see quicker decision-making that allows them to get moving much more quickly. We will all want to see that when the inevitable economic downturn or recession arrives after the coronavirus pandemic.

I welcome the Bill and support it at its Second Stage.

**Mr Stalford:** The arguments on the advantages of the changes have been aired, and I do not intend to repeat them beyond stating our support for the Bill and the measures being brought forward by the Ministers.

The Chair of the Committee touched on an important point that was in danger of being lost in the earlier debate: the "three or more Ministers" safeguard remains in place. If Ministers are upset or concerned about the implications of a decision that is cross-cutting, three of them are required to ensure that the Executive as a whole have a conversation about that decision. It is important that that safeguard remains in place.

The Chair said that significant projects would be required to provide an economic stimulus as we come out of lockdown, and I absolutely associate myself with what he said. Ultimately, the measure is about delivering quicker governance. One of the problems that we have had, which is reflective of the nature of our society, is that our political arrangements can make decision-making slow.

Therefore, anything that makes government quicker and more reactive to the needs that confront it is only to be welcomed, and, on behalf of the Democratic Unionist Party, I support these measures.

**3.15 pm**

**Mr Sheehan:** I want to reiterate or summarise the remarks that I made earlier in that the Buick judgement has created some problems insofar as, if the Infrastructure Minister were to make decisions today, they could be subject to legal challenges on the basis that other Ministers had an interest in that planning decision. The example has been given that the Finance Minister has an interest in practically every ministerial decision that is made, so it is taking bureaucracy to a ridiculous degree to suggest that all planning decisions should go to the Executive. It would slow down the decision-making process and add another layer of bureaucracy that is not needed. There are already many complaints about how slow the planning process is, and we do not need this. We need the Infrastructure Minister to be able to make planning decisions. All the Members who have spoken so far have mentioned the importance, when moving out of the current crisis, of the need to reopen the economy and to get it moving, and the infrastructure sector is an important part of all that. This will make the system more effective and more efficient, and I welcome and support the Bill.

**Mr Muir:** I declare at the outset that I was formerly a member of Ards and North Down Borough Council.

By ensuring that the Infrastructure Minister has the legal authority to take planning decisions, the Bill can be an important step in speeding up our planning system, but a step is all that it is and there is so much more that needs to follow so that councils and the Department for Infrastructure can start meeting their targets for determining the outcome of planning applications, as I outlined earlier.

The overdue review of the 2011 Planning Act will be important, as will the forthcoming Northern Ireland Audit Office report, which some Members cited earlier. Both are opportunities to implement much-needed reforms, and we can ill afford to miss those reforms. As well as changes in process, we need to understand why so many judicial reviews occur in Northern Ireland and why consultation

periods so often exceed their specified time frames. Where statutory consultees lack resources, that must be addressed. Where there is simply inefficiency, through either sticking to or enforcing the deadlines, that also needs to be called out as unacceptable.

Finally, we can have all the reforms in the world but it will not be enough if Ministers do not have the political will to act or, dare I say, put political interest over planning policy and plans. An independent planning authority charged with taking the politics out of planning and getting decisions made on time should be considered in the forthcoming review of the 2011 Act. I support the Bill but request clarity on when further stages will be presented to ensure that we can get the Bill passed and enable decisions to be made to aid the focus of the Executive in the time ahead, which must be about managing the public health threats but also, put simply, jobs, jobs, jobs.

**Mr Frew:** I support the Bill but do not necessarily support accelerated passage. That is never the best way to do legislation. However, I see that an anomaly has arisen due to Buick and that it needs to be resolved. We need to be in a position where Northern Ireland can make decisions that are sound and safe, and, if the Bill goes some way to allaying those fears and making sure that the Executive and Ministers in Northern Ireland can make those decisions, that is a good thing. Where we are at the minute should not be where we are at, and we have to try to rectify that.

Planning worries me. We have seen councils take over planning to a certain degree. What we have found, over the last number of years, is the creation of a patchwork, where different councils, in different constituencies, make different processes of decision-making, which has gone some way to creating confusion, twin tracks and dual speeds, in planning. Consultants and planning agents complain that, if they cover three or four council areas, they have to keep in touch and keep an eye on deadlines, schemes, schedules and registers. It is very confusing. Even the process itself can be confusing. Anything that brings certainty, or clarity, to planning would be good.

Do not get me wrong. Decisions have to be taken quickly, but correctly. That is a massive point, along with planning. I fear that, in the current position that planning is in, at council level, it is not that council has taken over planning; it is sometimes the case that planning has taken over the council. My constituency has two council areas, Mid and East Antrim and Causeway Coast and Glens. Many times it has been said that Mid and East Antrim has one of the best, quickest and most efficient teams of planners and planning system, whereas, Causeway Coast and Glens, you could say, is the opposite. That should not be the case, and it needs to be resolved.

**Mr Storey:** I thank my colleague for giving way. He cites a comparison that has been in the public domain for some time, not only between the two councils that are close in jurisdiction, but wider afield. Earlier, Mr Muir gave us a startling statistic, in regards to the length of time. I am told that one developer, from outside Northern Ireland, wonders if there is a planning department at all. That individual is now considering taking his money somewhere else, and putting it in a jurisdiction where they are glad to see development.

**Mr Frew:** That is a very bad place for Northern Ireland plc. My point is this: even though some of our councils can be classed as being efficient, effective and speedy in their decision-making process, I wonder whether they are still serving the people they are meant to. Those are the agents, the applicants and the objectors. I have found that, with all the haste in Mid and East Antrim, is that, progressively, over the last months and years, you used to have a planning schedule with seven or eight applications per month, now you have two or three.

The powers that councils sought and got are being diminished because they are delegating that power to the Planning Service. In the old-style councils, the old-style councillor used to be a guardian or representative, someone who fought for applicant, agent and objector alike. However, that representation part has now gone. I worry about that. Councils and councillors have to take back control, in many ways, of our planning systems.

We also have to ensure that decisions made on a regional basis, by the Minister, are sound and procedurally correct. If they are not, it will cause only more stagnation and delay. Many massive projects have to go ahead but cannot at present. That is somewhere we cannot afford to be. In these projects, time is of the essence, and, usually, time is money, whether it be a big building contract, an infrastructure project, a road network, carriageways or dualling them, or bypasses for towns and some cities. This is all massive work that needs to be done.

One project that is very important is the North/South interconnector. It will conjoin the two infrastructure grid systems of the Republic of Ireland and Northern Ireland. Now, it has been said for many years that the North/South interconnector was required for security of supply. I do not believe that for one moment. I believe that SONI is wrong and has been wrong for many years in giving that excuse. It is not for security of supply that we need an interconnector; it is to add the flexibility to our system to inject competition into our markets. I always get worried when so-called experts in the field of —.

**Mr Deputy Speaker (Mr Beggs):** Could the Member return to the Infrastructure Minister taking regional planning decisions?

**Mr Frew:** Yes, I will, and the North/South interconnector is one of the biggest decisions that the Infrastructure Minister will have to make for Northern Ireland plc.

**Mr Humphrey:** I am grateful to the Member for giving way. I just want to build on the point that my colleague from North Antrim made to his colleague from North Antrim a few moments ago. I remember an industrialist from Northern Ireland being interviewed a couple of years ago who said that he decided to relocate his factory from Northern Ireland to Wales because it took so long to get the planning. That is the sort of decision that the private sector cannot be forced into because of the inertia of government. Does the Member agree?

**Mr Frew:** Yes, I do, and that is why at every level of the Planning Service and at every level of government, whether it is local government or regional government, Departments have to be in a position to make decisions soundly and quickly. Speed is of the essence, and many of these projects need that, especially in the private sector. It is different for public-sector projects, even though they are all very important — I am talking about schools and

infrastructure such as roads and railways and the grid — but for the private sector, it is massively important. People from places all over the globe may be looking to set down a plant somewhere and assessing all their options, including this area and that area, and realising, “That is a prime spot. That is a really good spot. There will be good employment opportunities there, but do you know something? The Planning Service is far too slow. It will not engage with me. It will not give any commitments for support or for planning”, and that is a —.

**Mr Buckley:** I thank the Member for giving way. I know that he was not in the Chamber for an earlier intervention that I took, but his point about the speed at which the Planning Service operates still stands. Does he agree that the statutory consultees, some of whom he mentioned, are the main stumbling block for progress on many of the fundamentals, whether they are for a local development or a major application that has the potential to bring much-needed employment to our constituencies?

**Mr Frew:** I thank the Member for his intervention. He has hit on a massive point. Some of the consultees treat some of the applications to flippant responses, which take ages to come through. That then builds on delay. That is not the Planning Service’s fault, the Infrastructure Minister’s fault or the local government planning services’ fault, because there is a process to go through, and if they do not follow it, they could end up being challenged. That is a massive plank in planning law at the present time. However, if you have any uncertainty about that system or any shred of doubt about the process, you will probably end up being challenged and in court, and —.

**Mr Humphrey:** I thank the Member for giving way. I agree with all that he is saying. What message does it send to Invest Northern Ireland when it goes internationally to ask for inward and foreign direct investment to come here? At another wing of government, —.

**Mr Deputy Speaker (Mr Beggs):** I remind Members to address the Chair so that Hansard can pick up comments.

**Mr Humphrey:** Sorry.

Another wing of government is in a position where it cannot further planning regulations quickly enough to enable that sort of investment as quickly as possible so that meaningful, well-paid and long-lasting jobs are brought to Northern Ireland. The same applies to tourism and to the tourism infrastructure where this matter is concerned. The infrastructure that is needed must be built up to ensure that we get people to come here, and, when they come here, they invest money in our tourist product, which is now so well known across the globe.

### 3.30 pm

**Mr Frew:** I thank the Member for his interjection. Of course the Member seeks joined-up government and a joined-up Executive where we are all pushing the same way, where there is a Programme for Government that is fit for this Province. We await those decisions and we await those days.

It should not be the case, if we have a focused Programme for Government and we have aligned our planning strategy with so many of our other strategies, that that should not take place. It should be the case that one Department is opposed to another, and then another makes a decision on

planning. That is not a place where we would like to be and it is a bad place for business. If a business sees friction between Departments, with no clear vision or focus, of course it will go somewhere else. It will go to a greenfield site in another province, or in another part of the UK, Europe or the world.

That is not where we need to be. We need to have a slick operative machine that makes sound decisions quickly and informatively, and we need that now. Delay is costing this country millions and it is costing this country jobs, and that is a place where we cannot be.

To go back to my point about strategy: we have been told over the last number of weeks, even in the Economy Committee, that the energy strategy will be delayed further.

**Mr O’Dowd:** On a point of order, Mr Deputy Speaker. We have moved to the energy strategy. We were at council planning a moment ago, and we were at the Programme for Government before that. If I did not know better, I would suggest that there is a bit of filibustering going on in the Benches across the way. They might be waiting for somebody to come to the Chamber, but it is certainly nothing to do with the Bill.

**Mr Deputy Speaker (Mr Beggs):** The Member raised a point of order and it is on the record. I endeavour to give some flexibility. Periodically Mr Frew has mentioned regional planning issues, and when he has deviated off that topic, I have tried to draw him back to it. I will continue to try to do my job, and I encourage the Member to come back to the content of the Bill.

**Mr Frew:** Thank you, Mr Deputy Speaker. It is great to have the opportunity to speak in the House about these important issues, but you know something, it is all linked, it is all tied in together. There is no point having a strategy for this and a strategy for that and not being able to join them together in a Programme for Government, and then having your Infrastructure Minister abide by that Programme for Government to produce good, sound, decent planning legislation and decisions. That is what we are talking about here and what part of the Bill is about. That is why we have to make sure that the legislation is passed: to give the Infrastructure Minister the sound basis on which good decisions can be made.

When we go to make planning decisions on wind farms and grid infrastructure, surely we need to see in a blueprint somewhere that it is actually required. If it is not needed, why do we pass it, when it is going to cost Northern Ireland consumers money? Why would you pass something like that if it is going to cost us money in the long term and it is not actually required? That brings me back to my point about the North/South interconnector, which is one of the biggest single issues that the Infrastructure Minister will have to make a decision on, probably in this mandate. Yet are we clear that the Infrastructure Minister has all the information that she and the Executive require to make that decision, and the right rationale for making it?

Whether or not Buick comes into it, whether or not the Bill comes into it, it is very important that the Minister makes sound decisions. SONI has said that we need the interconnector for security of supply, when we do not need it for security of supply. It is very important that, when a decision is made by the Minister or by local planners, the decision is sound. I am not convinced that that is the case,

so I look forward to seeing the Bill go through its stages so that we can interrogate it more. When we look at this, there may well be tweaks and turns required in the Bill, but so be it. We have to make sure that we come out the other side with good-quality legislation that is fit for purpose, helps business and, as the Member said, helps infrastructure and growth in this country. Remember that all those projects — whether the North/South interconnector, rail or road networks, buildings, businesses, wind farms or power plants — create work.

**Mr Humphrey:** I thank the Member for giving way. Another very clear planning issue, which Members will have experienced in their constituencies, concerns the Department for Infrastructure ensuring that new roads, a water supply and sewers are in place at new housing developments. My colleague also mentioned this issue during a previous debate. Those are salient issues for the Department for Infrastructure to ensure that we can get the investment that we need and that planning approvals for affordable social and private housing go through quickly to ensure that those houses can be built and our constituents can be provided with much-needed housing.

**Mr Frew:** The Member has hit on another critical point: our water and waste sewerage systems, which are, quite honestly, antiquated. There is talk about putting it on the developer, but that will not solve the issue, because, even on the development side of a planning application, it will only help to sort out the pipes and the drains at that point. They will run into smaller, more antiquated, drains further down the system.

**Mr Deputy Speaker (Mr Beggs):** Order. I encourage the Member to come back to the principles of the Bill rather than dwell on the practical, long-term outworkings or planning difficulties that may exist in Northern Ireland. The issue is the principles behind the Bill. I look forward to hearing the Member's comments.

**Mr Frew:** Thank you, Mr Deputy Speaker. I agree 100%, and I agree with your ruling that the principles and the outworking of the Bill should be that we have a planning system and a decision-making process that are safe and sound and will deliver for Northern Ireland.

**Mr Buckley:** I thank the Member for giving way. I accept fully, as does, I think, the House, the need for the Department for Infrastructure and the Minister for Infrastructure to have the ability to adjudicate on these decisions, given the need for speed that the Member mentioned and also the quasi-judicial aspect of planning. However, does the Member accept that it is important, as mentioned in the Bill — it was one of the concessions made in the St Andrews Agreement — that cross-cutting, controversial issues still be referred to the Executive? Would the Member accept that that is an important aspect of the Bill that should be kept?

**Mr Frew:** I agree. We have gone right back to the St Andrews Agreement. Again, everything is threaded through everything. Although the Bill may put in place a power and a responsibility for one Department and one Minister, surely the best thing for Northern Ireland is a joined-up Executive making decisions as one, with one focus in one direction, with their decisions being populated by a Programme for Government, and all the other arts and parts of strategy that we have adopted over the years that have to be renewed over the coming weeks and

months of the rest of this mandate. That is what should be in the mindset of a Minister making a planning decision, no matter it might be: does it fit the criteria, does it fit the policy? If it does, yes, we should pass it; if it does not, we should refuse it. That is safe, intelligent decision-making. It has to be done quickly and assuredly. So, yes, I agree with the Member 100%.

I have taken a lot of interventions, even from the other side of the House. It is maybe a record, I do not know, This is a very important Bill for our people, our Government and our businesses. It needs to be sufficiently resourced so that decisions can be taken quickly. That is something that we have not been able to do of late. I welcome the day when that will be the case. I support the principles of the Bill and look forward to its other stages where we can get into a debate, maybe with fewer interventions and interruptions, I do not know. However, let us look forward to that.

**Mr Allister:** I will be mercifully short, and, if you do not mind, Mr Deputy Speaker, I will address the issues in the Bill. *[Laughter.]* I have one area of concern in respect of the Bill. It is right that we should respect the principle that if you have a Minister who has oversight of planning, it is that Minister who should make decisions that are within their ambit. I will stray slightly to say that I found it rather ironic that the Minister who moved the Bill was one of the first people out of the traps to welcome the Buick judgement when it was issued in quashing the Arc21 decision. There you are: what a tangled web we weave. The one area of concern that I have is clause 1(8), which states:

*“Nothing in subsection (3) requires a Minister to have recourse to the Executive Committee in relation to any matter unless that matter affects the exercise of the statutory responsibilities of one or more other Ministers more than incidentally.”*

What does “more than incidentally” mean? This comes about in consequence of judicial review. I cannot think of wording more likely to provoke judicial review applications than a dispute about whether or not something is more than incidental. It is not defined in the Bill, save clause 1(9) setting some parameters by saying that the statutory responsibility to consult another Minister is more than incidental. That apart, there is no attempt at defining, maybe because it cannot be defined, what is more than incidental. I am just cautioning that that seems to me to be likely to lay a vast opportunity for challenge when decisions are taken not to heed and to not to join with others in making a decision. It is a huge area for challenge as to whether or not the role of that other was more than incidental. I would like to hear the other junior Minister in replying give us some indication of what that terminology is meant to convey. Since this will be the only practical occasion when we will debate the Bill because there will be no Committee Stage, I think that it is important that we get that answer.

**Mr Storey:** I rise not as a result of why other Members think I am on my feet but because this is an issue in the House that I think, ironically, goes to another issue that is lying in tatters at the other side of that Door. That is the credibility of the House and our ability to make legislation and, having made that legislation, abide by it. The Member who spoke previously referred to the mover of the motion, and I think that it does beg the question about what declarations of interest are made in the House when

Members stand. Surely, if you were involved in a judicial review against a planning application, you should make a declaration of interest because you would have an interest in that particular matter and you had taken that matter through the courts whether you had won or lost. Obviously, if you had been a Member in a constituency who had a particular issue in relation to this very specific issue of what happened in the Member's constituency, you should make a declaration of interest. So, I do think, not for the first time in the House from Members opposite, we need the word that everybody has seemed to have on their lips in the past number of hours: clarity.

We are, I am assuming, before the House today, having the Bill in front of us to clarify and put into legislation the outworkings of what happened in the Buick case. That has brought us to this point. That issue raises the other element of this debate, and that is, as has been referred to, about recourse to the law. I think that it is right that we have a legal process, and I think that it is right that we have a legal system where we can have issues addressed that are of concern, but there is a concern that we have a process in Northern Ireland, particularly in planning, where there is a very, very high dependency upon the legal process.

The Member for South Belfast raised a query earlier in the debate in regard to the diminution of environmental protection. It is well known now, whenever any Minister in the Executive, be it the Infrastructure Minister, the Agriculture Minister or any other Minister, introduces legislation to try to make progress, benefit society, enhance industry or say something that is good news to our farming community, which has suffered and continues to suffer, where we end up. We end up in court.

### 3.45 pm

Will Members allow me to digress for one minute, not from the principles of the Bill but just to give an example? Shared Environmental Services is an organisation that was established by the former Environment Minister. It now has a life of its own. It seems to be able to make decisions, it tells us, only in the interpretation of the European habitats directive, but it is not under the control of any Minister in the Executive. It is an agency, and, when we have tried to find out which is the sponsoring Department, we are left almost with silence. It is not Infrastructure; in fact, it has been suggested to me that maybe the Department for Communities has responsibility for the organisation, which happens to be based in my constituency and governed, in terms of its function, by Mid and East Antrim Borough Council.

So we come to the House to look at the Bill, which has come as a result of what happened in the courts. It has come as a result of a judgement in the courts, so it is right that we seek to regularise that issue.

I would like whichever junior Minister answers before the House this afternoon to give us some understanding of the terminology:

*“the exercise of ... statutory responsibilities ... more than incidentally”.*

I did not have the benefit of going to school for any longer than, I felt, was necessary. I was 16 when I left and went to work for Lovell and Christmas at the Agivey bacon factory. However, I am blessed enough to know that there

are some words that are placed in documents such as we have and in legislation for a purpose. While that purpose may not be explicit to those who read it, it will clearly be explicit to its authors. Its draftspersons — the people who drafted it — surely will have had some idea of what was specifically meant when that was put into the Bill. I would welcome the junior Ministers' answer when they come to the Floor.

There is sometimes a comment that, when you come to look at a Bill — maybe more the detail of the Bill, as opposed to its principles — you can go from Dan to Beersheba. I think my colleague and friend Mr Frew tried, and he tried very valiantly. I may not get so far before the Deputy Speaker brings me back to the principles of the Bill. However, Mr Frew raised an issue or issues that come as a result of what we are establishing in the Bill, if it passes the House to go further in its legislative process. It highlights for us the importance of the Planning Service and the functions of the Minister who has responsibility. The House responded to public outcry: “Too many councils. Let's get rid of them. Let's have 11. Let's reduce the numbers, the bureaucracy, the cost and the duplication”. I wonder how many would want to go back to the 26 councils today when it comes to making local decisions.

There was a report last week from Queen's University on the Planning Service. Of course, that report was more to do with the public perception of those who were involved in making the decisions. Yes, we have to have openness and transparency. I was at a meeting the other day and I was taken aback when a member of the party on the opposite Benches said that what we needed was honesty. That is exactly what we need from the party opposite: honesty about a lot of things that have gone on in this little country for far too long.

I will conclude by saying that, in the House, we often refer to setting precedents. We are setting a precedent and a marker for the processes that we will use. I trust that, in the outworking of the legislation, we will look back on this day and say that it was beneficial and necessary and that we will not look back and say that we should have done something else. I agree to an extent that accelerated passage is never a good way to do business. Equally, it is not a good thing when there is urgency to put it into a Committee and kick it around for weeks and get more and more information. You end up with a pile of information, and nobody is any the wiser after all the information has been provided. It is about striking a balance between those two things. On this one, while it is a necessity, I would still prefer to scrutinise the Bill in Committee with evidence being gathered from appropriate witnesses and from a wide variety of sources. Sometimes, when we come to this issue, as with many others, it is the usual suspects who —.

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

**Mr Storey:** Yes.

**Mr Frew:** I agree with the Member about accelerated passage. We do not need any legislation going through —.

**Mr Deputy Speaker (Mr Beggs):** Order, Members. We have had the debate on accelerated passage. Members expressed their views and cast their vote. We are past that. I bring the Member back to the issue of the Executive Committee (Functions) Bill.

**Mr Frew:** That is a strange one, Mr Deputy Speaker, where you have made a ruling on an intervention and an intervener. I say to the Member who kindly granted the intervention that, at least in a Committee setting, we are able to get all interest groups and arts and parts to have a debate about the subject and make sure that the legislation is clear and concise.

**Mr Storey:** I thank the Member for his intervention. I will not pre-empt the wrath of the Deputy Speaker any longer. I accept his ruling that the vote on accelerated passage has taken place. However, we also need to be cognisant of the fact that what we have done today will be important when we look back and ask whether we should we have had more detail on the Bill. Unfortunately, I am not convinced that there is not someone listening to these proceedings who already has their pen and pencil ready to take the next application that is before a Minister to court. That will bring about delay, which, ultimately, will lead an investor to decide, "I have had enough. That place is not worth investing in, and it is time for me to put my money somewhere else". The Members who, with great delight, will have won a hollow victory will complain about there being no investment in their area. That is something that some Members need to seriously reflect on.

**Mr Carroll:** Barely a week goes by in the Chamber when I am not shocked by the cavalier way in which the Executive circumvent basic tests of scrutiny and accountability around governance and decision-making that most reasonable citizens would expect from political leaders, whether it is on the Budget Bill a few weeks ago, which was a laughing stock in terms of scrutiny and oversight, legislation carried over from Westminster or a variety of Bills on housing, private tenancy or other matters. You do not have to be cynical to conclude that the Executive are using or attempting to use the crisis to ram through a range of measures that suit a decision-making process that favours the bigger parties. The Executive Committee (Functions) Bill is, I am afraid, this week's example. The function of the Bill is to reduce scrutiny and accountability by limiting the number of large, regional and costly projects that must receive proper oversight by the Executive Committee. It is ironic, too, that it is in direct response to the important court case that was won by campaigners against the Arc21 incinerator.

Let me be clear about this: People Before Profit oppose the incinerator. We have done so every step of the way at council level and in Stormont. We also commend the No Arc21 campaign for its campaigning over many years. I hope that we now have a Minister who is sympathetic to their campaign, and I appeal to her and her Department to reject the project as a means of standing up for our environment. What if we do not —?

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

**Mr Carroll:** No, I will not. You had enough time — almost an hour, I think.

What if we do not have a sympathetic Minister? Would we seriously want to bypass Committee Stage on such a project? Absolutely not.

The outcome of the court case stated broadly that projects of significant and regional nature and high costs would need to be referred to an Assembly Committee before decisions are taken by a Minister because of the way that they overlap Departments and other work remits, as

has been referred to. I am no legal expert, but I suggest that a legal decision such as this, made, as it was, after a successful judicial review by a progressive, pro-climate campaign, should at least be given weight and listened to by the Executive. Instead, the Executive are trying to circumvent that decision somewhat by passing a Bill through accelerated passage that will, in reality, restrict the process to projects that are outside the Programme for Government.

I would suggest that a project being listed as part of the Programme for Government is not enough to overcome the test for Committee scrutiny. Take the issue of Casement Park in my constituency, for example. If you were to look up the word "cock-up" in a dictionary, you would likely find a picture of Casement Park beside it. I suggest that those at fault are primarily the upper echelons of the GAA and various Stormont Departments for their cavalier attitude to the project, for their refusal to properly engage with residents to secure a safe and suitably-sized stadium —.

**Mr Deputy Speaker (Mr Beggs):** Order. We do not want a tour of significant planning decisions that Members may have in their constituency. We are debating the principles of the Executive Committee (Functions) Bill as to the power that would exist with a Minister in taking decisions. I ask the Member to concentrate on that matter.

**Mr Carroll:** Thank you, Mr Deputy Speaker, but I would say that significant leeway was shown to Members from across the Chamber, significant leeway.

Just to conclude that point, the clear lesson of the Casement saga is the need for maximum scrutiny, accountability and consultation. That is relevant to that decision and to the Arc21 incinerator.

The point that I make is that the Bill has serious implications for scrutiny and accountability on a range of projects. For that reason, my party cannot consent to it today, and it would set a dangerous precedent —.

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

**Mr Carroll:** I will not. I am bringing my remarks to a close.

**Mr Stalford:** I am going to agree with you on something [Laughter.]

**Mr Carroll:** I don't know about that.

Just to conclude, this move, this proposed Bill, smacks of Boris Johnson's "Build, build, build" approach, and surely, if we have learned nothing else, we have learned that we should not follow Boris Johnson and the Tories on anything.

**Mr Storey:** On a point of order, Mr Deputy Speaker. Mr Carroll made comments in reference to the Minister. He said that the Minister would be sympathetic to a particular issue. Will those matters be considered, and will they be ruled on? I do not think that a Minister, who will have to make decisions on many applications, should be perceived as somehow having a particular view on an issue, given the fact that the matter has just come out of the court.

**4.00 pm**

**Mr Deputy Speaker (Mr Beggs):** The Member has made an important point and has put his views on the record. I am not sure that I, as Deputy Speaker, need to make a



judgement on what he has said, but, nevertheless, what he has said is on the record.

I invite the junior Minister, Gordon Lyons, to conclude and wind up the debate on the motion.

**Mr Lyons:** I thank the Members who took the opportunity to contribute to the debate. To follow on from one of Mr Storey's points, I emphasise that it is neither the preferred nor the ordinary way of doing things for the Assembly to consider two stages of any primary legislation on the same day. It is the desire of the First and deputy First Minister to provide as much time as possible for the Assembly to consider the legislation brought before it and to discharge its scrutiny role to the fullest extent, but I thank Members for their comments.

I will begin with Mr McGrath and welcome his support for the general principles of the Bill. It is absolutely right that there will be additional high-profile planning applications on the agenda, no doubt, in the near future, and he is absolutely right when he says that we need an efficient planning system. I know that that point has been brought up by a number of Members today. It is absolutely essential, if we want to build our economy and have investment in infrastructure, that we have those decisions made quickly and efficiently. If you are coming into Northern Ireland and have money to spend, the chances are that there are people elsewhere who could have that money spent in their area as well, so let us make sure that we make it as easy as possible, while keeping within all of the regulations and making sure that we have a robust planning system. That is why I agree also with what he said about a quick decision not necessarily being a bad decision.

Those points were echoed by Mr Stalford. I will take his advice not to stand still in South Belfast if it is likely that something will quickly be built on us. I note the similar comments by Pat Sheehan and Andrew Muir. I apologise to Mr Muir, who asked in the accelerated passage debate — I am trying not to test your patience, Mr Deputy Speaker — about the timetable for the rest of the Bill. That will be a decision for the Business Committee; indeed, they may already have ruled on that today.

Paul Frew made a number of comments, it is fair to say. I will not refer to them all. He mentioned Mid and East Antrim Borough Council and how efficient they are in their planning process. An awful lot of credit for that should go to the inaugural chair of the planning committee in Mid and East Antrim. Now, modesty prevents me from sharing with Members who that chair is [*Laughter*] but, if people are interested, they can, no doubt, find that out for themselves. Again, the Member mentioned slow decision making and the consequences that that has, and I am in agreement with him on that and, indeed, with Mervyn Storey, who raised it as well.

To comment on Jim Allister's point, I think that it is always sensible for me to defer to the Member's legal expertise on the issue, but the term "incidental" — it is useful for me to put this on the record — is used to convey a meaning that a matter is not central to or does not impact on another Minister's statutory authority, although it may be of interest to him or her in other ways. The term is used in section 6 of the Northern Ireland Act, concerning legislation that is only "incidental" or "consequential" or referred or excepted powers. There is a precedent for its use, and, as a legal term, it exists. We may return to the issue of definition at

subsequent stages, but, of course, it is not always possible to be definitive on that. I hope that that answer is useful to the Member.

Mr Carroll believes that the aim of the Bill is to reduce scrutiny. That is not the case. My experience, though, of Mr Carroll is that nothing that I say will convince him on this or, probably, any other issue. I will repeat what I said to Ms Bailey in the previous debate: the Bill does not affect the integrity of the planning process or the quality of the decisions taken under it; rather, it is about who should take those decisions.

We have had a wide-ranging debate. I know that I have not responded to all the comments that Members made. I believe that, despite accelerated passage, there has been ample opportunity for Members to put their concerns and views on the record, and I urge them to support the Bill this afternoon.

*Question put.*

**Some Members:** Aye.

**Mr Carroll:** No.

**Mr Deputy Speaker (Mr Beggs):** The Question will be put again in three minutes.

Before I put the Question, I again remind Members present that, if possible, it would be preferable if we could avoid a Division.

**Mr Stalford:** On a point of order, Mr Deputy Speaker. I know that, traditionally, a point of order —.

**Mr Deputy Speaker (Mr Beggs):** We do not normally take points of order in the middle of a vote.

*Question put a second time and agreed to.*

*Resolved:*

*That the Second Stage of the Executive Committee (Functions) Bill [NIA 08/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** We had one No from Mr Carroll. Other than that, we had Ayes from the House.

I ask Members to take their ease for a moment, as some Members may wish to return to the House.

# Question for Urgent Oral Answer

## The Executive Office

### Funeral of Bobby Storey

**Mr Deputy Speaker (Mr Beggs):** Jim Allister has given notice of a question for urgent oral answer to the Executive Office. I remind Members that, if they wish to ask a question, they should rise in their place continually. The Member who tabled the question will be called for a supplementary question to begin with.

**Mr Allister** asked the First Minister and deputy First Minister how they propose to restore credibility to the Executive's promotion of the restrictions under the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 after the deputy First Minister's attendance and conduct at the funeral of Bobby Storey on 30 June 2020.

**Mrs O'Neill (The deputy First Minister):** The Executive's message will continue to be based on scientific and medical advice reflected in guidance and in legislation. As we emerge from lockdown, the key to tackling the pandemic will be to enable citizens to make informed choices about resuming their normal lives safely, and I will continue to work with my Executive colleagues to achieve all of that.

**Mr Allister:** The deputy First Minister holds office only because she took a solemn Pledge of Office that created an obligation to support the rule of law unequivocally in word and deed. The law, as far as last Tuesday's funeral was concerned, was unmistakably clear: there only could be attendees from the household and the close family of the deceased.

The deputy First Minister then compounded that breach by arrogantly declaring that she would never apologise for attending the funeral of a friend. Yet, the law that she made — the law from which, she said to every citizen, there was no exemption — was that you could not attend the funerals of your friends.

4.15 pm

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

**Mr Allister:** Why does she think that she is above the law? Is it because she has a higher loyalty, which is to the republican movement?

**Mrs O'Neill:** I take very seriously indeed my responsibilities as a holder of public office, deputy First Minister and joint head of Government. A lot has been said over the past week since the untimely death of Bobby Storey and my attendance at his funeral in Belfast. There has been unfortunate and considerable controversy over my decision to attend. As a Member of the Legislative Assembly, I have taken the opportunity to set out my position at the scrutiny Committee last week, the Executive Committee and the party leaders' forum last Friday. I have set out my position in the media. Today, I welcome the opportunity to do so again in the House.

Always at the forefront of my mind are all the families who are grieving and all those who have lost loved ones throughout the course of the COVID-19 pandemic. I have listened very carefully to the voices of all those who have lost loved ones. All grief is the same. I am particularly concerned that grieving families who lost a loved one during the pandemic had their heartache compounded by the necessary restrictions that were in place at that time over the past number of months. Not being able to have their family and friends support them and help them through their mourning and grief was hugely difficult for all. I am also concerned that those grieving families are experiencing more hurt this week. Given that I would never set out to compound anyone's grief, I am sorry for that.

**Mr Buckley:** I want to acknowledge the huge anger and frustration that there is among the many families who buried loved ones in accordance with the regulations that were put forward by the Executive, including the deputy First Minister. What makes Bobby Storey's funeral any different, and Sinn Féin members believe that they are above the law? The deputy First Minister's insensitive and crass approach to the matter has left many people asking — and I ask it here now — the question: does the deputy First Minister enjoy hurting people? Does she believe that she is in breach of the ministerial code? People are, rightly, asking those questions.

**Mrs O'Neill:** As I have said, and I say to the Member again, I take my responsibilities very seriously, as joint head of Government, a public figure and a holder of public office. Again, I can say, absolutely, that I would never set out to compound any family's grief. I encourage Members not to play on that: I would never hurt anyone intentionally. The past four months have been a hugely difficult time for everybody, particularly those who have lost and buried loved ones, and have had to do that all by themselves because of the restrictions at the time. I would never compound any family's grief. I have said that I am sorry for that.

**Mr Gildernew:** Is it still the Minister's view that the general public wants to see the Assembly and its political leaders continue to work together to tackle COVID-19 and to steer the much-needed economic recovery?

**Mrs O'Neill:** We have huge challenges before us and really important work to do. I believe firmly that all the parties in the Executive are committed to that and to ensuring that we have stable power-sharing after three years without functioning government. We have, certainly, made good progress on that despite all the difficulties. My commitment is to continue that work.

Since the middle of March, the management and response to the COVID-19 pandemic has been the Executive's number-one priority. Our objective throughout all that has been to help to keep people safe and to support those who faced real hardship as a result of the pandemic. That has required a huge effort from all those who are involved, and there have been very many; the health service, health and social care workers, teachers, essential retail staff, those who provide key local government services, industry and employee representatives, and church leaders. People in every sector — public, private, community and voluntary — had to stop their normal work and working practices abruptly in order to join the fight against COVID-19 and help to manage the risks and mitigate the impacts of the pandemic. The progress that has been achieved is due

entirely to everyone's support and concerted efforts. As a result, we have, now, reached a key turning point in the management of the crisis, where the Executive's attention is able to move away from purely controlling the public health response towards planning for economic health and societal recovery instead.

We have come a long way in a short time. It is great that we are, now, able to carefully reverse our way out of the restrictions. That remains the case now and will continue to be the case for the foreseeable future. COVID-19 is still with us. I will continue to lead us through the crisis and into recovery, and I will continue to work with my Executive colleagues.

**Mr McGrath:** Does the deputy First Minister accept that it was obvious that the funeral was going to draw huge crowds and that those crowds gathered, and did so in an unsafe manner? The use of loudspeakers, marshals and invites confirm the fact that Sinn Féin was aware that there would be crowds. Do you think that that was a breach of the rules?

**Mrs O'Neill:** We are legislators, and we develop the regulations, and, obviously, enforcement is a matter for the PSNI. We will let them do their job. They will make their assessment on all of that. It was always going to be the case that thousands of people would want to go along to the funeral of Bobby Storey, given the huge figure that he was. The organisers tried to limit the large crowds that were expected to attend by providing online streaming of the funeral for people to watch from the comfort of their own homes and by placing socially distanced stewards along the route of the funeral to ensure that the large numbers present did not join the cortege.

**Mr Beattie:** Minister, confidence is damaged: confidence in you, the deputy First Minister; confidence in the Executive Office; and confidence in the Executive. As we fight the pandemic, a lack of confidence will be terminal; it will cost lives. Will the First Minister and deputy First Minister set up an independent statutory inquiry to investigate the issue and all MLAs who deliberately breached the guidelines?

**Mrs O'Neill:** I thank the Member. I do not believe that we need a statutory inquiry into anything. There are regulations in place, and those who are in charge of enforcing them should do their job, and we should let them do their job.

**Ms Armstrong:** Today, I am disappointed more than angry. I was in the Chamber when the deputy First Minister gave me sympathy. My uncle died during the coronavirus pandemic. We buried him, without being able to see him, and we had his month's mind in the same situation. I go back to the question for urgent oral answer: how do the First Minister and deputy First Minister propose to restore credibility to the Executive's promotion of the restrictions under the Health Protection (Coronavirus, Restrictions) Regulations? It is important that we bring people with us. I have suffered the death of a loved one during this terrible period, and I do not want anyone else to have to go through that.

**Mrs O'Neill:** At the time, I recognised that you had lost someone, and I recognise that it was a difficult time for anyone who had lost someone. Grief is difficult at any time, but it was particularly difficult during the pandemic when, at times, it was not possible for people to have a

support network and the comfort of people round them. That will probably have an impact for a long time on your grieving process. I have said it, and I say it again — I have no reservations in saying it: I never wanted anybody's grief to be compounded; that was never my intention. I have led us through the pandemic, and I will continue to lead us into the recovery phase, because that is the space that we are in. Thankfully, for three days in a row, no one has lost their life to COVID-19. We are in a space where we can start to think about recovery, building to the future and making sure that we have prosperity. We are in for a challenging time. That will take a collective effort from the Executive, and I will certainly continue to play my role in that.

**Ms Bailey:** I, too, go back to the question for urgent oral answer. Do the First Minister and deputy First Minister believe that a commissioner for ministerial standards — for all Ministers — should be appointed as a matter of urgency in order to try to restore confidence with not only the public, but Members?

**Mrs O'Neill:** Yes. I am happy to say that we want and need to have a commissioner in place. The position has been recruited, I believe, and the last I heard was that the person could be in post in August. Yes, that is part and parcel of what we have established. We need to have the commissioner in place.

**Mr Middleton:** It is clear that the deputy first Minister has broken the funeral guidance that she helped to set. Can the deputy First Minister confirm whether the PSNI has approached her regarding those breaches, and, if not, will she make herself available to the PSNI?

**Mrs O'Neill:** I can confirm that the PSNI has not been in touch with me, and I am more than happy to cooperate with any PSNI officer who may wish to speak to me.

**Mrs D Kelly:** Minister, Sinn Féin seem to think of themselves as an elite party to which the rules do not normally apply, and have created a hierarchy of people who can flout the rules whenever they so choose. How, exactly, are you going to prevent people from having that perception and be able to stand at a podium telling me, everybody here and everybody outside of here what to do, and that the rules do not apply to you?

**Mrs O'Neill:** I say to the public listening at home that it is important that they have walked this journey with us and that they need to continue to walk this journey with us, and I will continue to walk with them.

I am determined to continue to lead us through this pandemic, just as I have done day and night for the past four months. I will continue to make sure that we do everything that we can to protect the public and lead us into economic recovery, which is where we need to be focusing our efforts right now.

**Dr Aiken:** I thank the deputy First Minister for her comments so far. She mentioned the word leadership quite a few times. One of the most important things about leadership is the ability to make difficult decisions, and to abide by the rules and guidelines that are then set.

I would like to ask the deputy First Minister, and, indeed, many people from Sinn Féin, that if there is a regrettable increase in COVID cases from the areas of west Belfast or any areas linked to those who attended the funeral, will the deputy First Minister then consider her position and

look to what is really important, which is restoring trust in government here in Northern Ireland?

**Mrs O'Neill:** As I said, I take my responsibilities very seriously. I will continue to lead us through the pandemic no matter what comes at us. We have come through difficult days, particularly over the past four months. This has been one of the most trying times that I think any of us in political leadership have come through. I will continue to play my role. I will continue to do everything that I can to protect the public and lead us into a recovery. That is the space that we are in now. I will play my part in all of that.

**Mr Storey:** On 4 June, the deputy First Minister said in relation to the Black Lives Matter protest:

*"We have to send a message very clearly that by gathering in such big crowds we're actually spreading the virus, and ultimately that's killing people."*

Following on from Mr. Aiken's comment, will the deputy First Minister stand over those words?

Secondly, and this is important, will she clarify whether the back-and-whites who followed the cortege at the funeral of Bobby Storey were part of the funeral?

**Mrs O'Neill:** The black-and-whites were stewards at the funeral to try to prevent the thousands of people who were there from joining the cortege. That mitigation was, obviously, put in place by the organisers.

On the issue of previous protests, we are lifting restrictions here so quickly. I do stand over everything that I have ever said. Just to put that on record. We have lifted restrictions so quickly here. We are in a place now, as we reverse our way out, that we always knew was going to be more difficult than going into things because shutting everything down is simpler, in a way. Where we are now, lifting restrictions and making changes, and doing it all at breakneck speed, as we have said in the House on numerous occasions, things continually change. Where we were in June and where we are today are two different spaces. Where we were in March, April and May, and where we are today, is a very different space — thankfully, because we are able to lift more restrictions.

I am glad, and I hope that that continues. I welcome the fact that, even today, we have been able to agree to more restrictions being lifted to allow for weddings and baptisms. Those are significant and important things that we have been able to do. We still have a wee way to go, and we will just have to work our way through it.

**Mr O'Toole:** Does the deputy First Minister agree that, at the core of republicanism, whether that is republicanism in Ireland, France or the United States, is the idea that all citizens are equal before the law? Does she further agree that those of us who seek to build a new republic in Ireland have a responsibility to demonstrate to those whom we seek to persuade, and everyone else, that we are all equal citizens before the law?

#### 4.30 pm

**Mrs O'Neill:** The answer to that question is not in doubt because that is exactly what I believe: everyone is equal.

**Mr Chambers:** Does the Minister accept that there is huge and growing public perception and anger across the community that her actions, and those of others at the

funeral, breached the regulations and guidance that are in place to protect the public whom we serve?

**Mrs O'Neill:** There are people who have lost loved ones during the pandemic who perhaps are feeling hurt. I have said, and I say it again here today, that I would never seek to compound anybody's grief. For that, I said that I was sorry, and I stand over that. I have spoken with many families who have lost loved ones during the pandemic; I have supported them through the pandemic and will continue to do so.

So, we need to be careful. I am very happy to speak in the Chamber; I have spoken, as I said, at the Executive, in front of the scrutiny Committee and in the media, and I am more than happy to answer all these questions. However, I distinguish between families who have lost loved ones, and their hurt, and the charges that are levelled towards me that are about politics and not the law.

**Mr Stalford:** That answer just demonstrates that the deputy First Minister really does not get it. She said to us in her comments, "That was then and this is now". I put it to her that what changed was that a senior republican died and the rules that everyone else had to abide by went out the window. Does the deputy First Minister recall saying on 23 May:

*"The role of every member of society is still crucial on the journey towards recovery. The better we all follow the advice and regulations that are in place, the sooner we can come out the other side of this together."*

Does she not accept that, by her actions, she has completely undermined her credibility?

**Mrs O'Neill:** As I said, I take my responsibilities very seriously. I am so glad that we are in the space that we are in today, with so many restrictions having been lifted. We have been doing that on an almost daily basis for weeks and months. We continue to make progress on that, and I want us to continue to get back to normal life as best we can and prepare for whatever comes down the road at us. For now, our focus has to still be on battling COVID-19, building recovery, building our economy and making sure that there are employment opportunities, getting our children back to school and making sure that there is sufficient childcare so that people can go to work. We, as a collective Executive, have to take on all those challenges.

*Adjourned at 4.32 pm.*

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# Northern Ireland Assembly

Tuesday 7 July 2020

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

*Members observed two minutes' silence.*

## Assembly Business

### Standing Order 20A: Suspension

**Mr O'Dowd:** I beg to move

*That Standing Order 20A be suspended for 7 July 2020.*

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20A be suspended for 7 July 2020.*

## Executive Committee Business

### Pension Schemes Bill: Second Stage

**Ms Ni Chuilín (The Minister for Communities):** I beg to move

*That the Second Stage of the Pension Schemes Bill [NIA 07/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** In accordance with convention, the Business Committee has not allocated any time limit to the debate.

**Ms Ni Chuilín:** The pensions landscape has changed significantly over recent years. As a result, the way in which people can save and access their pension savings has been transformed. Automatic enrolment has resulted in a significant increase in the number of people being enrolled in a workplace pension scheme. Master trusts have become a popular vehicle for employers, particularly small employers and microemployers seeking to enrol employees in an occupational pension scheme.

A master trust is a form of multi-employer occupational pension scheme for unconnected employers, where, instead of the employer setting up its own pension scheme, the scheme is provided by an external organisation that runs a pension scheme for numerous employers.

Such schemes offer benefits to employers and members. They can spur competition in the market, allow for economies of scale and provide value for money. They are also an efficient solution for smaller employers for whom setting up an individual pension scheme would be difficult and prohibitively expensive. Currently, master trusts here are regulated in accordance with occupational pensions legislation. However, that legislation was developed with single-employer pension schemes in mind and, consequently, it does not take into consideration the different structures and dynamics of the master trusts that give rise to different risks.

The Bill is not a response to a fundamental problem with master trusts but to the exponential growth in membership. For example, in 2010, across Britain and here, there were 0.2 million members of master trusts. By November 2019, there were 16 million members in 37 master trust schemes, holding more than £36 billion in assets. The introduction of a new authorisation regime is designed to address the legislative gap and to try to prevent problems arising in the future. A similar provision was made for England, Scotland and Wales in the Pension Schemes Act 2017. The aim is to ensure that essential protections are put in place in a way that is appropriate to the risks experienced by master trusts.

Under the new regime, master trusts will be prohibited from operating unless authorised by the Pensions Regulator. The Bill sets out specific requirements that must be met for a scheme to be authorised. For example, the persons involved with a scheme must be fit and proper, the scheme is financially sustainable, the scheme funder has met specific requirements, the systems and processes used for governance and administration are sufficient to ensure that the scheme runs effectively and that it has adequate continuity strategies in the event of something going wrong or the master trust otherwise seeking to exit the market.

In addition to this, the regulator will be given new powers to supervise master trusts, enabling it to intervene where schemes are at risk of falling below the required standards. The regulator must be notified in writing if significant events occur with an authorised master trust scheme. The intention is that the list of significant events will capture events that could affect the ability of a master trust to continue meeting the authorisation criteria. For example, the scheme may have a change of trustee and, as the fitness and propriety of a trustee is linked to the authorisation criteria, the regulator must be informed of such a change so that the new trustee may be assessed against the relevant standards.

The regulator will always seek to support and assist those involved in the running of a pension scheme. However, there needs to be clear consequences for schemes that fail to comply with their duties. Information gathering is an important part of the regulator's toolkit in the Pensions (Northern Ireland) Order 2005, which already makes it a criminal offence for individuals to fail to provide information requested by the regulator. The Bill extends these powers to include those involved in the running of master trusts. Ultimately, the regulator also has a power to withdraw a scheme's authorisation, essentially forcing it to leave the market. These powers are designed to ensure that those managing master trust schemes continue to work to protect the interests of members.

I now move to the remaining provisions of the Bill. Since the introduction of new pension freedoms in April 2015, many people aged 55 and over have been able to access their pension schemes or savings more flexibly. Previously, individuals faced a range of potential barriers, including incurring early exit charges when seeking to access their savings. Schedule 18 to the Pensions Act (Northern Ireland) 2015 allows the Department to make regulations that restrict charges or impose requirements on certain pension schemes. This Bill amends the 2015 Act to allow the Department to make regulations to provide that any term in a contract that is inconsistent with the regulations is overridden. For example, if a contract is in place between the trustees or managers of the scheme and a person who provides services to the scheme permits an early exit charge that is higher than the level of the early exit charge cap when it is introduced, this would allow that term to be overridden. The Bill, therefore, supports the policy intention of capping early exit charges in occupational pension schemes and banning member-borne commission arising out of existing contracts that were entered into before 6 April 2016.

The pensions market is continually evolving and modernising, and there is clearly a need to ensure that there is adequate regulation of master trusts, given how they have developed since the introduction of automatic enrolment. I think that, by most standards, automatic

enrolment can be considered a success. However, we cannot take that success for granted. I am sure that Members will agree that we must take action now to ensure that pension scheme members are enrolled only in high quality schemes that look after their interests. Well-managed schemes will help to secure pension income in retirement. The Pension Schemes Bill, therefore, is firmly centred on further safeguarding workers' pensions. I believe that we can all support that, and I commend the Bill to the Assembly.

**Ms P Bradley (The Chairperson of the Committee for Communities):** The Committee for Communities welcomes the Bill. Members were briefed by departmental officials at the Committee meeting on 17 June. We heard that the Bill seeks to introduce a new regulatory framework for master trusts in Northern Ireland.

Over the past few years, there have been sweeping changes in relation to pensions and how people can access them. Master trusts have become very popular as a result of the changes. As the Minister said, a master trust is a multi-employer occupational scheme for unconnected employers that is run on behalf of those organisations by an external organisation. The benefits of that type of scheme are particularly good for smaller employers, as they do not have to set up a scheme themselves; something which is not only costly but very difficult to do. That may explain why this type of scheme is so popular; membership has grown from 0.2 million in 2010 to 16 million in 2019. Whilst the growth in this type of scheme is to be welcomed, there is obviously a need to have appropriate measures in place to ensure that the risks are managed. Fundamentally, the Bill will do that. It will ensure that no master trust scheme can operate without authorisation from the Pensions Regulator and that specific requirements must be met. That is necessary and welcomed.

Another area that the Bill deals with is administration charges. With the pension changes that I referred to, people have been faced with early exit charges when trying to access their pension savings. Members were informed by departmental officials that the Bill will cap early exit charges in occupational pension schemes. Again, that has to be welcomed. It will enable people to get more from their hard-earned savings.

Overall, the Bill is designed to safeguard workers' pensions and to ensure good governance. The Committee is supportive of the Bill's principles and looks forward to considering it further during Committee Stage.

**Ms Ennis:** The pensions market continues to grow and evolve, particularly since the introduction of automatic enrolment; so too does the manner in which people manage and access their pensions. It is necessary, therefore, that the regulations keep pace. As I understand it, the Bill aims to put in place additional safeguards for people who are saving into master trust schemes. It increases the power of the regulator and allows for, amongst other things, the introduction of a cap on early exit charges in certain occupational pension schemes. It is vital that people can have confidence in the schemes, and that will be my focus as we continue to scrutinise the Bill at the next stage.

**Mr Durkan:** I thank the Minister for bringing the Bill and explaining its functions and I thank the Committee Chair for outlining its merits to the House.

As outlined, the Bill corresponds to the Westminster Pension Schemes Act 2017 and seeks to introduce a new regulatory framework for master trusts here.

That includes an authorisation and supervision regime for master trusts and, crucially, a cap on the early-exit charges and member-borne commission that arise under existing as well as new arrangements.

#### 10.45 am

We recognise and support the need to ensure that there is adequate regulation for master trusts as they have developed since the introduction of auto-enrolment. Master trusts operate on a massive scale, and most are run on a profit basis. Currently, however, they are not subject to the same regulation as contract-based workplace pensions. There is no requirement for a licence to operate, and there are limited barriers to entry. There is also little guidance on who can become a trustee, and there is no infrastructure in place to support the wind-up of a failed trust. Given that the savings and pensions of hundreds of thousands of employees here and their employer contributions are at risk, we cannot allow that to continue.

The Bill is a narrow one, and that is certainly no criticism of the Minister or of the legislation. I am not sure whether the Minister intends to bring forward any other pensions Bills in the course of this mandate. Perhaps, she can address that later. However, one issue that the SDLP would love to see resolved is the one that has seen so many women born here in the 1950s left behind by the accelerated equalisation of the state pension age. Those women made their plans for retirement only to find their retirement age sneakily pushed back by a Tory-led coalition in Westminster, an unjust move that was endorsed and voted for by a majority including the Minister's party in the Assembly. I have raised the issue with the Minister Hargey, but I am keen to hear whether the current Minister has any plans to address the issue. I am also conscious, Mr Deputy Speaker, that I am straying from the narrow scope of the Bill, but that is a massive injustice.

The Bill should help to create trust in pensions savings. It is fair to say or, at least, I hope that it is fair to say that we all want workers to be able to attain a standard of living consistent with allowing them to save while in work in order to have dignity in retirement, secure in the knowledge that a regular income from a state pension and a workplace pension will allow them to enjoy their retirement without financial worry and without living in pensioner poverty. No one should have to live with the fear of not being able to afford to grow old.

We need to deliver the appropriate protection for savers, and the Bill is an important step forward in that regard. I support the Bill.

**Ms Armstrong:** As we know, pensions are a devolved matter. However, policy and legislation have acted in accordance with section 87 of the Northern Ireland Act 1998 to ensure that pension provision corresponds to the rest of the UK.

I will not go over the areas that have already been discussed by other Committee members. The Committee has supported the Bill, and the work on the master trust scheme is, of course, very important. To go back to what others said about the Pensions Regulator, it means that, through this legislation, the regulator can take action earlier when employers put the viability of their pension

schemes at risk. Specifically in relation to Northern Ireland, clause 117 introduces schedule 8, which makes provision for Northern Ireland corresponding to that made for England, Wales and Scotland.

Pensions can be complicated, and master trust schemes are certainly complicated, but one thing that I would like to draw everyone's attention to is the simplification for those of us who have pensions and who have jumped across different jobs over the years. The pensions dashboard will, thank goodness, enable people to see in one place where their money is, whether they have five pensions, one pension or 10 pensions. I certainly welcome that.

As others have said, we now head towards the Committee Stage. Having read through the Committee correspondence on the consultations, I know that political parties, unions and other employers have supported the Bill, and that goes to show how important it is that we move it through. We support the Minister in doing so.

**Ms Ní Chuilín:** I thank all the Members who contributed. I have to say that — no offence to Gerry, who is very good at all this — I had to read this a couple of times to try to get a sense of it. However, I understood clearly that it was a complete mess.

I will start with the point that you made. A lot of people, particularly those earning £30,000 or less, may have moved jobs, particularly if they work in the private sector or the community and voluntary sector. Given the precarious nature of funding, people move from one place to another and could have a lot of small pensions. By the time they try to consolidate them or cash them in, they are getting charged a small fortune, and it is not worth their while. I do not want to deny anybody a living in managing those pensions. They were operating within the guidelines and within the regulations, but we need to change the legislation to ensure that people know exactly where their money is and that their savings are protected. That is important.

This is the first Bill that we have done that has gone through the normal passage. That, too, is to be welcomed. We have all dealt with a lot of accelerated passage legislation, particularly from this Department, because of COVID-19 and everything else. I look forward to the Bill going through the Committee.

The answer to whether there will be any further Bills regarding pension age or pensions is that a lot of that comes from Westminster. I hope to get this Bill as far as I can, so that Deirdre Hargey can come back and finish it all off.

The good thing about it is that everyone sees the need to legislate to protect workers. I am pleased that trade unions and people working in the pensions business are supportive of the Bill. Clear legislation and regulations are better for people who are investing their life savings in pensions, and the Bill close many of those gaps.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Pension Schemes Bill [NIA 07/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** Members may take their ease for a few moments.

## Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020

**Mr Deputy Speaker (Mr Beggs):** These two motions are to approve statutory rules. There will be a single debate on both motions. I will ask the Clerk to read the first motion and then call the Minister to move it. The Minister will then commence the debate on both motions. When all who wish to speak have done so, I will put the Question on the first motion. The second motion will then be read into the record, and again I will call the Minister to move it. The Question will then be put on that motion. If that is clear, we will proceed.

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

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 be approved.*

*The following motion stood in the Order Paper:*

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020 — [Mr Poots (The Minister of Agriculture, Environment and Rural Affairs).] be approved.*

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

**Mr Poots:** The scheme was developed in response to the unprecedented difficulties brought about by the COVID-19 pandemic. It had an immediate impact on the sea fishing industry after social-distancing measures and the collapse of the European and domestic fish markets had made trading virtually impossible. The Northern Ireland fishing industry faced extreme difficulties as a result of COVID-19 and was in urgent need of support to ensure that there was a profitable fishing industry to return to, once COVID-19 subsided. I am pleased to say that my Department responded promptly and engaged with representatives across the sea fishing industry to discuss the financial crisis that it faced. There was a clear need to deliver financial support within a reasonable time frame, and I subsequently brought a paper in relation to the sea fishing industry scheme to the Executive and secured their support.

On 3 April 2020, I announced a £1.5 million support package to ensure that the Northern Ireland fishing industry was supported through the COVID-19 pandemic until such times as market conditions improved. I thank the Agriculture, Environment and Rural Affairs Committee for its initial scrutiny of the scheme and its subsequent written engagement with my officials to seek clarification of some of the details. The statutory rules that are the subject of the motion give effect to that £1.5 million support scheme.

The statutory rules were made in exercise of the powers conferred by section 15(1) and (2) of the Fisheries Act 1981 as read with paragraph 2(1) of schedule 2 to the Sea Fisheries (Northern Ireland) Order 2002. Those provide the necessary powers to make schemes of financial assistance with the approval of the Department of Finance and to make grants or loans for the purpose of reorganising, developing or promoting the sea fishing industry or contributing to the expenses of those who are engaged in it. Paragraph 2(4) of schedule 2 to the Sea Fisheries (Northern Ireland) Order 2002 provides that the scheme:

*“(b) shall be laid before the Assembly after being made; and*

*(c) shall cease to have effect ... after the expiration of the period of three months beginning with the day on which it is made, unless within that period it has been approved by a resolution of the Assembly.”*

It was therefore important that the motion be scheduled prior to the summer recess, and I thank the Business Committee for doing so.

The Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 — SR 2020 No. 76 — was made on 4 May 2020 and came into operation on 5 May 2020. The purpose of the scheme was to provide assistance to the sea fishing fleet towards the fixed cost of vessels for the three months from March to May. The assistance was delivered via monthly payments that were based on the length of the fishing vessel subject to qualifying conditions. Vessels less than 10 metres could apply for a grant of £1,050 per month; vessels greater than 10 metres and less than 12 metres could apply for a grant of £1,800 per month; vessels greater than 12 metres and less than 15 metres could apply for a grant of £3,550 per month; and vessels greater than 15 metres and up to 28 metres in length could apply for a grant of £4,550 per month. The maximum funding per undertaking was capped at around £104,000, but no vessels were near that.

With regard to eligibility for support under the scheme, a number of conditions applied to ensure that support was directed to vessels that were dependent on fishing and were normally active during the months in which the markets had collapsed. The vessel had to be a fishing vessel registered in Northern Ireland, and it must normally be active from March to May. The vessel must have had fish landings worth at least £10,000 in 2019, and it had to be less than 28 metres in length and be available to fish if there was a market for its product. The Department issued 172 letters of offer for support under the scheme, and, to date, grants totalling just over £1.3 million have been paid to 169 eligible applicants. I am pleased that we were able to quickly issue a single payment covering three months at once to the vast majority of applicants.

To sum up, when I announced the scheme in early April, it was the most far-reaching in the UK. Its aim was to provide prompt financial support to help the fishing fleet to cover its fixed costs for three months and to help it to survive what has been one of its most difficult periods. We have succeeded in delivering just over £1.3 million in much-needed support to the fishing fleet, and the feedback that my Department is getting from industry representatives is that the scheme has generally been well received by fishermen and that the aims of the scheme have, indeed, been met.

**Mr McAleer (The Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** I welcome the opportunity to speak as Chairperson of the Agriculture, Environment and Rural Affairs Committee and outline the Committee's views.

The Committee first considered the original regulations at the SL1 stage on 9 April 2020 and was advised by the Department of the need for the policy due to the collapse in the European and domestic markets for fish as a result of the COVID-19 pandemic. The hospitality and catering



sectors had closed down, along with fish counters in supermarkets and other retail outlets. The market for much of our seafood is overseas, and it had collapsed overnight. The sea fishing industry was experiencing a major slump in demand for its product, and the demand for fish and shellfish was non-existent.

#### 11.00 am

The Department advised that, following consultation with industry representatives, the need for financial support for the sea fishing and fish-catching sector in the wake of COVID-19 was recognised as a genuine and urgent need, as many incomes had been affected significantly. The Committee heard that, under state aid rules, the scheme would focus on fixed costs, rather than the income generated, and that a number of conditions had to be met to be eligible for the scheme. One of those conditions was the overall length of a fishing vessel.

The Committee was content with the merits of the policy at SL1 stage and had no issues to raise. Members were supportive of the measures being taken by the Department to support the sea fish industry, which was experiencing severe financial hardship as a result of the ongoing pandemic.

At its meeting on 4 June the Committee was alerted to a minor technical amendment that was required following scrutiny of the technical aspects of the statutory rule by the Examiner of Statutory Rules. The amendment was to correct a reference to overall length of vessels in article 2 of the rule. Subsequently, the Department presented the amended SL1 to the Committee on 11 June, followed by the statutory rule at the meeting on 24 June. The Committee noted that the amendment was as highlighted by the Examiner of Statutory Rules and had no issues with the policy. Therefore, the Committee is content with the proposals from the Department and recommends that both statutory rules are confirmed by the Assembly.

**Mr Irwin:** This has been an important intervention of assistance, and I thank the Minister and his colleagues for their hard work on the matter. Significant effort over a short period has been put into the scheme, and it has been welcomed by the sea fishing industry in Northern Ireland.

As we know, COVID-19 is the cause of the crisis, and, as time has gone on, we can see just how huge an impact the virus has had not only on the health of the individuals affected but on our way of life and economically on many businesses that operate in Northern Ireland. The sea fishing industry is no different in the economic impacts felt, and, with the closure of restaurants, seafood markets and many other outlets, it is easy to see why the industry found itself in such a parlous position. The impact of the crisis could not have been foreseen when we consider the huge downturn in demand, with restaurants and many outlets closed down. For fishermen, the costs continue for their trawlers, and this has been a concerning time for them all.

As with other sectors, it was recognised that something had to be done to ensure that there was a fishing industry to return to in Northern Ireland. Recognising its parlous position, our Agriculture Minister was successful in gaining support for financial assistance in the form of the fixed-cost scheme that is before the House today. It has been a welcome intervention for trawler owners at this time. The scheme, whilst not an answer to all the

current difficulties, has certainly provided some relief and important assistance to our fishing fleets, which have been practically tied up since the commencement of the crisis. Uptake of the scheme has been encouraging, with scores of successful applications, as the Minister stated, meaning that assistance has been effectively administered with minimal delay.

The restrictions that were put in place were obviously important measures in those unique and concerning pandemic circumstances, and we all look forward to better days when our way of life can return to some sort of normality. I support the motion.

**Ms S Bradley:** I rise as a Member for South Down, the home of Kilkeel and Ardglass harbours. I thank the Minister for bringing this forward today, because it was clear to all that the obvious slump in the market for fish required urgent attention, and this is it. I also thank the Minister for clearly outlining the process that was followed in respect of the requirement for Executive colleagues to come on board, alongside the Minister of Finance, to make this work. It really highlights the need for collective responsibility to recognise where there is a problem and come together to fix it.

As a Member for South Down, I have sought and acquired assurances from the Department that the amendment that will come up next is merely technical, and I understand that there will be no change in the amount of payment due to those fishers. It was based, I believe, on misquoted legislation, so I am satisfied that that is the case and that fishermen and women across South Down and across the North will be paid in due course the amounts that are due to them. I welcome that and support the motion.

**Mrs Barton:** I too thank the Minister for moving today's motion to retrospectively put in place the provision of financial support to those from the sea fishing sector, which, I understand, is in the process of being administered, while the second motion serves to determine the length of the fishing vessels that would define the amount of financial support payable to those vessels.

As no one here needs to be reminded, those working in our sea fishing industry do so in challenging and dangerous conditions that are often weather-dependent. It is an industry that has suffered greatly in human loss over the years and an industry that makes a very valuable contribution to the economy of Northern Ireland, particularly in County Down. The industry, since the COVID-19-enforced lockdown, has seen its income plummet. The markets for shellfish, including that for prawns, which was one of the higher-value catches and was in high demand in the Far East, closed down virtually overnight. Then there was the collapse of the white fish market due to the closure of the hospitality and catering sectors, along with the carry-out food outlets here in the United Kingdom, which further compounded a difficult time for the sea fishing industry. However, meanwhile, cost to the fishermen continued. All of that together resulted in an industry that, if it were to survive, needed financial support. That financial support was determined on several conditions, including the length of the fishing vessel; thus the need for the second motion.

With the gradual opening up of restaurants and hotels again, hopefully the financial package claimed by

approximately 109 vessels will be timely for the recovery of the sea fishing industry. I, therefore, support both motions.

**Ms Ennis:** Like so many other industries, our fishing communities have struggled to adapt to the severe and ongoing economic disruption caused by COVID-19, and, indeed, few industries have such deep or culturally important roots in their communities as in our coastal fishing villages and towns such as Kilkeel and Ardglass in my constituency of South Down. With demand for fresh fish heavily reduced and suppressed at home and in European markets, local fishing vessels and their crews needed emergency support. To make matters worse, we know that fishing operations, especially smaller crews and vessels, often struggle to make ends meet. Sinn Féin recognises that many crews have wages that are insecure and often inadequate. In April, three months of support was secured to cover the fixed costs for operating the vessels, totalling some £1.5 million. By passing these technical legislative provisions today, we can ensure that that support continues to be administered to those who need it most and when they need it. As we return to more normality in society and further increased economic activity, the hope is that this support will have kept those vessels in a position where they can return to normal business safely and in a more financially secure position. I support the motions.

**Mr Harvey:** Thank you, Minister. It is vital that we continue to recognise the hard work not only of our farmers but of our fishermen, who have, throughout this difficult time, continued to provide local produce for our tables. The past months have affected every sector, and the fishing industry has been no exception. As a Strangford representative, I know too well how badly affected the industry has been due to COVID-19. The collapse of the domestic and European fish markets made trade virtually impossible throughout the pandemic. That, coupled with the loss of labour and cash flow problems, created major challenges for our small fishing businesses and our fishing communities the length of the Ards peninsula and elsewhere.

I am glad that the Department acted swiftly to announce financial assistance to our fishermen in the region of £1.5 million. The Minister has been proactive in ensuring that the Executive have assisted all of our food sectors, and I thank him and his Department for their work. Many fishermen are either self-employed as crew members or work as small businesses, and I know that a lot of the work that is normally available to them has not been there during the pandemic. Supply chains have been disrupted, buying prices of fish have been affected, and there have been challenges getting products to market. Whilst the £1.5 million grant scheme will greatly benefit the industry in weathering the present storm, it is vital that the fishing industry is assisted to enable a safe and sustainable return to full operational capacity. Social distancing measures will be problematic in their implementation on board fishing vessels. With much of the processing workforce having left the UK or being unable to travel due to restrictions, there will be further hurdles to overcome in the weeks and months ahead.

The UK fishing industry faces an uncertain future, first disrupted by Brexit negotiations and now the impact of COVID-19. It is of note that the financial provision made thus far by the Executive is the most far-reaching scheme in the UK, covering fixed costs for three months. It

represents a clear commitment to support our local fishing industry, and I know that that will continue.

**Mr Deputy Speaker (Mr Beggs):** I call Emma Rogan. This is Ms Rogan's maiden speech, and I remind Members that maiden speeches should be heard without interruption.

**Ms Rogan:** It is a huge honour for me to speak here today as a Sinn Féin MLA for South Down. I am honoured to continue the work of my party colleague, Chris Hazzard, our South Down MP. He was a fantastic representative for South Down as an MLA and as Minister for Infrastructure and continues to be a breath of fresh air as our South Down MP. I thank him for his guidance and support since taking over from him. I also acknowledge the 16 Sinn Féin councillors in my constituency who have offered their support to me and their hard work and dedication to our constituents. As one of two female Sinn Féin MLAs in South Down, I am extremely grateful to have ongoing support and guidance from my party colleague and friend, Sinéad Ennis.

For anyone who has the pleasure of working, living or visiting in South Down, you will know that it is a beautiful place on this island. It runs from Warrenpoint and Carlingford lough in the south, sweeping the Mountains of Mourne and running as far as the breathtaking Strangford lough and all the towns and villages in between. I am proud of the people whom I represent. It is an area steeped in culture, heritage and tradition.

I pledge to work hard to restore services to our local hospitals and to the community that they serve. That is the very least that my constituents deserve. I recognise the hard work and diligence of employees in the health and caring sector as they have battled to keep us safe in the strangest of times. I will continue to support small local businesses in our villages and towns. South Down also has many tourist attractions that the economy relies on, from the St John's Point lighthouse on the coast to the Saint Patrick Centre in Downpatrick. As MLA for the area, I want to promote and support all that is positive about South Down.

We also have a constituency with many excellent schools. Teachers, pupils and parents will need help and support in the coming weeks to see our children back at school. Parents and their children deserve so much praise for completing their studies at home in recent weeks in the strangest of times, some with inadequate broadband and devices. To the parents of children with additional and special needs I say that I also hear your needs. I urge the Minister to secure more places in South Down.

I have witnessed at first hand in the last few months how the community that I live in and represent can work together and provide vital services and support to each other, and of that I am extremely proud.

As I represent a border constituency, it would be remiss of me not to mention Brexit. The clock is ticking towards a potentially disastrous no-deal crash-out. The Brexit deadline should now be extended to avoid what will be a devastating blow to our economy.

The purpose of both of the statutory rules is to provide financial support to those in the sea-fishing catching sector and the incomes that have been adversely impacted on by the COVID-19 pandemic. The Committee for Agriculture, Environment and Rural Affairs agreed to a

minor amendment to SR 2020 No. 76 to define the overall length of a fishing vessel. There will be no impact on the administration of the scheme.

Markets in Europe and the Far East, where high-value shellfish would normally have been exported, have been negatively impacted by the COVID-19 pandemic. Furthermore, social distancing measures, the closing down of the food industry sector and the closure of many fish counters in retail outlets has resulted in reduced demand for white fish and prawn tails, practically wiping out the sector.

#### 11.15 am

The sea fishing industry is significant, particularly in the three main east coast villages: Ardglass and Kilkeel in my constituency of South Down, and Portavogie on the Ards peninsula. According to statistics, the sea fishing industry contributed £40 million of gross value to the economy in 2016 and employed 1,790 people in 2017, in catching, processing and marketing. These industries are key to rural communities like those in South Down. It can be argued that there is a real need to ensure that they are profitable and sustainable in the long term, especially with the context of uncertainty around Brexit and the COVID-19 pandemic. In that regard, future fisheries policy in the North of Ireland, and indeed the island of Ireland, needs to be conscious of the specific needs of these local industries. I support the motion.

**Ms Bailey:** I, too, take the opportunity to recognise the devastating impact that COVID-19 has had on European and domestic fish markets, and therefore on the fishing industry in Northern Ireland. It is really good to see a package announced that so substantially addresses these issues. The package will enable fishing communities to survive and, hopefully, thrive after one of the biggest challenges that they have ever encountered. However, I do have concerns in relation to differential treatment between sectors and disparities in the levels of support that have been allocated. This is without doubt the most substantial package that has been announced for any sector within the Department's remit and, indeed, as the Minister himself stated, it is the most far-reaching in the UK.

While the package is undoubtedly welcome, questions must be asked as to why this sector is being treated differently to others. The recent separate £25 million support package that was announced for the agriculture and horticulture sectors was intended, in the Minister's own words, to be:

*“driven towards those ... who can clearly demonstrate tangible losses [sic] as a result of Covid-19.”*

Beef and sheep farmers, like those in the fishing industry, have been affected by the falls and fluctuations in market demand for their product due to the pandemic. However, unlike fishermen, beef and sheep farmers must demonstrate proof of their losses in order to access support, and the amounts that they receive are dependent upon those losses. For the fishing industry, a lump sum has been allocated for distribution, with the only significant criterion being the size of the boat. Of course, the fishing industry differs from agriculture, and supports for the sector appear to have been treated differently, based on that justification. However, I draw attention to the ornamental horticulture sector, which has been lumped in

with agriculture for the purposes of allocating a support package, without consideration being given to the fact that it differs totally from the agriculture and fisheries sectors.

Out of all the sectors, the horticulture sector has arguably been most affected, yet the level of support that it has received is nowhere near what has been accorded to the fishing industry. The sector has experienced catastrophic losses, yet the criteria for schemes such as the self-employed income support scheme, the coronavirus job retention scheme and the bounce back loan scheme all excluded growers from benefiting in many cases. According to the Horticulture Trades Association, fewer than one in five growers received help through the Government's business support measures; just 1% received financial support from the Government's coronavirus business interruption loan schemes; 48% of growers were ineligible for assistance loans, as they had no cash flow; over three fifths of UK growers said that they were not eligible for business support grants; and nearly four in five growers were not entitled to any kind of rates relief. No allowance has so far been made in the support package for horticulture to account for this or to allow for the fact that the industry does not receive an annual subsidy from public funds, which all other sectors do.

The perishability and seasonality of plants has meant that the sector has faced stock write-offs unlike any other industry. Growers have waited weeks and months with little or no cash flow and no indication of whether a package would be forthcoming until now. Many growers were not in a position to order plants that had to be ordered and paid for a year in advance, as they need to be propagated. Many were not in a position to buy stock for autumn or winter next year.

**Mr Deputy Speaker (Mr Beggs):** Can I bring the Member back to the legislation that is being discussed today?

**Ms Bailey:** The package for the sea fishing industry has set a precedent for supports to be made available that are not calculated based on the proportion of losses incurred. Given that the Department has been able to provide for the sea fishing industry with a lump-sum financial package, with the only criteria being the size of the boats, it is not unreasonable, then, to expect that similar standards should be applied to other sectors that have experienced more severe impacts because of COVID. While I support the motion, I call on the Minister to apply eligibility criteria for all applicants within his remit and to do it equitably.

**Mr Blair:** I support the sea fish industry scheme as announced today. The benefits and outworkings of the scheme have been well rehearsed in the debate already and I do not intend to repeat them, but I should put on record that the Department has worked hard — I know this from the AERA Committee — to alleviate the detrimental impacts of COVID-19 on the fishing industry and the market for whitefish, shellfish and prawn tails. Of course, that has been further compounded by closures in the hospitality and retail sectors.

In addition to the points that have already been illustrated, it is probably worth mentioning that the scheme will benefit the economies of the towns and villages that are closest to the centres of our fishing industry. Of course, those benefits also relate to other livelihoods in those towns and villages. On behalf of the Alliance Party, I am very happy to support the scheme. I thank the Minister for his

statement and the detail that he gave today. I also thank the departmental officials for what has been delivered by the scheme thus far.

**Mr Poots:** I thank Members for their contributions to the debate. Throughout the pandemic, my officials have continued to meet on a weekly basis with industry representatives from right across the areas that we cover to discuss the implementation of the support schemes. More recently, they have discussed what future support might be required for the fishing industry in the months ahead in order to assist its recovery. I can inform Ms Bailey that not only have we provided support for the fishing industry, but we will be looking to provide further support through the European Maritime and Fisheries Fund, and those discussions will continue.

Let me be very clear about this: if anybody wants to look at an industry that has been in decline over the course of the last 30 years, they just need to go for a drive around our fishing harbours. They will see that many boats are in very poor condition because those people have not been bringing in the amounts of income that would allow them to reinvest in the way that they should have been. As we go forward and face the challenges ahead of us, we are looking at substantial redundancies. We have already witnessed that with the likes of Thompson Aero Seating, Bombardier and others making announcements, for example, in the aeroplane sector.

One of the biggest employers in Kilkeel is a facility that makes aeroplane seats. There will be a real challenge for that town if there are job losses, because they are well-paid jobs in what has been a very good, sustainable industry to this point. If Kilkeel is affected, how will it respond? One of the areas in which it can do so is by way of a recovery in the fishing sector. As we go forward, we need to support and sustain the fishing sector so that it can deliver investment into those communities and create offshore and onshore jobs in towns such as Kilkeel, Portavogie and Ardglass.

The horticulture sector is an entirely different sector, so there will not be a similar scheme for it. However, we are supporting that sector quite well with the funding that has been set aside. We have sought to assess the losses that have affected that industry and we will respond to that. I fought very hard to get garden centres open once again. The decision to open garden centres is one that people can now easily recognise as having been the right decision, because the R number did not go up as a consequence and many people who enjoy gardening had the opportunity to go and acquire plants grown by the ornamental horticulture sector, avail themselves of those products and help support those businesses. That was the single most important thing that we could have done to support that sector, but it is not the only thing, and we have identified funding for it and will support it.

I will go back to the motion because that is what today's debate is about, and Ms Bailey's intervention was really a little distraction. In recent weeks, a significant number of vessels, particularly those that catch nephrops and whitefish, have returned to their fishing operations on a managed basis. As more of the restrictions are eased across the hospitality sectors, some of the markets for fresh sea fish are beginning to reopen, but as things stand, they are at only about one quarter of the normal number. Therefore, a lot of the fish that is being caught is being

frozen. That is fine. That is what happens in that industry, but it is not being frozen at a high price, and therefore support for the fishing industry is critical.

As I said in my opening remarks, the aim of the scheme was to provide prompt financial support to contribute to the vessels' fixed costs for three months and help the fleet to survive through one of the most difficult periods. I do not believe that the scheme has been providing more than the fishermen needed. We are looking at support that was reasonable, given the circumstances, and allows vessels to go out and catch fish at a point where the returns are lower but fishermen can sustain some of the fixed costs of the vessels. Therefore, I think that the scheme has delivered very well, and I welcome the support that it has received today from right across the House.

*Question put and agreed to.*

*Resolved:*

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 be approved.*

## Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020

Resolved:

*That the Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020 be approved. — [Mr Poots (The Minister of Agriculture, Environment and Rural Affairs).]*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

## Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020

**Mr Murphy (The Minister of Finance):** I beg to move

*That the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020 be affirmed.*

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

11.30 am

**Mr Murphy:** The order serves to re-implement the rural ATM rates exemption scheme, which lapsed in 2017 in the absence of a functioning Assembly. Prior to that, the scheme was a long-standing feature of the rates system, with the policy objective of encouraging and sustaining provision of ATMs in rural areas. I believe that the policy objectives behind the scheme remain worthy, particularly in the economic climate that we now face. Previous research and analysis, along with consultation with key stakeholders, have confirmed the value of the scheme.

The order, which follows Executive agreement to extend the scheme within the 2020-21 Budget, will aid continued provision of ATMs in rural areas. The relief will be provided for the full rating year. The legislation before the Assembly continues the operation of the scheme through to the end of March 2021. The scheme provides an exemption for standalone ATMs that are individually valued in the valuation list, for example those located outside petrol stations or on main streets. It does not apply to ATMs that are located in banks or buildings societies, which tend to be valued as part of that property. As things stand, there are 84 ATMs eligible for the exemption. Although a modest measure given that scale, I think that the potential for the scheme to assist in the retention of eligible ATMs is a goal worth securing now that the Assembly has returned.

The current financial cost of the scheme is less than £200,000 in rates revenue foregone. In the context of the magnitude of Executive support provided elsewhere at present, I consider that to be an affordable sum, given the wider benefits that it can bring. Although the support is unlikely to incentivise many new ATMs, especially as we, as a society, transition towards contactless payments — a trend that is likely to be accelerated as a result of the pandemic — there remains a risk that a permanent removal of this measure could jeopardise the viability of some ATMs in rural areas. That would reduce the availability of cash in the rural communities that they serve. On that basis alone, the Executive consider that the exemption for ATMs in rural areas should be reinstated for the 2020-21 Budget period.

Turning to the statutory rule itself, article 1 of the order sets out the citation, commencement and interpretation provisions. Article 2, in turn, provides for the extension to 1 April 2021 of the date before which the scheme must end. Article 3 revokes the previous end date for the scheme.

I look forward to Members' comments and commend the rates order to the House.

**Mr McHugh:** Go raibh maith agat, a Leas-Cheann Comhairle, agus ba mhaith liom mo bhuíochas a ghlacadh

leis an Aire fosta as an mholadh sin. I thank our Minister for taking forward the legislation, which is so important to rural communities. The scheme was first introduced in 2007. At that time, it was identified that 60% of the cash that people accessed through local ATMs was spent locally as well. It was introduced to facilitate what I would describe as the “rural, rural” communities and the likes of a petrol station or grocery shop in a very isolated area. However, it has taken on a very different dimension since then.

In 2013, I supported the people of Newtownstewart when they were faced with the closure of the last bank in that town. Little did I think that, five years later, the three local banks in my own town of Castleterg would all close. When banking abandoned the rural towns, it had such an impact on our communities in every respect. The facility where one could acquire cash as needed was completely gone. That exposed rural communities in so many ways as well. We had an increase in robberies in the more rural areas, as there was an expectation that people would be keeping money at home. Those robberies then extended to ATMs themselves, and we all know the history of that over the last number of years.

ATMs are undoubtedly a necessity not only in providing for the local community but for the local business community, which was finding itself exposed and at risk in providing that facility to locals. It will be a welcome development if rate relief is once again given to the business community. They are the people who have been providing for their communities since they were abandoned by the banks. I very much welcome the Minister’s proposal.

Let us not forget that in having an ATM on your premises, you are putting yourself and your premises at risk. Rate relief is something that is not just required now at the time of COVID-19 when people are probably not travelling as far, even to other towns and the like in order to do their shopping or whatever. However, it is a requirement that needs to be there in the future, too, for the more rural of the rural communities, in every respect. Go raibh mile maith agat arís, a Aire as an ráiteas seo. Thank you, Minister, for the legislation.

**Dr Aiken (The Chairperson of the Committee for Finance):** I apologise to the Deputy Speaker, the Minister and to the rest of the MLAs in the House for not being present. I also pass on my apologies to my Deputy Chairperson and other members of the Committee. Our business seems to be moving ahead smoothly, so I apologise.

I rise as the Chairperson of the Committee for Finance. At present, businesses, not least those that are operating in rural areas, need all the support that they can get to help them survive. Rural businesses have many barriers to overcome at the best of times. Therefore, we should consider all options to support them and help them to survive and continue to serve the customers on whom they rely, and who also rely on those businesses.

The Committee for Finance welcomes the statutory rule to reinstate the previously applied rates exemption for ATMs in rural areas. The Committee considered the SL1 at its meeting on 10 June 2020 and was content with the policy proposal. The Committee formally considered the statutory rule at its meeting on 1 July 2020 and agreed, subject to the SR’s report, that the rule be affirmed by the Assembly.

**Mr Buckley:** I welcome the motion. I am very much in unison with what has been said across the Chamber about

the importance of a rural ATM structure across Northern Ireland. Many people have realised that as the banks have slowly but surely left many of our rural settlements and towns, it has had a devastating impact on connectivity, conversations and even in access to cash. Although we are moving more towards a cashless society, there has to be a recognition that there is a urban to rural split in how people access their funding, so I welcome the order.

Will the Minister provide some more detail about the 84 ATMs that he said will be eligible? Will that be a published list? Will we be able to get access to that?

I have to put on record that my colleague William Irvin and I have dealt with numerous thefts in the rural shops and rural localities in our constituencies, so there is a considerable risk to having these ATMs on the premises. Business owners are getting it difficult enough at present, without having that added uncertainty of potentially having their premises damaged or destroyed in order to provide a service that is much-needed in the rural communities.

I welcome the legislation. It is an important step forward. It will obviously be kept under constant review, but some clarity about the list would be important for MLAs to have. Thank you.

**Mr O’Toole:** My Deputy Speaker, I, too, apologise to yourself and the Minister for being slightly delayed in arriving to the Chamber.

This is obviously a welcome statutory rule. We discussed it in the Committee, and I do not think that any rational person would be opposed to it. First of all, it is a welcome reminder of the fact that these institutions can do positive practical things for people and communities whenever we are actually here and doing our work, so that is good and it has to be welcomed.

The broader context is twofold. It is about the post-COVID-19 economy — well, we are not post-COVID-19 yet, but we will be emerging into a post-COVID-19 economy in which our small independent businesses, especially in rural areas and market towns, need absolutely all the help that they can get in order to be sustainable. That includes having this relief, which will, in a very basic way, make it more likely that people are able to spend money, because they will have cash in their pockets, particularly in small rural villages where, as Members have said, banks may have left the high street and, as we know, not everyone, particularly older people in more isolated and rural areas, is likely to choose to make card payments.

The second component is, of course, the issue of fair banking. My colleague Pat Catney is setting up an all-party group (APG) on that subject and may talk about it in some detail. It is particularly important that we do everything that we possibly can to make our economy as financially inclusive as it possibly can be. This is a small step in that direction. It goes back to where we were before these institutions collapsed. Of course, we hope to see a broader package of support and a recovery strategy from the Executive in the weeks ahead, but, for what it is worth, this small measure is certainly welcome.

**Mr Catney:** I am having a problem; sorry about this. I thank the Minister. I am also a little late coming in, and I apologise for that.

As my colleague from South Belfast stated, we are, across the House, in the process of trying to set up an APG on fair banking. This represents everything that is fair for our rural community: that those in that community and in our market towns are able to have that facility.

I thank the Minister for his statement. It is a pity that, because of the collapse of Stormont, this measure was not introduced in 2017. However, today, I welcome it being brought in and thank the Minister for this move.

**Ms S Bradley:** I, too, welcome this. In and of itself, it is not, as the Minister said, an incentive to bring an ATM or cash machine to a rural area, but it certainly helps with the viability of retaining one there. Rightly, other Members pointed out the importance of such access in rural areas. The money goes to critical shops and supports industry in the local area. That is of absolute importance and should not be lost. However, it has occurred to me, Minister, that I am not absolutely certain about how the area around an ATM is rated. Is it by the square footage of where the ATM sits? If that is the case, I ask him to take a flexible approach. Given the recent spate of robberies, many rural ATMs have required additional bollards or space around them for protection. Therefore, I ask the Minister to look at how such areas are rated and how any exemptions that applied could allow for the secure retention of ATMs in those critical areas.

**Mr Murphy:** I thank the Members who contributed to the discussion and debate on the order and wider issues. I will turn to some of those in the course of my remarks on the extension of the exemption for ATMs in designated rural areas.

I believe that the scheme is worth reinstating for those who live in isolated rural communities and still depend on ATMs being available. We can all appreciate the difficulties encountered in these communities through any measure that leads to a reduction in the availability of ATMs, and, especially at this time, the Executive wish to continue to do all that they can to support people in rural areas.

The long-term need for the scheme may change as people become more used to contactless payment during the pandemic. However, as things stand, it is worth preserving the measure, and, in doing that, we can help to ensure that eligible ATMs are retained in rural areas, providing greater access and support to those communities.

I thank the Committee for its work on this. Broadly, people have been very supportive of the extension and regret the fact that the exemption lapsed for a couple of years. People have welcomed the opportunity to reinstate it. Maolíosa McHugh's point about the percentage of money taken out of ATMs in rural areas that is spent in those areas was well made, and it lends itself to our ongoing efforts to support the rural economy and ensure that rural isolation does not lead to further deterioration in people's livelihoods.

I acknowledge the robbery risk that he and Sinéad Bradley referred to. That has been a factor in this.

While there will be a fixed area in relation to what would constitute an ATM — and the rates relief obviously applies to the end of the year — Land and Property Services has always tried to be as flexible as it can in relation to ensuring that. The purpose of the exemption is to try and

provide support to rural businesses. That is the spirit in which it has been introduced.

#### 11.45 am

Jonathan Buckley asked about the list. I have a list of the 84 ATMs and their location, so I will ask the Department to make it available to him. I welcome Pat Catney's initiative in relation to the all-party group on fair banking. I know that there is an interest among the parties in relation to that, and I hope that that has some success because fair banking is something that has ever been with us but particularly in relation to the ongoing support of businesses over the course of the pandemic — the loans issue and access to loans — the issue of fair banking has risen to the fore again. So, it is a timely initiative.

In closing, I ask Members to support this measure, and I commend the order to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020 be affirmed.*

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

*(Mr Principal Deputy Speaker [Mr Stafford] in the Chair)*

## **Business and Planning Bill: Legislative Consent Motion**

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

*That this Assembly endorses the principle of the inclusion in the Business and Planning Bill of provision for temporary reduction in the duration of certain Northern Ireland driving licences.*

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

**Ms Mallon:** At the outset, I acknowledge the fact that it has not been possible to adhere to normal Assembly timescales in progressing this legislative consent motion. That reflects the fact that the Business and Planning Bill is being fast-tracked through its legislative passage. The Bill was only introduced to Westminster on 25 June and completed its Commons stages in a single day on 29 June. It is in the House of Lords and is expected to become law later this month.

It is that fast-tracking process that has necessitated the very short timeline leading up to today's debate. I regret the need to shorten normal Assembly timescales on this occasion, and I am very grateful to my Executive colleagues for reviewing my Executive paper at very short notice and agreeing to the LCM. I am also grateful to the Assembly, the Infrastructure Committee and Committee officials for their urgent consideration and processing of the LCM.

As Members will be aware, the legislative consent motion relates to a specific driver licensing clause — clause 15 — that is included in the Westminster Business and Planning Bill. The Business and Planning Bill contains a range of measures that are designed to support the transition from crisis response into recovery from COVID-19. Many of its measures relate only to England and Wales or to England alone.

Clause 15 makes provision for the temporary reduction in the duration of certain driving licences, and is specific to Northern Ireland. Clause 15 makes short-term statutory provision that would enable my Department, if required, to issue one-year licences to certain bus and lorry drivers. I will outline very briefly the policy background.

Full licences for those drivers, known as group 2 driving licences, normally last for five years. However, first-time applicants, drivers who are aged 45 years or over, or drivers who declare any medical conditions on their application form normally require a prior medical assessment. That is current policy. The outcome of that assessment determines whether applicants receive a full five-year licence, a licence of restricted duration, or, indeed, have their licence application refused.

During the current crisis, it has often been difficult for drivers to get appointments for medical assessments. In response, I have worked with the Department of Health and the British Medical Association to ask GPs to prioritise medical appointments. In turn, my Department has prioritised licence applications from key workers. More recently, the EU emergency transport regulation has provided for the extended validity of existing licences.

Effectively, driving licences that expire during this time are extended for seven months beyond the expiry date that appears on the face of the licence. That has been very helpful in ensuring that drivers can remain on the roads at this time.

All that, perhaps, begs the question: do we need a new power that would allow us to issue one-year licences? The honest answer to that is that I do not know. None of us can predict with any certainty what the future holds. To date, those other measures have been sufficient. However, I believe, particularly given the impact on critical supply chains, that it is prudent to keep other options open and have a further contingency plan if needed. The EU emergency transport regulation is a short-term measure that expires at the end of August. While there is provision for a further extension of up to six months, that requires an application to the EU Commission, and there is no guarantee that such an application would be granted. I, therefore, believe that we should take the opportunity to legislate for one-year licences; short-term licences that can be issued without a prior medical assessment in the event that they may be needed in the future.

I want to summarise very briefly what the clause would allow my Department to do. It contains discretionary provision that would allow one-year licences to be issued to drivers who are aged 45 years or over in circumstances where my Department decides to waive the normal requirement for a medical report. The clause is drafted so as to manage any road-safety risk. That is the thinking behind restricting the licence to one year and the provision that a one-year licence cannot be renewed for a further year. In addition, I do not propose to issue one-year licences to any first-time applicants. I believe that it is important that drivers should be medically assessed before being granted a first licence to drive a bus or lorry. In practice, my Department would waive the medical report requirement only in circumstances where drivers are aged 45 years or over, are applying for a licence renewal and do not declare a medical condition that prevents them from driving safely.

I should also point out that those licences can be granted only during the period commencing on 1 August 2020 and ending on 24 March 2022. Effectively, it is a sunset provision. In practice, however, normal licensing arrangements will be restored as soon as it is practical to do so.

Finally, since driver licensing is a devolved matter, I considered whether we could bring a Bill through the Assembly to legislate for one-year licences. On principle, I believe that all devolved matters should be legislated for in the Assembly, and I will always endeavour to make legal changes through the Assembly where possible. In this instance, however, legal advice indicated that, in order to avoid the risk of legal challenge, the best approach would be to include the necessary provision for one-year licensing in Westminster legislation.

In summary, the Driver and Vehicle Agency (DVA) is working to restore normal licensing arrangements as quickly as possible. However, I believe that it is appropriate to take powers that would permit the issue of one-year licences without prior medical assessments as a further mitigation should that prove necessary. I would, of course, think carefully before using that power.



I commend the motion to the Assembly and ask that it endorses the inclusion of clause 15 in the Business and Planning Bill.

**Mr Principal Deputy Speaker:** Thank you, Minister. The first person I have on my speaking list is the Chair of the Infrastructure Committee, Miss Michelle McIlveen.

**Miss McIlveen (The Chairperson of the Committee for Infrastructure):** I welcome the opportunity to speak as Chairman of the Committee for Infrastructure on today's legislative consent motion to temporarily enable one-year driver licence renewals for lorry and bus drivers.

In recent months during the COVID-19 crisis, the Committee for Infrastructure has considered its impact on a range of individuals and organisations. The Committee has worked with the Minister — supporting and challenging her — and her Department in making the required mitigations for those most affected by the lockdown. The matter of driver licence renewals for group 2 drivers in need of a medical certificate to continue driving, and to enable them to work, is just one of the many issues that have been impacted by the pandemic, and which need a quick and effective response to remedy. The COVID-19 crisis has meant that drivers who require a medical assessment are having difficulty in gaining access to a medical professional. That has been an issue in the rest of the United Kingdom and a solution has been found. Therefore, when the Minister wrote to the Committee for Infrastructure on 17 June advising that she had decided to take immediate action through the legislative consent motion, the Committee agreed to support her. Although very little time was afforded to the Committee for its consideration, members made every effort to scrutinise the motion and to report on it for today's debate. The Committee for Infrastructure considered the intention of the LCM by correspondence to ensure that members were well informed of its content ahead of consideration at Committee and to allow the Committee to agree a written report.

As the Minister outlined, the relevant clause of the Business and Planning Bill — clause 15 — would enable driver licences lasting one year to be granted to drivers aged 45 to 65 without them sending in a medical report with their licence applications. Those drivers would usually be able to get a five-year licence or a licence lasting until their 66th birthday, if shorter, but, because of restrictions on access to medical practitioners as a result of COVID-19, they cannot obtain the required medical report.

In its consideration, the Committee for Infrastructure sought clarification on a number of issues prior to giving its consent. A copy of the issues raised, and the answers received from the Department, can be found at appendix 5 of the Committee's LCM report. The LCM was formally considered by the Committee at its meeting on 1 July 2020. The Committee for Infrastructure is content with the legislative consent motion.

**Mr Boylan:** I certainly welcome the motion and thank the Minister for her work on it. One of the effects of COVID-19 is that drivers who need a medical assessment for their driver licences are having difficulty in accessing medical professionals to fulfil that requirement. That is affecting lorry and bus drivers particularly. They are classified as key workers and have been playing a key role during the pandemic. It has been talked about in Committee, but I put on record, now, my acknowledgement of the work that they have done and the role that they have played

over the period. Lorry drivers have been making sure that supply chains have remained open during this period of uncertainty, while bus drivers have continued to provide key services and facilitate essential connectivity, such as allowing other key workers to get to work and letting people fulfil essential journeys.

The Department for Infrastructure has extended licences by using the EU emergency transport regulation that became law on 4 June. That has allowed driving licences that expire, or are due to expire, between February and August to be extended for seven months. That is a temporary provision, although there is scope to make a request to the European Commission for an extension. However, as an extension is not guaranteed, the Business and Planning Bill will allow a discretionary provision that will enable the Department to issue one-year licences, provided certain conditions are satisfied.

I agree with the Department's assessment that it is prudent to ensure that the option of issuing one-year licence renewals to key workers should be available. Thus, I welcome the measure on the basis that that was a significant issue for the transport and freight sector during the pandemic and that the Bill gives the Department the statutory provision in the meantime.

Any decision to go ahead and grant the extension in the North will ultimately come down to the Department for Infrastructure. On that, I would like to ask the Minister whether an extension has been requested from the European Commission and whether we can have an update on that front. Furthermore, can the Minister assure Members that road safety will not be compromised by the measure? I support the motion.

#### 12.00 noon

**Mr Beggs:** I support the legislative consent motion. It is vital that we ensure that drivers are able to work and carry out their key roles in our community in the months ahead.

As the Minister said, clause 15 will empower her to give extensions to licences. There has been a problem — I have seen it with drivers who have contacted me over the past number of problems — if a driver is required to have a medical assessment in order to renew their licence. There have been difficulties in accessing GPs, who have, obviously, been stressed and have had a heavy workload over the past few months. It is important that we ensure that there are no delays. Whilst drivers may be prioritised, extending for one year is reasonable.

If we do not extend, there is a risk that essential and key workers may not be able to drive, food supplies may not be delivered and buses may not be driven. There is also a calculated risk that something could go wrong if someone was driving and a medical condition materialised, but that has been assessed as being a limited risk. We all have to make choices, and I would view it as a much greater risk if we do not have food delivered to our homes or do not have transport arrangements in place.

One key worker who was in touch with me was an oil delivery driver. It is not easy to just lift the phone and get a driver who is experienced in delivering oil. We all think that they are just drivers, but, in many of the duties that our heavy goods vehicle drivers carry out, there are health and safety requirements and specialist training is necessary. It is vital that we do not leave gaps in the services that

are provided. A one-year extension is reasonable, and I support the legislative consent motion to protect our community.

**Mr Muir:** I thank the Minister for tabling the motion. I declare an interest as former employee of Translink.

My party and I will support the motion. Lorry and bus drivers are key workers, and I once again formally put on the record my sincere gratitude to them and to all our transport workers who have worked throughout the crisis to keep food and medical supplies on our shelves.

We do not know how the pandemic will look on 31 August, which is when the seven-month extension ceases to apply. I sincerely hope that the number of COVID-19 cases will have continued to decrease and that we will have been able to move along the road to recovery, but we cannot know that for sure as we have seen from events across the world in recent days. It may be difficult for drivers to get the medical assessments that they require. That is why the motion is prudent and gives the Department for Infrastructure the ability to issue one-year extensions, where appropriate. However, it is also appropriate for the Department to lay out the specifics on how it will judge whether a medical assessment is feasible. The requirement for the medical assessments exists for good reason. We must ensure that exemptions are permitted only where medical assessments are not feasible. I support the motion.

**Ms Mallon:** I thank the Chair, the Deputy Chair and all the members of the Committee for their support and for the urgency that they gave the matter, given the speed at which the legislation is moving through Westminster. I add my voice to that of all Members who spoke by putting on record my appreciation of the critical role that our lorry and bus drivers play, particularly that which they have played during this crisis, in which they have worked hard to ensure that we can keep critical supply chains open.

Mr Boylan and Mr Beggs were right in referencing the difficulty that a number of lorry drivers and bus drivers have had in trying to get medical assessments. That is why my Department worked in partnership with the Department of Health, the British Medical Association and GPs to put in a place a framework to ensure the prioritisation of medical appointments and assessments for essential workers. Following that, we moved to tie ourselves in with the European Union regulation, which has granted a seven-month extension to all licences. As Members have rightly said, the regulation will run from 1 September through to the end of August. It is a practical solution.

Mr Boylan asked whether we were seeking a further extension: we are keeping that option open. The request would have to come from the Department for Transport, but we are continuously working with it and keeping abreast of the situation. As Mr Muir pointed out, however, we do not know where we will be in six or seven months' time. We can look at what is happening in Leicester or in Australia, where we have seen an increase in the spread of the virus and localised lockdowns. That is why I am taking what I believe to be a sensible, reasonable and prudent approach by having the one-year licence extension as a further mitigation measure on the shelf so that we can use it if required.

I add my voice to that of Mr Beggs and the others who spoke by saying that this is very much about balancing

risk. It is what I do in this job daily, particularly in this area. It is very much about taking a prudent, sensible approach — a belt and braces approach — but it is also about balancing with road safety. Mr Beggs is absolutely right: part of the consideration is road safety while ensuring that we can maintain critical supply chains and get the essential goods and services that we very much need to shops and to homes.

I can assure Mr Muir about the road safety assessment. The one-year extension, if I choose to go down that path, will be issued only to those submitting renewal applications, not first-time applicants, and it will be issued to those over the age of 45 who do not have a medical condition to declare that could impact on road safety.

In concluding, I again put on my record my appreciation of the Committee's diligence and efficiency in dealing with the matter, for its support and for challenging me, as the Chair aptly put it. It is an important part of our scrutiny process and our democratic system to ensure accountability. I ask that the Assembly endorse the inclusion of the clause in the Business and Planning Bill.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the inclusion in the Business and Planning Bill of provision for temporary reduction in the duration of certain Northern Ireland driving licences.*

## Committee Business

### COVID-19 Guidance and Financial Support to Industry Sectors

**Miss McIlveen (The Chairperson of the Committee for Infrastructure):** I beg to move

*That this Assembly recognises the impact of the COVID-19 pandemic on the taxi, haulage, driving instruction and private hire bus and coach sectors; acknowledges that these industries have not been prioritised in terms of guidance and support packages; and calls on the Minister for Infrastructure to bring forward proposals for the formulation of guidance and financial support for these sectors as a matter of urgency.*

**Mr Principal Deputy Speaker:** The Business Committee has allowed one and a half hours for the debate. Miss McIlveen will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. One amendment has been selected and is published on the Marshalled List.

**Miss McIlveen:** As we are all acutely aware, the COVID-19 pandemic has had an adverse impact on almost all aspects of our lives. Over recent months, the Committee for Infrastructure has had a role in examining that impact on the individuals and organisations that fall within the remit of the Department for Infrastructure. The Committee has discussed and scrutinised the mitigations put in place for sectors hardest hit by the pandemic and has wholeheartedly supported the proposals brought forward to assist those sectors. However, the Committee is aware of industries that feel that they have been let down at this time. Those industries, in desperation and hope, have voiced their concerns to the Department for Infrastructure. However, adequate support has not been forthcoming or satisfactory. In the motion, the Committee wishes to add its voice to the frustrations of some of the sectors that have been so badly impacted by the pandemic and asks for Members support in calling on the Minister for Infrastructure to bring forward financial support and guidance to assist the individuals involved in the sectors outlined in the motion. I intend to outline my Committee's engagement with those sectors, the issues raised during that engagement and the insufficient response received from the Minister to date.

The Committee has considered correspondence from these sectors since the beginning of the lockdown. For example, in correspondence of 9 April 2020, representatives of taxi drivers asked the Committee for help. While appreciating that these are unprecedented times and understanding the pressures facing Departments, they voiced their concern that the taxi industry, both public and private, has received little or no guidance and support while providing an essential service to some of our most vulnerable citizens. They told the Committee that they had raised their issues with government but still had questions about the availability of government grants to help the taxi industry. The Committee sought answers from the Minister, who responded advising that her Department's responsibility extended only to taxi industry regulation. The Minister acknowledged that the financial package announced by the Government in Westminster fell short of what was

needed. The Minister advised that she was engaging with the Economy Minister and that she understood that the Department for the Economy was responsible and would issue guidance.

With the Minister's view that it is the responsibility of other Departments, the taxi industry continued to ask for the Committee's help and wrote to the Committee again on 17 and 29 June. They highlighted the serious impact that COVID-19 had been having and outlined how their industry had been decimated, with a majority having to stop work due to a lack of demand as a result of lockdown. They called again for urgent financial help and support. The taxi industry asked the Minister to issue grants to help taxi drivers under the Taxis Act (Northern Ireland) 2008. However, the Minister for Infrastructure, responding to the Committee, reiterated that her Department's responsibility was solely the regulation of the taxi industry, not financial assistance. In her opinion, the Taxis Act does not extend to providing general financial support grants to the taxi industry in times of hardship. However, the Economy Minister advised the Committee that, regarding a specific support package for the taxi industry, schedules 1 and 3 to the Budget Act (Northern Ireland) 2020 allocates funding to the Department for Infrastructure for:

*“ transport licensing, enforcement and regulation;”*

as well as:

*“support for transport services including grants in respect of rail and road passenger services including fare concessions”.*

The Economy Minister pointed out her belief that taxis are clearly regarded as transport services. Writing to the Committee on 29 June, the taxi industry once again outlined their concerns and called on the Minister for Infrastructure to put a specific proposal to the Finance Minister or refer the matter to the Executive so that the taxi industry could be supported by government through a hardship fund.

Many drivers have installed screens in their vehicles at their own expense but are concerned about whether their vehicles will pass the PSV test with the addition of the new equipment. It should be noted that a number of councils in England and Scotland have supplied funding for or provided personal protective equipment (PPE) kits to taxi drivers. On 28 May, the Committee for Infrastructure wrote three letters to the Finance Minister seeking financial support for the road haulage industry, the taxi industry and the transport sector in general. In his response, the Finance Minister advised that he had engaged with his Executive colleagues on those matters as well as with the Department for Transport, the Treasury and industry representatives. The Finance Minister noted that the British Government had taken the view that, given the range of measures already put in place, including the support package to maintain ferry routes, a road haulage-specific intervention was not needed at this time. The Finance Minister also noted that the Department for Infrastructure had not made any bids to his Department for support for the taxi industry and encouraged it to do so.

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

**Miss McIlveen:** Not at this time, thank you.

He outlined that £59.5 million of the funding set aside by the Executive for the transport sector had not yet been allocated. In response to a letter to DOF and DFE on the need for financial support for taxi drivers, the Finance Minister provided a list of COVID support schemes to which those in the taxi industry could apply. However, there was also an acknowledgement that many drivers had not been able to access the available schemes.

As for a financial support package for the road haulage and logistics sector, it was a similar story, with the Infrastructure Minister taking the view that her Department was responsible only for the regulation of the industry and, through that role, she had introduced regulatory measures to aid the transport and logistics sector.

The Minister also identified that the Department for Transport has been liaising with the Road Haulage Association (RHA) and Freight Transport Association (FTA) to ensure that the key objectives of maintaining critical supply routes and supporting economic recovery are achieved. Regarding a Northern Ireland package of support, the Minister advised that any request for financial support for the road freight sector should be made by the Department for the Economy.

### 12.15 pm

The RHA and FTA provided oral and written briefings to the Committee on the amendments to legal requirements that they have sought to enable them to continue to provide their vital role in keeping supply chains operating. Those changes include extending drivers' daily driving and delivery hours, vehicle MOTs, driving licences and medical examinations to ensure the continuation of vital supplies required by all in Northern Ireland.

In response to the Committee's concerns, the Department advised that the Department for Transport has been liaising with RHA and FTA to understand the up-to-date picture for road hauliers at a local and UK-wide level. The FTA weekly survey of the first week of April 2020 reported that businesses were experiencing the following: 82% general downturn in business, with work orders cancelled; 34% had gone out of business; 20% of HGV drivers and warehouse staff were not able to work due to the virus; and 32% were experiencing moderate to severe difficulties in finding fitters, mechanics and technicians.

The RHA and FTA detailed how some elements of the sector are surviving. However, there are operators in other sectors. For example, one operator has a mixed fleet of vehicles worth £6 million parked up. They are relatively new vehicles, and the depreciation on the vehicles alone is in the region of £100,000 a month. With the vehicles parked up for over three months, that is a loss of over £300,000 in value, and that does not take into consideration the lost income.

The Committee has also heard, as I am sure that many Members have, from driving instructors who are feeling forgotten and invisible during the pandemic. Some have tried to work out their own safety measures, with little to no guidance.

**Mrs D Kelly:** Will the Member give way?

**Miss McIlveen:** Sorry, let me continue, please.

They have no idea of when they should return to work, and they are in dire jeopardy of failing, with many job

losses. In response, once again, the Minister and her Department have advised the Committee that it should look elsewhere for answers and that the Department has no remit for driving instructors and when they might return to work. That adds to the confusion that driving instruction was not specifically covered in the COVID-19 recovery plan, nor were driving instructors specifically listed in any of the schedules to the Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020 or in subsequent amendments. There is still no indication of when driving tests can resume; without testing, instruction is pointless. That needs to be addressed immediately.

In response to Committee questions about the coach and bus hire sector, the Minister offered little support other than continuing to take action in relation to its regulatory responsibilities and directing this sector to the general pandemic business support measures.

Other Committee members will give more specifics on the detail of the challenges, but I hope that I have given Members a sense of the abandonment felt by these sectors, which are so integral to the work and responsibilities of the Department for Infrastructure. Unfortunately, by attempting to pass her departmental responsibilities to others, the Minister has failed to be the champion the transport sector has needed during the pandemic.

I am disappointed that an amendment is proposed. Throughout the discussions in Committee, there was a unity of purpose in attempting to seek a solution to the various challenges facing these industries. These employers, breadwinners and vital cogs in our transport infrastructure feel genuine fear of debt and job loss. They are not interested in the politicking in the Chamber. They are looking for someone to lead. I hope that the House can support the motion to call on the Minister for Infrastructure to genuinely listen to the concerns and to be that person.

**Mrs D Kelly:** I beg to move the following amendment:

*Leave out from "these industries" to "Minister for Infrastructure" and insert:*

*"the powers of the Minister for Infrastructure are limited to regulation of the transport and transit sectors; welcomes the work undertaken by sectoral bodies and the Minister for Infrastructure to ease burdensome regulation during the emergency period; further recognises that these industries have not been included in specific Executive support packages for private businesses; and calls on the Executive".*

**Mr Principal Deputy Speaker:** The Member has 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who speak will have five minutes.

**Mrs D Kelly:** I welcome the Minister's attendance for the debate. The Minister has led from the front. Regrettably, it is very clear to see that some people are politicising Statutory Committees. The fact that there is a proposed amendment to a Committee motion speaks to that. We have cross-party support on that basis. There is deliberate misdirection and confusion. For a start, in relation to all the sectors, every Member feels, I am sure, a great debt of gratitude to those who continue to work throughout the health pandemic. We all know that many people are worried about their health, their jobs and their livelihoods, and as we face into, potentially, the worst economic

recession that we have ever known, many people's fears continue unabated.

From the outset, the Minister has led from the front, within the purview of her ministerial responsibilities. She has amended the regulations. She has listened to the haulage sector, to driving instructors and to the taxi industry. We talk about the "taxi industry", but who, exactly, are we speaking about? I have checked with all my colleagues across Northern Ireland, and, as I understand it, the majority of the taxi industry folk who have a problem with what the Minister has done are centred around north and west Belfast. My office in Lurgan is beside a taxi company, yet I have not received a single complaint.

The fact is that all those self-employed sectors have been able to avail themselves of the financial support offered by the Minister for the Economy. We were told, in answer to a ministerial question, that, to date, over 30 taxi firms have availed themselves of the financial support package. Others have availed themselves of the furlough schemes, across all the sectors mentioned. Indeed, others have and will continue to avail themselves of the rates holiday and the break in tax payment that has been announced.

There are sectors that have had specific financial packages made available to them. However, they have been made available by the Executive, by the Economy Minister, and, sometimes, by the Finance Minister working with one of his colleagues. On more than one occasion, the Committee was told that the Minister for Infrastructure had no vires to make financial supports available. None. Therefore, what the motion seeks, and what people fail to hear, is that the Minister for Infrastructure has no power to give financial support grants. The Committee has had sight of lengthy correspondence trails in which the Minister for Infrastructure wrote to her Executive colleagues asking for specific help.

If I can deal with the issue of guidance for driving instructors —

**Ms Kimmins:** Will the Member take an intervention?

**Mrs D Kelly:** No, I will not. *[Laughter.]* You will have plenty to say later.

**Mr Boylan:** Will the Member give way

**Mrs D Kelly:** No, I will not.

At the Committee, I specifically asked the head of the DVA to tell me who has responsibility for driving instructors. They are self-employed. I have been approached by driving instructors. I have corresponded with them and given them the best advice available to me. However, I am very clear: driving instructors are self-employed, and their guidance was on the website of the Department for the Economy. The Minister for Infrastructure has responsibility for driving examiners, an entirely different kettle of fish, especially if you are the one doing the test.

In relation to the furlough scheme and the haulage sectors, you can see that the Infrastructure Minister has, alongside the Finance Minister, corresponded with the Department for Transport and put in place whatever measures and opportunities she could to protect ferry routes. Unfortunately, however, the ferry companies decided to keep the financial package for themselves and did not pass on a reduction to the haulage sector. That is regrettable. It is something, I am sure, that the Department for Transport

and, individually, Ministers here have raised with the ferry companies. However, that is the fact of the matter.

I looked up the guidance for taxi drivers myself, as I had heard what driving instructors were saying. I wanted to find out what the guidance was so that I could pass it on to driving instructors. Lo and behold, where was the guidance? It was on the Department for the Economy's website, because that is where the guidance comes from, as taxi drivers are a self-employed sector.

We have great difficulties with the motion because it leads to confusion and misdirects. It is not serving the people, whom they said they seek to serve and get the best for. If we are honest and truthful with all those sectors, we will give them the right information, at the right time and send them to the right Ministers to get the help that they need. We would not send them up the garden path for us to make our own political point-scoring available to them.

In the SDLP amendment, we want to recognise the fact that this matter is not simply for DFI, where there is very clear regulatory responsibility. I will give the House some indication of some of the decisions that the Minister took within her area of responsibility.

The Minister wrote to Ministers Murphy and Dodds, seeking information and advice as to whether there was specific support and financial assistance that the taxi industry could access. Again and again, Minister Mallon wrote to the Executive, stressing that there was a need to ascertain what financial support could be made available to the industry. She also wrote to the Minister for Communities, asking whether taxis could be redeployed to help support the fightback against COVID-19. In the responses from the Sinn Féin Ministers, Minister Mallon was assured that there was support for taxi drivers. She was assured that a Sinn Féin Minister was exploring options for redeployment. People should ask what happened: what redeployment opportunities were presented by that Sinn Féin Minister? Minister Dodds not only wrote to Minister Mallon but, in answers to MLAs, she clearly pointed out that she was providing guidance for the taxi industry. The taxi industry has availed itself of support.

I am mindful that I have to address the issue around the coach and private hire sectors. It is my understanding that the Minister for the Economy will be making that provision because the industry is part of the wider hospitality task force that has been asked to look at the options that might be available for them. I hope that good news will come to that particular sector, because we all know that, the drop-off in tourism, especially from outside Northern Ireland, has had an adverse impact on that sector.

It is most regrettable. In all my years, Committees have spoken with one voice. We have not generally created divisions, and it is very clear to see where the party political point-scoring is coming from. Some Members are looking for a greater focus on some industries and not on others. You have to ask why they seek to support some specific industries.

The message is that, if there are opportunities for the Executive to help in any way, in any particular loophole or gap that needs to be filled, I ask Members to support our amendment, so that we can act and speak with one voice.

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

**Mrs D Kelly:** Very briefly.

**Mr Allister:** I do not want to get involved in the ping-pong as to which Executive party is to blame, although I have my view about that. Surely, it is a collective failure of the Executive, because these may well be cross-cutting issues. The haulage sector, about which I am particularly concerned, has been hung out to dry by the failure of the Executive parties to apply for a pot of money, which is sitting in Finance — at present, it is £29 million — and there has been no collective decision to make an application for it. Is it not, therefore, an Executive failure, never mind individual Departments?

**Mrs D Kelly:** I want to be fair to all the Ministers around the table. This is a global pandemic, the like of which we have never seen before, and Ministers have had to step up very quickly, not only to their brief but to the challenges presented by the health emergency. By and large, many of them have worked well, but there is a lack of transparency in how some sectors get supported more quickly than others. I urge the Executive to fill the gaps in the haulage, coach and private hire and taxi sectors. Whatever the sector, we feel all workers deserve to be supported in these most challenging and trying of times.

I commend the amendment to the House.

**Mr Boylan:** Ba mhaith liom labhairt ar son an rúin seo. I am in favour of and welcome the motion.

This is like everything else: the Member will take an intervention from Members from other parties but will not take one from mine.

### 12.30 pm

The Member said that people should step up in a pandemic, and that is exactly what this is about. A lot of other Ministers across the board did not have the vires to do things but stepped up and came up with plans and ideas. The Member is engaging in a rearguard action to protect her Minister. This was discussed in Committee. A lot of Members who, funnily enough, will maybe support your amendment were content in the Committee system to speak out and were happy with some of the responses that we got. Still and all, today, when they get up to speak, they go against what they said in Committee. Mr Beggs supported Mr Murphy in Committee when he talked on this Floor about bringing forward proposals to the Executive — he mentioned the Committee — and other Members said other things, and they were content for that to happen.

The whole point of it was this: we were saying to the Minister, “Bring forward proposals, and we, as a Committee, will support you”. We are not the ones who were ding-donging across Ministers. The Minister sits there with a database of taxi licences and all the licences across the board, but all that we were saying at the time was, “Put that on a bit of paper. Bring it to the Executive, and then we shall discuss it”. The industry out there looks to the Infrastructure Minister; they do not look to the Economy or Finance Ministers or to the Executive. I appreciate what Mr Allister says about a certain package of money, but, if you talk to taxi drivers or bus operators, you will find that they look towards the Minister for Infrastructure as their Minister. All the Committee was saying to the Minister was this: “Bring forward a proposal. We will support you in working with other Ministers on a package”.

I agree with Mrs Kelly that there are some people who have been —. *[Interruption.]* I apologise, Mr Principal Deputy Speaker. I agree that some sectors of the industry were facilitated in some of the schemes, but I asked the Finance Minister about this, and he said that proposals were not brought forward and that, if they were, the Executive would discuss them and make a decision. I asked the Infrastructure Minister to work with the Economy Minister to bring forward proposals, but they were ding-donging between them about whose responsibility it was. I have received two letters from the Economy Minister saying that the remit lies in DFI. That is not what the motion is about. The motion says that the majority on the Committee would support proposals being brought to the Executive, and that is still our position on it.

I had a whole speech prepared, but Members have already brought up a number of the issues. Mrs Kelly said that only certain sectors of the taxi industry got it hard, but I know people in my constituency got and are getting it very hard and applied for some scheme but did not get anything. The real discussion point in all this is that we are in a pandemic, and all that we are saying is that, if people are really going to step up, let them step up. I want to bring one thing to the Minister’s attention, because Mrs Kelly was praising her glories. The Minister found the time for the airports — I need to find it in my notes — and to work on them. In her own words:

*“While my powers are limited on airports, working with colleagues and the Department for Transport, I have been able to secure this unique payment to support the airports at this difficult time. It is this type of collaborative working that will get us through this crisis and our recovery from it.”*

I could not agree more, Minister. Sorry, I should speak through you, Mr Principal Deputy Speaker. All that we say is that the Minister should bring proposals and use the data on the database. It may be the case that working with data across Departments is needed — I cannot say that it is not a cross-cutting measure — and I do not disagree with that. The Minister should bring proposals. We in the Committee will support her, and it will be an Executive decision. That is what the motion is about. Mrs Kelly to say that past motions from Committees have been unanimously agreed, but the majority of people agreed this motion. Unfortunately, Mrs Kelly was not there for the discussions on it. I will support the motion and go against the amendment.

**Mr Beggs:** I support the amendment. I also support the main motion, but I am indicating a preference for the amendment. I will explain myself during the discussion.

Undoubtedly, those who have been involved in a variety of industries, such as coach tour operators, ordinary coach operators, taxi drivers, heavy goods vehicle (HGV) drivers and driving instructors have been severely adversely affected over the past months. Some have been affected to varying degrees, and I will come back to that.

As has been indicated, there are support schemes that are available to the self-employed. Putting together any scheme to provide additional support will need to be carefully worked out to avoid duplication. We do not want to double-fund someone and then not give funding to someone else. It is clear in my mind that there will need to be close cooperation with the Economy Minister, who has

brought forward the vast majority of schemes that have been assisting those who have been working in Northern Ireland, particularly the self-employed. They have been in that central position, and, because of that, I believe that they have a role going forward. In addition, I understand that detailed work is going on on how we can assist the tourism industry to recover from the epidemic, and I understand that a separate work stream is looking at tour coach operators. It is important that we do not create a double funding and a double support mechanism. That is why I have a preference for the Executive working together and the two Departments working together and bringing forward an Executive-led scheme. With the money on offer, there is no point in somebody bringing forward a scheme that will not be funded. Discussions with the Department of Finance are needed as well, to assist those in need.

There has been huge variation in how drivers have been affected. Those giving driving lessons have had no work; it was impossible to work. In the HGV industry, if you were working in the construction sector, you had virtually no work because many construction sites closed down. However —

**Mrs D Kelly:** I thank the Member for giving way. I am sure that he, like me, will acknowledge that the reason that that close working was prohibited was the nature of the virus.

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

**Mr Beggs:** I fully accept that, but I am just trying to demonstrate that some had no work. Others, for example hauliers involved in the food retailing industry — I understand that food retailing went up 30% — were probably busier than ever. There is a variety of workload with a range of results for those serving the economy in transport. Taxi drivers' work virtually dried up completely. Thankfully, some work is emerging again, and direction has been given to try and assist them to assist key workers and the general public.

I recognise that the Department for Infrastructure can play a significant role. It has access to tachographs and, if a scheme that showed the level of business that each operator had during the period was wanted, that would seem to be the obvious route. That is why the Department for Infrastructure has a significant role to play. I would prefer an Executive-led scheme, involving all relevant Departments and ensuring that we avoid duplication and get best value from public funds to help those at the coalface who need support.

**Mr Muir:** The motion tabled by the Infrastructure Committee rightly refers to business sectors in need of support that have struggled to obtain grant assistance, in many instances, from the three schemes established to date by the Department for the Economy, namely the £10k, the £25k and the hardship fund coronavirus grant business support schemes, delivered, I note, under the Industrial Development (Northern Ireland) Order 1982. I have engaged with many businesses and people in those sectors over recent weeks and months. Many are desperate for support. They are crying out for assistance and looking to Stormont for help.

While some hauliers have managed to get through the pandemic without major financial stress, those without contracts with, for example, major supermarkets are teetering on collapse. Business virtually collapsed during

the pandemic and is now only a fraction of what it was prior to March. With leases still to pay, furloughing being phased out from next month, loan payments due and utilities bills still arriving, the future is stark. News that a much-hoped-for joint package of support would not be forthcoming from the Department for Transport in London and the Executive in Northern Ireland felt like a kick in the teeth, especially for those who were waiting for the money to arrive and thought that the funding was already set aside. Just because DfT and HM Treasury do not want to proceed does not mean that we cannot act in Northern Ireland. We can and should deliver a tailored package of support for those hardest hit.

Most taxi drivers, like driving instructors, could not access the grant schemes set up by the Department for the Economy because of the relationship with the non-domestic rates system and the exclusion of sole traders from the hardship fund criteria, leaving them with recourse only to the self-employed income support scheme, if eligible, and no support for the overheads and bills that keep arriving. Guidance and support have been slow and lacking and must be addressed if we are to build back our economy, recognising the valuable role that both play in helping to get us about.

Like that for driving instructors and taxi drivers, trade for private bus and coach operators has also largely dried up in recent months. At this point, I should declare that I was previously an employee of Translink.

**Mr Storey:** I thank the Member for giving way. He may be aware that there is a meeting today in Belfast of the coach operators. Obviously, I have had some discussion with some of the coach operators in my constituency. The issue of regulation falls within the remit of the Department for Infrastructure, and the plea that comes from the motion and from the House is for the Minister to recognise that there needs to be, as the proposer of the motion stated, leadership on the issue to make a recommendation so that, in particular, the coach operators get financial assistance.

**Mr Principal Deputy Speaker:** The Member has an additional minute

**Mr Muir:** Thank you very much, Mr Principal Deputy Speaker. I will refer to the point that the Member has just raised later in my speech.

As they often rely on tourism business in the spring, summer and autumn seasons, 2020 is viewed by many in the private bus and coach business as a complete write-off. With furloughing being phased out and payments still due for fleets locked up in yards across Northern Ireland, a financial bridge to 2021 is essential. Without it, I fear, rebuilding our tourism offer will be extra, extra hard next year.

The case for action in support for the sectors is, therefore, clear. That is not in dispute, but let me be crystal clear: taxi, haulage, driving instruction and private bus and coach sectors and many more have been excluded from the grant assistance necessary to get through the pandemic. That is wrong and must be addressed, but, by passing the motion as it is worded today, I fear that all that we would be doing is raising false hopes that the wrongs will be righted.

As, I suspect, the Minister will detail in her response, the Department for Infrastructure does not feel that it has the vires to distribute the grant assistance needed.

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

**Mr Muir:** Yes.

**Mr Boylan:** Besides the vires issue, which I agree with the Member on, is he saying that the Minister has not the capacity to bring forward proposals or any suggestions to address the issue?

**Mr Muir:** I think the vires issue is quite an important one. It is a legal issue about whether you can give out the money. I have asked the questions and have got the responses, and I have no reason to believe that I am being misled.

By passing the motion today unamended, you would, in essence, be asking a fish to climb a tree. I am reluctant to do that. To those who state that the Department in charge of regulation and to whom you pay your fees —

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

**Mr Muir:** No. To those who state that the Department in charge of regulation and to whom you pay your fees and taxes should give the support, I say that I think that your logic is flawed. If followed through, you should abolish the Department for the Economy and use the Department of Finance to give out all of the grant support.

I urge Members to support the amendment as a real and practical way of getting the assistance to the sectors that need it. Saying that the Executive cannot come together and sort out the issue shows a real lack of confidence that Ministers can come together, develop solutions and govern together. In 2020, that is what I and others expect: New Decade, New Approach. It ought to be the norm, to be honest, where each Minister governs to support each other as equals, rather than passing people from pillar to post. "Get around the table and sort out the issues" should be the message today, not to point and pin blame on one Minister and one Department.

**12.45 pm**

**Mr K Buchanan:** It is important to say that anyone who is listening from outside does not care about the politics. If they are driving a bus or a lorry, they want financial support, and they do not want to get into the politics of it. It is important to say that for anybody who is listening to the debate.

I support the motion, which seeks guidance and financial support for the industry. I will not support the amendment. The COVID-19 crisis has massively impacted a varied range of ground transportation businesses, including coach operators, taxi companies, driving instructors and hauliers, to such an extent that, for many, their income is more or less non-existent. Public transport has received support, but many within the coach, taxi, driving instruction and haulage industries are either self-employed or from small family-run businesses and have been left out.

Taxi drivers have been unable to obtain clear guidance about protective equipment. The taxi industry and its drivers have been left without adequate protection and guidance. Despite some having worked throughout the lockdown, many operators have reported a 70% to 80% downturn in business. Taxi drivers cannot do their job from home and their job makes it hard to socially distance. They are self-employed, so they need to work. While some drivers can claim the Government's self-employed income support scheme, which is worth 80% of their

trading profits, many are not eligible. At the Committee for Infrastructure on 10 June, it was highlighted that the Minister of Finance was clear that his Department had not received any bids for support for the taxi industry. In response to this point, Mr McGrath from the Department for Infrastructure said:

*"There simply is not enough money to cover the current pressures, and there may well be other pressures. Not every need can be met. My Minister has a view that she has no responsibility for the financing of the taxi industry."*

Many owners and operators within the coach industry said that without financial support to withstand the current crisis, their industry in Northern Ireland will face severe financial hardship, with jobs placed at risk. With the cancellation of coach holidays within Northern Ireland, the UK, Ireland and further afield, many private coach companies will struggle to remain in business. Many cannot access the support directed at the leisure sector despite being an integral part of the tourism industry. Their business is highly seasonal, with March to September being the peak, meaning that their peak season will be non-existent this year. As they travel from 2020 to 2021, they will be in a vulnerable position as the winter months are always less profitable. Many operators had bookings throughout the summer season and have been obliged to offer cash refunds to those who have requested them. Operators have invested heavily in their operations to maintain a good fleet, reduce breakdowns and encourage people to use coaches. Each vehicle has a huge standing cost. Purchasing, insurance and maintenance costs still need to be covered during the pandemic. As with many within the service industry and leisure and tourism businesses, the coach industry seeks to provide the best service possible, including the upkeep of their fleet. Many businesses have purchased new coaches with finance on them. As payments on the finance continue, depreciation on the vehicles is accelerating, with the second-hand coach market becoming flooded as operators' businesses collapse.

I have been contacted by numerous driving instructors who are incredibly frustrated with the lack of guidance that has been given to them by DVA. Unlike their counterparts on the mainland who were supported and advised throughout the lockdown period, rather than helping them, DVA caused more confusion with an email that was sent on Saturday 27 June that advised that they were not specifically mentioned in the list of businesses in the regulations that must close. To comply with social distancing, and the nature of the task, of course those businesses were going to close. Of course, they would look to DVA to advise how and when they could return to work. When I spoke to a number of them yesterday, I was told that they have around six to eight hours of instruction booked this week, but without a date for testing, which is in the gift of the Minister. Those businesses are not sustainable. It is not good enough, and those businesses need clarity.

The haulage industry is suffering because of the reduction in backloads from the mainland and lower levels of business, while still having to pay fixed-costs for the lorry fleet. Some of the aforementioned transport businesses have received payment holidays from the financial



institutions, but that is only a stopgap and will not help the sector in the long term.

The Member to my right referred to a fish climbing a tree. Maybe if the fish was given some help or guidance, it could attempt to climb that tree. It is not impossible. *[Laughter.]* To conclude, I call on the Minister to look at the schemes to support the forgotten businesses within the sector.

**Mr Principal Deputy Speaker:** Fish climbing trees. *[Laughter.]*

**Ms Kimmins:** I had a prepared speech, but a lot of the points have been covered. I do not want to go over old ground when a majority of us are on the same page. It is important to clarify that — to follow on from Mr Muir's comments — we are not asking the Minister to hand out the money. With her responsibility for transport policy, we are asking her to lead on these issues, provide clear guidance and bring proposals to the right people.

I cannot go on without mentioning Mrs Kelly's comments. It is quite unfair to say that the only complaints from taxi drivers are from those in north and west Belfast. That is not the case in my constituency. I ask her to reflect on that later. Why would that be an issue, if it were the case? What was the implication there? I am under the impression that all taxi drivers are entitled to raise their concerns. Whether they are from north Belfast, west Belfast, Newry, Strabane or wherever, they are all entitled to raise their concerns.

Others have mentioned taxi drivers and private bus operators. I want to focus on the hauliers and pick up some of the points about driving instructors. I have engaged locally with hauliers in my constituency, some of whom have vehicles haemorrhaging money — haemorrhaging money. Hundreds of vehicles parked up every week, and no support in place. These are some of the key providers for our economy, and they have been left very much to fend for themselves. I totally appreciate that not all hauliers are in the same position, and they recognise that themselves. That is why we need to look at this and develop a bespoke response to dealing with the issue.

It is important to realise that the Economy Minister has made it very, very clear that it is not up to her to lead any intervention for the road transport industry, as this is considered under the Department for Infrastructure. That is why we are here today as a Committee: because we have responsibility for these sectors. It was important that we came together to raise the concerns because there has been toing and froing for far too long. People are just frustrated; they are fed up and they cannot see a way out of this. We are hitting Brexit right in the face now. We are less than six months away from the deadline, which is another major challenge coming down the road.

**Mrs D Kelly:** Will the Member give way?

**Ms Kimmins:** No.

The last thing that I am going to raise is in relation to driving instructors. The issues that I have been hearing about, particularly since the announcement last week that they could go back to work, even though they had never been told that they could not work, are more around the confusion over how that can pan out in reality. They are seeking clear guidance from the Minister on that. That is the message that they have been giving. I have been contacted by people from Ballymena and Belfast as well as in my constituency, because it has not been clear.

Although they have been signposted to guidance, they still feel very much that examiners are being told to do different things. What is the difference? Why are they being told that they can go back to work, but examiners cannot? What is the difference, when they are working in the exact same environment?

Rather than going back over the same points, I just wanted to raise those key things. It is important that we recognise that the people are fed up. This is not politicking. This is ensuring that people get the right support and guidance that they deserve.

I support the motion.

**Mr Frew:** I have listened to the debate. Although I am outside the Committee for Infrastructure, I am, nonetheless, very supportive of any Committee that identifies a problem and tries to deal with it in a very constructive way. If that means bringing a motion to the House, so be it. We all can debate it, and I am very thankful to the proposer and to the Committee for highlighting the issue in the Chamber.

What I know, as an MLA for North Antrim, is that haulage companies have been dramatically and drastically let down. If haulage companies had had the same attitude as some of our Ministers — a can't-do attitude — where would we all be with regard to supplies of food and medicine? Those haulage companies have had to work through thick and thin, looking after their own staff and their own lorry drivers and their health and safety, trying to get from A to B, with all these drastic barriers put in place, and they still fulfil their orders and their commitment to the people of Northern Ireland. Would it not be great if we could say that about the Executive and some of our Ministers, who have been slow to react? In the middle of this crisis, when so much good has been done, we still have Ministers who have a can't-do attitude. That is not good enough.

I think it was Mrs Kelly who made a comment about Committees being of one voice. You cannot have it both ways. You either want a scrutiny Committee or you do not. You either want to get into the hard detail or you do not. The one thing that the House needs to ensure is that the scrutiny Committees in this place work efficiently and effectively.

**Mrs D Kelly:** Will the Member give way?

**Mr Frew:** No. There is an order and code in the House: when a Member does not give way to other Members, why, then, should she see fit for Members to give way to her? That is a very good principle that we should all remember in the House when giving way. I give way a lot in the House.

It is very bad when a party — any party — becomes a defence mechanism for its own Minister and a scrutiny Committee. That makes the Minister look bad. The Finance Minister has come to the House many times. When we have asked him about the £59 million that was sitting here — it is now down to £29 million — to support transport that cannot be unlocked to give support to the haulage companies, the Finance Minister says, "Where is the bid? I am waiting for a bid. That bid has not come". Why has that bid not come? The haulage companies see that money sitting there. It is not as if we have no money left or that the coffers are dry. The money is sitting there and it is so annoying.

Let us forget about “can’t do” attitudes. I sit on the Finance Committee and I have chased the Finance Minister up and down the corridors. He has been hit by scandal after scandal but he is looking quite good now in relation to finance for the Minister for Infrastructure. He comes to the House to say that he would like to support those businesses but he is waiting for a bid. Mr Allister made a fundamental point about the way in which the Executive function and perform. That money is sitting here, dropped down from on high as a Barnett consequential, but we cannot even get together to unlock it. It is not as if we have to raise it or find some mechanism to raise taxes or rates. It is sitting there ready to be used and spent, which is what it is designed to do. Yet, there is a reluctance to support those industries.

Why is there a reluctance to do that? Those industries have kept going through thick and thin, providing food and medicines for us. They have looked after their staff, some of whom are very worried about going back to work or being in work because of the COVID-19 situation. Yet, we cannot find it in ourselves — the Executive and the Minister for Infrastructure — to bring forward a bid. Such a bid would not burden the Minister’s current financial package — the money that she has at the moment — because that money is sitting here. It just needs to be moved from an unlocked position to her Department so that she can support those industries.

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

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

**Mr Allister:** Unless, of course, there is another agenda, which is to keep that £29 million for something else. Translink has already had something of that order but needs more money. Does the Member think that there might be prioritisation going on in which the haulage sector is the loser?

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

**Mr Frew:** The Member raises a very valid question that we should all be posing to the Minister today. What is the priority? If it is not the haulage companies, after all that they have done for this country and for Northern Ireland plc over the last number of months, what is the priority? Why will the Minister not bring forward a bid for financial support for taxi services, haulage companies and all the other companies that have been let down during the pandemic? That is a question that we have to pose. It is the right of the Assembly and the scrutiny Committee to ask those hard questions of our Ministers. I am glad that the debate is taking place today.

**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time. This item of business will continue after Question Time, when the next contribution will come from Ms Martina Anderson.

*The debate stood suspended.*

*The sitting was suspended at 12.59 pm.*

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

2.00 pm

## Oral Answers to Questions

**Mr Deputy Speaker (Mr Beggs):** Members will be aware that, as part of our phased resumption of Question Time, only listed questions will be asked of Ministers. Topical questions have been suspended for today. Members who ask listed questions will be afforded an opportunity to ask a supplementary question. I will keep the time under review and may call other Members who rise in their place, should sufficient time remain.

## The Executive Office

### Victims’ Payment Scheme

1. **Mr Buckley** asked the First Minister and deputy First Minister for an update on the issues delaying payment to victims from the Troubles-related-incident victims’ payment scheme. (AQO 520/17-22)

6. **Ms P Bradley** asked the First Minister and deputy First Minister when victims will be able to receive payment from the Troubles-related-incident victims’ payment scheme. (AQO 525/17-22)

11. **Ms Flynn** asked the First Minister and deputy First Minister for an update on the Troubles-related-incident victims’ payment scheme. (AQO 530/17-22)

**Mrs O’Neill (The deputy First Minister):** A LeasCheann Comhairle, with your permission, I will answer questions 1, 6 and 11 together.

Significant work has been undertaken by officials to date on the delivery structures for the victims’ payment scheme. However, important issues remain to be resolved, including the designation of an Executive Department to exercise the administrative functions of the board on the board’s behalf, the source of funding for the scheme and the clarity on how exceptions are to be interpreted. A series of discussions has taken place with officials in relevant Civil Service Departments in relation to the administration of the scheme. That work is ongoing, with further discussion to happen this week.

Security of funding of the scheme has not yet been confirmed. The Executive agreed to release an additional £2.5 million to advance necessary preparatory work for the scheme. There is a shared view that Westminster has an obligation and must deliver on its responsibility to support funding for the scheme, and efforts are continuing to resolve that issue as swiftly as possible.

The First Minister and I have made it clear that we are committed to addressing all of the outstanding issues. The Westminster regulations came into force on 29 May. Further time, however, is required to deal with each of the outstanding issues and establish the necessary arrangements for the operation of the scheme.

I know that this is deeply disappointing for many victims and survivors who need the support. We share that disappointment and will work to do all that we can to get the scheme delivered as soon as possible.

**Mr Buckley:** I welcome the additional allocation of £2.5 million from the Executive Office for the victims' pension scheme. Despite that, many innocent victims and their families remain deeply concerned by the Finance Minister's comments on 30 June, in which he suggested that if, for some reason, it remained unspent, the money would be surrendered back in the monitoring round. Will the deputy First Minister assure those innocent victims and, indeed, the wider public, who are, rightly, cynical about her intentions at this time, that she will neither impede nor frustrate the roll-out of the victims' pension payment? Can she also provide an indication of timescale?

**Mrs O'Neill:** I can assure the Member and all the victims who have been anxiously waiting for the scheme for far too long that everything that can be done to have an appropriate scheme in place is being done. We are working our way through the detail. I am sure that the Member can accept the fact that there is a lot of ambiguity around the detail. We do not have confirmation of funding from Westminster, and that is extremely important because the scale of what is proposed is so significant that due diligence has to be done in terms of the Executive Office and its role. There is a lot of ambiguity around the detail of what has been proposed. As I said, we are working our way through the detail of all of that, but, for the record, let me be very clear: I want to see a victims' pension scheme being paid and in place for all those injured as a result of the conflict.

**Ms P Bradley:** In her original answer, the deputy First Minister stated that there were issues yet to be resolved, one of which was the designation. Given that the Justice Minister has said that she would step in to oversee it, why have we not yet seen a Department designated to roll the scheme out?

**Mrs O'Neill:** You are right: the Justice Minister wrote to the First Minister and me, advising that, should the Executive Office decide, her Department would be willing to administer the scheme and she would take the work forward. Whilst the designated Department has yet to be agreed, DOJ compensation services has agreed to assist TEO at official level with key tasks including key process requirements; potential staffing structures; data management, including the development of a data protection impact assessment and privacy notice; and a review of the draft application form. There is still an awful lot of work to be done in developing a scheme that looks after all those who need a payment.

**Mr Deputy Speaker (Mr Beggs):** Órlaithí Flynn is not in her place. I call Jemma Dolan.

## Hart Inquiry

2. **Ms Dolan** asked the First Minister and deputy First Minister what assurances they can give that the recommendations of the Hart inquiry will be implemented fully. (AQO 521/17-22)

**Mrs O'Neill:** I can assure the Assembly that the Hart recommendations will be implemented fully. The Historical Institutional Abuse (HIA) Redress Board has been established and opened to applications on 31 March. That is ahead of schedule. It has made awards of compensation, and I commend the dedicated work of the board and the staff, led by Mr Justice Colton, during the COVID-19 restrictions.

The competition to appoint the statutory Commissioner for Survivors of Institutional Childhood Abuse recently launched. The closing date was 3 July, and it is anticipated that the commissioner will be appointed in late summer. Work is progressing on the Hart recommendations not requiring legislation. They include an apology, a memorial, provision of services and engagement with the responsible institutions on contributions to the redress scheme.

**Ms Dolan:** Can the deputy First Minister provide an update on the quantum of applications to date to the redress scheme for victims and survivors of historical abuse?

**Mrs O'Neill:** Yes. The board opened for applications on 31 March. Some seven weeks later, the first compensation payments were made within the timescale that was set out by the president. That was a significant milestone for victims and survivors, who are now starting to receive the compensation that they are long overdue. As of 21 June, 199 applications had been received, 70 Hart applications and 129 non-Hart applications. Of those, 149 were online applications. We are grateful to the president of the HIA Redress Board for the continuing prompt assessment and payment of applications and to the solicitors and groups who support applicants. It is encouraging that, even at this difficult time with all the COVID-19 restrictions, applications are still being completed, submitted and assessed.

## Urban Villages: North Belfast

3. **Mr Humphrey** asked the First Minister and deputy First Minister for an update on the Urban Villages initiative in North Belfast. (AQO 522/17-22)

**Mrs O'Neill:** With your permission, a LeasCheann Comhairle, I will ask junior Minister Kearney to answer the question.

**Mr Kearney (Junior Minister, The Executive Office):** Since the launch of the strategic framework document in 2016 and with extensive community consultation, work has progressed to help create stronger communities and relationships, promote greater health and well-being and create safe, shared spaces and facilities. There is a very strong and vibrant integrated local reference group with broad community representation from across Ardoyne and Ballysillan. There are 11 community-led revenue projects in the north Belfast Urban Villages area. They demonstrate high degrees of cross-community partnership and good relations activities, with particular focus on important local themes, including mental health and well-being, pathways to employment, building local advocacy and capacity and nurturing youth aspiration and leadership. In addition, 13 primary schools and three post-primary schools in north Belfast have achieved School of Sanctuary status in recognition of their work in providing safe, welcoming and inclusive places for children and, in particular, newcomer pupils and their families.

There are also 19 capital projects. Eight of those projects have been completed, and a further three have moved to construction. Those are the Sacred Heart parochial hall and the GRACE Family Centre, while contractors are due to go on-site shortly to begin the public realm improvement scheme at the Crumlin Road and Ligoniel Road junction. The community response intervention work of local groups in Ardoyne and Ballysillan is very well regarded for its cross-community cooperation and partnership working.

**Mr Humphrey:** I commend Linsey Farrell and her Urban Villages team for the work that they are doing. I hope that that work will continue.

Given the deputy First Minister's reckless and arrogant behaviour in the last week, when she ignored her own advice and medical and scientific advice, broke COVID regulations and caused great hurt to bereaved families, should the Minister do what any self-respecting person and a Minister in any other jurisdiction would do: consider her position and resign?

**Mr Deputy Speaker (Mr Beggs):** The supplementary question should be connected to the original question. I will pass that to the Minister if she wishes to respond.

### New Decade, New Approach: Update

4. **Mr K Buchanan** asked the First Minister and deputy First Minister for an update on the implementation of New Decade, New Approach. (AQO 523/17-22)

**Mrs O'Neill:** The 'New Decade, New Approach' document contains a wide range of proposals that, taken together, constitute an ambitious and challenging package of measures to be taken forward. There are over 200 proposals, and they include major transformation programmes in education, health and social care, as well as significant infrastructure projects and cross-cutting recommendations, for example, in relation to housing provision, climate change and childcare. Whilst the management of the response to the COVID-19 pandemic has been the Executive's number-one priority over recent months, some of the NDNA proposals are already being progressed at a departmental level, such as the implementation of the redress scheme for victims and survivors of historical institutional abuse and work to legislate in respect of rights, language and identity matters, which are being advanced through our Department.

Looking forward, the Executive will soon have the opportunity to consider the totality of the NDNA proposals as they move to bring forward a new Programme for Government, which now also needs to incorporate robust COVID-19 recovery measures for key sectors in the context of the available resources for the new financial year.

**Mr K Buchanan:** I would like the Minister to give an update to the House on additional police numbers, which was talked about in that document, and where we are. With the lack of visibility of police on the streets, as we have seen recently, an update on that may be interesting.

**Mrs O'Neill:** I could not give the Member an update on police numbers. Obviously, all of the NDNA commitments, I think, have probably in some way been stalled because of the response to COVID-19 and the efforts there. However, with regard to the recruitment of additional police numbers, we can refer that to the relevant authority — if it is the policing authority or whoever — to make sure that you get that information.

### Commission on Flags, Identity, Culture and Tradition

5. **Ms Bailey** asked the First Minister and deputy First Minister for an update on the work of the Commission on Flags, Identity, Culture and Tradition. (AQO 524/17-22)

**Mr Kearney:** The work of the Commission on Flags, Identity, Culture and Tradition is being concluded. We anticipate that a final report will be submitted later this month, and we look forward to receiving that report and considering all of its findings and recommendations at that time.

**Ms Bailey:** The commission was established in an attempt to move forward on issues that could not garner political support, at the Executive level at least. Will the Minister provide assurances that, when the costly and long-overdue report is finally received, the political will to implement its recommendations exists?

**Mrs O'Neill:** I am a bit confused, because the last question asked me a supplementary. Is it for the junior Minister to answer that question?

**Mr Deputy Speaker (Mr Beggs):** It is for the junior Minister to answer.

**Mrs O'Neill:** OK, go ahead.

**Mr Kearney:** The Member is correct. That work was commissioned in 2016, and then, in December 2018, the commission decided to scale back its meetings, while awaiting a changed political context. We now have an indication from the commission that it is bringing forward all of its recommendations. The expectation is that that will be with the Executive Office before the end of this month, and it will be brought to the attention of the First and deputy First Ministers for consideration at that time.

You will be aware that there was extensive community engagement in relation to this work. Twelve public meetings were held across the region. It is believed that there were up to 1,000 people involved in sharing their views on all the issues. They are contentious issues and are very challenging. It is important that, when this work is brought forward, it is taken in context with the likely cross-cutting issues that will arise for other Departments, but, importantly, given the extensive remit of the commission, it is likely that the actions that flow from it will also dovetail with the Office of Identity and Cultural Expression. Therefore, I hope that it will act as a platform to inform that piece of work, going forward. I hope that information is useful to the Member.

2.15 pm

### Protocol on Ireland/Northern Ireland: Update

7. **Ms C Kelly** asked the First Minister and deputy First Minister for an update on the negotiations on the Protocol on Ireland/Northern Ireland. (AQO 526/17-22)

**Mrs O'Neill:** The majority of the requirements for the implementation of the protocol are reserved matters. However, the agri-food requirements fall within the Executive's devolved competence, and the Department of Agriculture, Environment and Rural Affairs (DAERA) is working intensively to ensure that those obligations are met.

We remain committed to doing all that we can in relation to the protocol to secure the best possible outcome for our citizens and businesses and the least possible disruption to our economy and trade, North/South and east-west.

**Ms C Kelly:** In light of the Minister's answer, how strong is the possibility of a no-deal Brexit?

**Mrs O'Neill:** The Member is right to raise concerns about the possibility of a no-deal Brexit, which would, as we all know, represent a dramatic change of circumstances across these islands. The Good Friday Agreement must be upheld, and there cannot be a hard border on the island of Ireland. The Executive, for their part, considered operational readiness at their meeting on 15 June and agreed that a programme of readiness planning should be coordinated across all Departments. That will include planning for no agreement or a limited outcome from the future relationship negotiations with the EU. It will take into account the fact that the protocol will be implemented regardless of the outcome of the negotiations.

## Commissioner for Survivors of Institutional Childhood Abuse

8. **Mr T Buchanan** asked the First Minister and deputy First Minister for an update on the appointment of a Commissioner for Survivors of Institutional Childhood Abuse. (AQO 527/17-22)

**Mrs O'Neill:** The public appointment competition for the Commissioner for Survivors of Institutional Childhood Abuse was launched on Tuesday 9 June. The competition was publicised widely, with advertisements in local and national press as well as communication through various social media platforms. Victims and survivors' groups were also notified of the launch. The closing date for applications was noon on Friday 3 July, and it is anticipated that the commissioner will be appointed in late summer. The competition will be conducted in line with the principles and practices of the Commissioner for Public Appointments' code. Hopefully, that answers the question.

**Mr T Buchanan:** At this stage, can the Minister give any details of the powers that the commissioner will have? Will the commissioner have a legal background or any legal qualifications?

**Mrs O'Neill:** The powers have all been worked out and will be part of the job description and everything that has been set out in relation to the public appointments process. I am glad for the victims and survivors community that a permanent person will be in place, because that is important in moving us to the next stage. There are outstanding issues that the victims want to see addressed. I want to see that happen, so we need to move on from an interim advocate to a permanent advocate. I am happy to provide the Member with written details of the powers, remit and responsibilities of the advocate.

## Legacy Issues

9. **Mr McGrath** asked the First Minister and deputy First Minister what representations they have made to the Secretary of State on legacy issues following his statement of 18 March on addressing Northern Ireland legacy issues. (AQO 528/17-22)

**Mrs O'Neill:** 'New Decade, New Approach' contains significant and comprehensive commitments to legacy issues. The First Minister and I have not made any joint representations on legacy issues in our role as First Minister and deputy First Minister to the Secretary of State since he made his statement on 18 March. However, we intend to meet him this Thursday, and that is one of the issues that will be on the agenda.

**Mr McGrath:** The approach outlined by the Secretary of State is an appalling attempt to shut down justice for victims and survivors. Does the deputy First Minister agree that cases must remain open so that advances in policing technology that could open new investigative and evidential opportunities can be explored to deliver justice for families?

**Mrs O'Neill:** It is so important that we deal with the past in a way in which we can command the support of the majority, and I think that the Stormont House Agreement was a way for us to do that. I certainly have a personal, political view of the Secretary of State's statement on 18 March, and I know that your party shares that view. In my opinion, the approach taken is an act of bad faith, and we need to deal with legacy issues in a way that is inclusive, respectful of what everybody wants and finds a way forward, because we do not want to burden the children of today with legacy issues.

## Minority Ethnic Communities: Good Relations Funding

10. **Dr Archibald** asked the First Minister and deputy First Minister for an update on the level and scope of departmental funding to promote good relations and support the needs of local minority ethnic communities. (AQO 529/17-22)

**Mrs O'Neill:** With your permission, a LeasCheann Comhairle, I will ask junior Minister Kearney to answer the question.

**Mr Kearney:** Funding from the minority ethnic development fund (MEDF), the crisis fund, good relations interventions and Urban Villages has been used to promote good relations and to address both the long-term and emerging needs of our local minority ethnic communities. Since its establishment in 2002, the MEDF has enabled hundreds of projects and groups to support minority ethnic people. It is worth around £1.2 million per annum. This year, to prevent any disruption to services during COVID-19, we extended that funding to current core-funded MEDF recipients for a further 12 months commencing on 1 April 2020. That was designed to give stability to the sector, and it has enabled organisations to continue to support minority ethnic people at a time when they need it most. We are ensuring that the crisis fund, currently totalling £100,000, continues to operate, particularly to help the most marginalised, including our refugees and our asylum seeker population.

There is a wide range of good relations funding that, depending on eligibility, may be accessed by minority ethnic groups and projects. They include the central good relations fund, which is worth £2.75 million; the district council good relations programme, worth £3 million; and the Peace IV programme, for which the Executive Office is the accountable Department. The building positive relations actions have been allocated approximately €64 million. Through those programmes, we are able to help many groups and projects achieve their goals to the benefit of our flourishing minority ethnic community and to enrich our broader shared society.

**Dr Archibald:** They are really important projects and work streams. Over the past number of weeks, we have seen very public demonstrations against racism in the Black Lives Matter protests, but we also really need to

see systemic and structural change to tackle division and discrimination. Can the Minister confirm that the Executive remain fully committed to tackling the scourges of sectarianism and racism in all their manifestations?

**Mr Kearney:** Yes, but the starting point is to reference our Together: Building a United Community strategy. For the Member's information, that outlines a vision of a united community that is based on equality of opportunity, the desirability of good relations and reconciliation but where everyone can live, learn, work and socialise together free from prejudice, hate and intolerance. I am sure that all Members in the Chamber this afternoon will agree that that is not the lived experience of so many in our society, where there is still far too much direct and indirect discrimination that citizens experience on the basis of their religious beliefs, their sexual orientation, their ethnicity or their colour. In this day and age, that is a reality that we need to try to eradicate.

Tackling and confronting the scourge of sectarianism and racism in our society in all its manifestations is a challenge facing us all. It will require a cross-cutting, collective, societal approach, so, in so many ways, it requires a whole-of-government and whole-of-society strategic response. That, in turn, underlines the importance of the NDNA commitment that will, in a very explicit way, see racism and sectarianism addressed in a legal expression, setting those issues into legislation as hate crime. It also provides us with the option of all our representatives committing to an anti-sectarian pledge. That is a very important, practical, political, concrete, symbolic position for us to take.

We need bold representation and leadership from everyone in civic and political life; it is not simply a matter for the Executive and for the Chamber to show that. We need to see strong positions taken against racism, sectarianism and all forms of intolerance, regardless of the source. That needs to be reflected in school life, wider community life, the workplace and, of course, from political leaders. I am confident that I and colleagues in the Executive and in our power-sharing Government are absolutely committed to providing that type of leadership.

### Tattoo Parlours: Reopening Guidance

12. **Mr Hilditch** asked the First Minister and deputy First Minister to outline the proposed guidance tattoo parlours must follow when reopening. (AQO 531/17-22)

**Mrs O'Neill:** At its meeting on 25 June, the Executive announced a range of indicative relaxations that included the resumption of further close-contact services, such as tattoo parlours, from 6 July. I am pleased that that decision was ratified by the Executive on 2 July, and tattoo parlours are now permitted to open with effect from yesterday.

A range of guidance is available to help businesses to prepare for a return to operation, including guidance on making workplaces safer that has been prepared by the engagement forum: 'COVID-19: Working Through This Together'. In addition, the British Government have produced workplace guidance for close-contact services, and advice and guidance is available from trade and professional bodies.

**Mr Hilditch:** Over the past four months, the work of the Executive has been crucial, particularly the guidelines and

legislation, which have been very helpful. However, the deputy First Minister and her party colleagues have driven a coach and horses through those guidelines and laws by their actions last Tuesday. Will the deputy First Minister do the right thing, give the public the apology that they are owed and stand aside or resign until a full investigation is conducted?

**Mrs O'Neill:** My position on that issue is clear and on the record. I spoke in the House yesterday; I will speak again later today. I have spoken in front of the Committee for the Executive Office. I have spoken to the media. I have spoken at the party leaders' forum. My position is well rehearsed. I am glad that we are in the position that we are in today with regard to lifting the restrictions. I am glad that we have been able to make continual rolling easements. I hope that we can continue to do that into the future. I will continue to lead us through that.

**Mr Deputy Speaker (Mr Beggs):** Members, as we are ahead of schedule, I propose to open up supplementary questions on the remaining three questions.

### Racial Equality Strategy 2015-2025

13. **Mr McNulty** asked the First Minister and deputy First Minister to outline their plans to review the racial equality strategy 2015-2025. (AQO 532/17-22)

**Mrs O'Neill:** The racial equality strategy provides a 10-year framework for action by Departments and others over the period 2015 to 2025. We continue to implement the key actions in the strategy, working closely with the racial equality champions in Departments and the racial equality subgroup, which officials meet regularly. At present, we have no plans for a formal review, but we will continue to monitor progress and emerging issues to inform successful implementation of the strategy.

**Mr McNulty:** Notwithstanding previous answers about the T:BUC strategy and 'New Decade, New Approach', which, surely, should be underpinned by a racial equality strategy, does the deputy First Minister appreciate that the failure to progress the review of the racial equality strategy does little to dispel the notion that equality is not a priority for the Executive Office and that, particularly given the over-zealous approach by police to the Black Lives Matter protest and the inconsistency of that with their approach to other recent mass gatherings, institutional racism exists here?

**Mrs O'Neill:** We all have a job to do to make sure that we stamp out racism in society. We all have a job to do everything that we can. That is the responsibility of us all as political representatives. The fact is that the racial equality strategy covers the period from 2015 to 2025, and, as is acknowledged in the strategy, we are under no illusion about the size of the challenge that is in front of us in tackling racial inequalities. That will require time, effort and resource.

The racial equality subgroup has been appointed, along with the racial equality champions in each Department. Obviously, that is good. We continue to work closely with them to implement the key actions in the strategy. In addition, a review of the Race Relations Order 1997 and relevant aspects of other legislation is under way. A review of the delivery model of the minority ethnic development fund is nearing completion. Work is ongoing again with the Department of Education to identify ways in which we can

tackle racist bullying in schools. In the coming months, we plan to consult on a draft refugee integration strategy. We are also considering proposals for ethnic monitoring to help to identify potential inequalities and any underlying causes.

I am happy to take on board any concerns that the Member has. I am happy to receive them at any time with regard to how we can improve things and do all that we can collectively to stamp out racial inequality.

**Mr Nesbitt:** Before the Assembly collapsed in 2017, the Executive were making great strides on a scheme for Syrian refugees. I believe that, proportionately, we were taking more than our fair share on a UK-wide basis. I would be grateful if the Minister could update us on what has happened to that scheme since 2017.

## 2.30 pm

**Mrs O'Neill:** I thank the Member for his question. He is right. In October 2015, we committed to welcoming, by December of that year, between 50 and 100 refugees under the Syrian vulnerable persons resettlement scheme, with the expectation that further groups would arrive on a phased basis. The twenty-fifth group of refugees arrived on 6 February, this year. That brings the total number to 1,815. A further group of 93 individuals was due to arrive on 16 April, but, obviously, that was postponed because of the current situation. The scheme was due to come to an end following the arrival of the twenty-sixth group and has been consolidated into a new global resettlement scheme that was announced by the British Home Secretary on 17 June, last year. It was also agreed that we would continue to participate in the new scheme for the next year, even though the current crisis places constraints on it, but it is important that we continue to do what we can. Our officials continue to liaise with the Home Office and the strategic migration partnership on the implications of the current crisis, and we will consider the potential for continued participation in due course. I am happy to keep the Member updated on all of that.

**Mr Allister:** How can the Minister talk about equality, racial or otherwise, when, just this day last week, she was demonstrating that she and her friends think that they are more equal than others and that they have the capacity and the right to break the laws that they themselves make? Would it not be a good start to equality to subject yourself equally under the law?

**Mrs O'Neill:** I breathe equality, every day. I believe in equality. I practise equality. I bring it into every aspect of my work, every day. Thank you.

## COVID-19: Executive Response

14. **Mr G Kelly** asked the First Minister and deputy First Minister for an update on the Executive's response to COVID-19. (AQO 533/17-22)

**Mrs O'Neill:** Since early March, the management of the response to the COVID-19 pandemic has been the Executive's number-one priority. Our objective has been to help keep people safe and to support those who have faced real hardship as a result of the pandemic. The extraordinary measures that we have had to put in place have worked well and, whilst we must not be complacent, we are now at a key point where attention can begin to

shift from purely controlling the public health response towards planning for recovery.

Over recent weeks, it has been possible to ease many restrictions and, with the publication of an indicative timeline for further easements, people and businesses can begin to plan ahead. The Executive have started the process of developing a recovery framework that will have a particular focus on achieving effective health, economic and societal recovery. We expect to announce more details about that shortly.

**Mr G Kelly:** I presume that we are in a good place — we are going into the recovery phase — but has the possibility of a second wave been factored into the Executive's plans?

**Mrs O'Neill:** The risk from COVID-19 remains and none of us wants to see a second wave of this deadly virus or to be in a position in which restrictions have to be reinstated, as has been the case in Leicester, Galicia and Catalonia. We will be monitoring the impact of the relaxations closely, and we will be prepared to reintroduce restrictions if that is considered necessary to control the virus. A key tool in preventing a second wave is the test, trace and protect strategy. That will play a key role in containing transmission as more relaxations are introduced. If anyone is contacted by that service, they must act on the information provided and self-isolate or get tested as appropriate.

From 18 March, TEO established a COVID-19 operations room, or hub, to provide information and analysis, and to raise issues relating to public health services across the North. The hub coordinates activities across Departments and reports to the Executive. It is important that the hub remains in readiness to deal with any potential further waves and any concurrent civil contingency emergencies that may arise. The COVID-19 hub has been scaled down since 15 June. A small number of volunteers have been retained to operate in a maintain-readiness mode.

Work will continue in the coming weeks to ensure preparedness for any future necessary stand-up, with full stand-up test runs provisionally scheduled for the autumn. The Chief Medical Officer has also commissioned a rapid review of the first phase of the COVID-19 pandemic to provide a clear understanding of the effectiveness of the initial and ongoing response, and to capture the lessons learned to improve our response to any future resurgence of the virus.

**Mr T Buchanan:** I have listened to you, deputy First Minister. How do you expect the public to have any confidence in the Executive's response to COVID-19 in the future, following the developments of last Tuesday when you and a number of your MLAs blatantly broke the legislation that you were involved in making? Is it time to do the honourable thing: apologise to the people for the wrongdoing and step aside until a full investigation is carried out?

**Mrs O'Neill:** I assure the Member that I take my responsibilities very seriously. I will continue to lead us into the recovery phase of the pandemic. We need to make sure that we are preparing for whatever comes at us and doing all that we can to make our recovery good for all our people.

**Mr Muir:** After the initial response to the COVID-19 pandemic, there is a risk of a resurgence and spikes in

different parts of Northern Ireland. What preparations are being made to assist businesses in areas where localised lockdowns might be needed to ensure that they can continue throughout that period?

**Mrs O'Neill:** That is something that we have been looking at, considering and planning for, whether it is a second wave or a cluster effect, which we have witnessed in many areas across the world. Even today in County Down, there is a report of a cluster. The crucial element to us being able to deal with that is our having the test, trace and isolate policy in place. That is crucial to being able to quickly identify things. One of the things that the Chief Scientific Adviser said to us was that, as we lift all the restrictions and free-up people to move around a lot more, the ability to be able to detect cases very quickly will be a tool to combat them as quickly as they happen.

The Member is right: when it came to lockdown in the first instance, supports were put in place to help businesses. We have to consider, as an Executive, how we can support businesses if they are in an area where there is a cluster and where closures need to be put in place. That is something that we need to continue to consider, and it will be part of our planning for what could come next.

**Mr Deputy Speaker (Mr Beggs):** I remind Members to continue rising in their place to indicate that they still wish to ask a supplementary question.

**Dr Aiken:** The deputy First Minister reads fairly widely and has taken a lot of advice and guidance, particularly on COVID. She has looked quite closely at the World Health Organization, which recently revised its guidance on gatherings and crowds. Would she care to reflect on that and give us some answers on what she did last week?

**Mrs O'Neill:** I do not see how that is relevant to the question that I have been asked, but I am happy to say that we have to do all that we can to lead ourselves through this period of recovery. We have lifted so many restrictions each day over the last number of weeks, and we have done so at breakneck speed, as I keep saying to people. We need to get normality back for people and give them freedom; we said that we would not keep any restriction in place for one day longer than necessary. I am very sure in my responsibilities and in what I need to do, and I am very sure that I will continue to lead us through this crisis.

## COVID-19: Economic Recovery

15. **Mr Sheehan** asked the First Minister and deputy First Minister for an update on the Executive's plans for economic recovery following the COVID-19 crisis. (AQO 534/17-22)

**Mrs O'Neill:** We have reached an important point in the COVID-19 pandemic, where we are beginning to look beyond the response phase towards the actions that will be needed to effect a robust and sustainable recovery, rebuild public services and restore more normal ways of living.

Our approach will be to build on sectoral plans, such as the economic recovery strategy, which was published recently by the Economy Minister, and to bring forward an inclusive Programme for Government, which is based on collaboration and joined-up thinking to deliver good outcomes in the things that matter most to people.

We will continue to develop strong cross-sectoral working partnerships, such as that provided through the engagement forum, which is chaired by the LRA, and maintain a dialogue with stakeholders as a basis for strengthening and enhancing societal well-being, with our immediate priorities being to get our economy working again, strengthen our health and social care services and mitigate the immediate societal impacts of the crisis.

**Mr Sheehan:** Does the Minister agree that, as a society and an economy, we cannot go back to what was there before COVID-19? We must have a society that is just, equal, people-centred and inclusive.

**Mrs O'Neill:** It is clear that the COVID-19 pandemic will have lasting and profound impacts on society and the economy. An immediate priority for the Executive will be to help our local businesses get through the crisis and get the economy working again. However, that does not simply mean returning to the way that things were. The crisis has allowed us to view things in a different light, and it has shown us new ways of working and given us opportunities to explore different technologies and experiment with alternative working patterns. There is no doubt that the world that emerges out of the pandemic will be significantly different to what has gone before. We need to be ready to grasp emerging good practice and be able to learn quickly from others so that we can make this a good place to live, to work and to do business. We need to achieve economic growth in a balanced and sustainable way that puts social justice, workers' rights and equality at its centre. We need to be prepared to look forward rather than back when it comes to societal recovery. We must, however, acknowledge and help with the trauma that people have suffered, particularly those who have lost loved ones. Those are issues that will need to be explored with key stakeholders across all sectors as we start to plan for the recovery and as we bring forward our new Programme for Government.

**Mr O'Toole:** One of the most vital aspects of the economic recovery from COVID-19 will be dealing with the effects of Brexit later this year. The deputy First Minister said earlier that the Executive Office is doing all that it can to protect Northern Ireland from the effects of Brexit. With respect, there is culture of silence from the Executive Office. Since the Assembly reformed, we have had no formal updates from the Executive Office on the delivery of the protocol or on the broader issues relating to Brexit. It is not enough, deputy First Minister —

**Mr Deputy Speaker (Mr Beggs):** May we have a question, please?

**Mr O'Toole:** — to defer to the ideologues in Whitehall. Can we have before recess a specific update on legislation that the Assembly will have to pass before the end of the year and also a plan for engaging with local businesses on what they need to do to deal with the effects of Brexit? First Ministers, we need that urgently.

**Mrs O'Neill:** I absolutely agree that Brexit is one of the biggest challenges that we face. As we rebuild the economy, what our businesses and our people are craving is certainty, and we need to get that certainty. As we move towards the end of the year, I would be very fearful if we were still in a space where we could have a crash-out Brexit, which would be catastrophic.



We have the protocol. That protocol must be implemented. It was hard-fought. The Executive continue to discuss all those things. As I said, the implementation of the protocol is the role and responsibility of the British Government, but the agri-food role falls to DAERA here, so a lot more work needs to be done to give our local ports, for example, the required clarity. We need to continue to engage with the sector to make sure that we answer questions, of which people have many, and that we give that clarity. We will continue to engage with the Assembly on all of that and, indeed, with our own TEO Committee.

The Executive themselves have now had a number of dedicated sessions on Brexit, because, over the past number of months, a lot of the focus was on COVID-19. We have been very conscious for some time now, however, that we had to get back to dealing head-on with the issue of Brexit.

**Ms Bradshaw:** I am just wondering what role our universities will play in the economic recovery and whether the Executive will support the lifting of the cap on student numbers.

**Mrs O'Neill:** I will say first that, just as it did to fight COVID-19, it is going to take all our effort to recover. That means working with all our stakeholders. If I could point to one of the positives in how we have dealt with the COVID-19 crisis, I would point to the work that has been done with business organisations, with the trade union movement and right across the piece. That work has been crucial. I want us to continue with that partnership approach. A collaborative approach with society is one of the things that was written into the NDNA deal. If we are going to build, that means working with the universities, the further education colleges and all the other stakeholders, because we have a huge battle on our hands in the time ahead to build our economy, to make sure that there are employment prospects and to make sure that we tackle all the issues that need to be tackled.

**Mr Deputy Speaker (Mr Beggs):** That was the last of the questions —

**Mr K Buchanan:** On a point of order Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** — to the Executive Office. I ask Members to take their ease for a few moments. We will return at a quarter to three with questions to the Minister of Health.

Points of order are not normally taken during Question Time, so if someone has a point of order to raise, we will wait until after Question Time to take it. Members, take your ease for a few moments.

2.45 pm

## Health

**Mr Deputy Speaker (Mr Beggs):** Order, Members. Question Time has resumed. It is now time for questions to the Minister of Health.

### COVID-19: Test, Trace and Isolate Policy

1. **Ms Anderson** asked the Minister of Health what action he has taken to ensure that a robust policy of test, trace and isolate can be implemented fully in the event of a second wave of COVID-19. (AQO 535/17-22)

**Mr Swann (The Minister of Health):** My Department continues to take forward our test, trace and protect strategy, which was published on 27 May. It adopts a robust public health approach to minimise COVID-19 transmission in the community in Northern Ireland. It contains four key elements to test, trace and protect, which are: early identification and isolation of possible cases, clusters and outbreaks; rapid testing of possible cases; tracing of close contacts of cases; and the early effective and supported isolation of close contacts to prevent onward transmission of infection.

Test, trace and protect is being led by the Public Health Agency (PHA) in conjunction with other key partners in Northern Ireland. The health protection team at the Public Health Agency has specialist skills and experience of communicable disease control. The development and implementation of our contact tracing service has been a priority for me over recent months. Test, trace and protect has a vital role to play in helping us move forward into recovery. This, along with other key public health measures, such as the maintenance of physical distancing and ensuring good hand and respiratory hygiene, will help us to reduce community transmission of COVID-19.

For test, trace and protect to work, each citizen of Northern Ireland has a very important role to play. We must all prepare for the possibility of having to self-isolate and be tested to protect ourselves, our families and our communities. I recognise that, in some cases, there may be financial disincentives to self-isolation, and further work is required to address those barriers. The approach that I have outlined is likely to become part of everyday life for the foreseeable future for the people of Northern Ireland until an effective vaccine is developed and a vaccination programme for COVID-19 has been delivered.

**Ms Anderson:** I thank the Minister for his answer. Minister, given the mass resignation of the RQIA board, because care home inspections were arbitrarily reduced by you or your Department, do you accept that that feeds into a genuine concern that care homes were abandoned and the most vulnerable and elderly were left exposed to this deadly virus? If the tracking and tracing system had been in place, might we be in a different place than we, unfortunately, are today?

**Mr Swann:** I thank the Member for her follow-up question. There are two points there about the support that we gave to care homes. We have been proactive in the approach that we have taken to our care homes, and that has been reciprocated and acknowledged by care home providers across the piece. Given what we know now, are there things that we would do differently, looking in hindsight at how the support was implemented and the speed at which it was implemented? With what we know now about the virus and how it interacts, I think that we would do things very differently.

On test, trace and track, it is not a system that is highly advantageous in the care home sector because care homes are closed isolated units. There is a piece of work to do about how to support care home staff if there is an outbreak, or a continuation of infection, coming from a care home into a staff member's home, or if staff are working across care homes, which is what we identified in the past. It is about learning from what we know now, compared with what we knew three or four months ago when we were working without a guide or a rule book on how to combat

COVID-19 in the general population, but specifically in care homes.

## Antenatal Scans

2. **Mr Hilditch** asked the Minister of Health when restrictions will be eased to allow partners to attend antenatal scans. (AQO 536/17-22)

**Mr Swann:** I thank the Member for the question. On 30 June 2020, my Department published updated guidance, which applies from 6 July in all health and social care settings for the duration of the COVID-19 response. The revised guidance sets out the current position for pregnant women: so long as the surge level in the Northern Ireland Executive's five-step approach permits, when aligned with the pandemic surge levels and the R value, and based on the best scientific advice available at a given time, birth partners will be facilitated to accompany pregnant women to dating scans, early pregnancy clinics, anomaly scans, the foetal medicine department and for the induction of labour and the duration of labour and birth. They will also be permitted to visit antenatal and postnatal wards as appropriate. The full guidance is available on my Department's website at [health-ni.gov.uk/covid-visiting-guidance](https://health-ni.gov.uk/covid-visiting-guidance).

**Mr Hilditch:** I thank the Minister for his answer and for all the work that he done to date in the situation in which we find ourselves.

Constituents of mine were seeking clarification about the 34-week scan. They thought that it was not included in the new guidelines. The Minister might want to take that point away and find out the answer.

**Mr Swann:** I am prepared to look at that. Under definitions and scope, the guidance outlines the situations in which a woman can be accompanied by her partner or nominated other. The revised guidance is applicable to women for 12-week dating scans, early pregnancy clinics, anomaly scans, attendance at the foetal medicine department and the duration of labour and birth. Under the key principles, it is stated that there may be occasions in individual trusts when visiting, for specific reasons, may be limited further than is outlined in the guidance. That will most likely be to reduce the number of people in any one area to comply with social-distancing rules. In that scenario, clear explanations will be given to women and their partners or nominated others.

I will take the question about the 34-week scan away and look at that for the Member.

## Influenza Immunisation Programme

3. **Mr Harvey** asked the Minister of Health whether eligibility for the forthcoming influenza immunisation programme will be impacted by COVID-19 restrictions. (AQO 537/17-22)

**Mr Swann:** I thank the Member for his question. Eligibility for the flu vaccine programme will not be adversely impacted by any of the COVID-19 restrictions. Indeed, I am extending eligibility this year to include all children in year 8 of secondary school. However, delivery of the programme may need to be adapted to accommodate any restrictions that apply at the time. Discussions are ongoing between my Department, the Public Health Agency, trusts, general practice, the Department of Education and the

Education Authority to ensure that the programme is fully delivered while abiding by COVID-19 restrictions.

This year, the flu vaccination programme will be more important than ever in order to try to reduce the risk of the concurrent circulation of influenza and COVID-19. Early evidence suggests that co-infection is associated with increased mortality of over twofold compared with those with COVID-19 alone. It is important that we do all that we can to help to reduce flu-related pressures on the health service, and I encourage all who are eligible to receive the flu vaccine to take up the offer of vaccination when invited to do so.

**Mr Harvey:** Are sufficient vaccinations available for 2020-21 and will the programme start on time?

**Mr Swann:** I thank the Member for his supplementary question. I assure him that sufficient vaccine has been ordered to ensure that those eligible for vaccination will receive it, based on uptake rates in 2019-2020. However, I expect greater demand for the flu vaccine this year, and I am keen to increase the uptake rates. To that end, I have approved the purchase of additional vaccine for children, and I am considering purchasing additional vaccine for those aged 65 and over, given that my Department has been informed that additional supplies for that age group may be available. We are trying to establish how much additional vaccine is available and how best it could be used, should we decide to purchase it.

For the 2020-21 flu programme, the Public Health Agency has procured the following vaccine doses: 260,000 doses for use in those aged 65 and over; 265,000 doses for use in the under-65s in any at-risk group; 198,000 doses of the nasal spray vaccine for children; and 10,000 doses of an injectable vaccine for children who cannot, for medical reasons, receive the nasal spray. Therefore, over 800,000 flu vaccines have already been ordered for use this winter in Northern Ireland. Based on previous uptake rates, that should be more than sufficient, but, given the need to try to maximise uptake rates and reduce the impact of flu on the health service, we are considering whether more is still required.

The flu programme is complicated in that different types of vaccine are recommended and licensed for different age groups. Therefore, it is not simply a matter of buying any flu vaccine. Ideally, we want to ensure that we purchase the best vaccine for any particular age group. I encourage anyone who is eligible to take up the flu vaccine to make sure that we can start on schedule and complete it in time for the winter flu season.

## COVID Centres

4. **Mr Allister** asked the Minister of Health what steps have been taken to review the need for, and operation of, COVID centres. (AQO 538/17-22)

**Mr Swann:** The COVID-19 pandemic created a challenge for primary care that is without parallel in our lifetime. The establishment of primary care COVID-19 centres was an urgent and immediate response to that challenge, ensuring that primary care services could be maintained throughout the first wave of infections by enabling patients with COVID-19 symptoms to be treated separately from those who had conditions requiring assessment or treatment in primary care.

The speed at which centres were established was exceptional and a testament to the commitment, professionalism and skill of all involved. I would like to

take this opportunity to pay tribute to colleagues across the service for their work. A regional project board was established to oversee the development and operation of COVID-19 centres. It is chaired by the Health and Social Care Board and includes representation from the GP federations, the out-of-hours providers, the Royal College of General Practitioners, and the British Medical Association. I make that point to emphasise that the work in this area has been done with GPs and not to GPs, as some would suggest.

The regional project board has continually reviewed the number, location and staffing of COVID-19 centres. Staffing levels for the centres are at 50% of what they were at the peak of the surge. As the number of cases continues to reduce, work is under way to review and, if appropriate, rationalise the service while retaining a capacity for re-escalation if necessary. The project board is also working with colleagues in the PHA to consider whether it is possible to put in place measures that can enable COVID-19 centres to be delivered from GP practices. We need to be very clear, however, that we cannot take risks with people's safety. This would not be considered a simplistic opportunity to scale back COVID-19 centres in order to save money. They are an innovation designed to save lives, and staffing has been safely reduced in response to demand. Although the current wave of infections appears to be subsiding, health and social care services need to remain vigilant and be prepared to respond rapidly to further surges, should a new wave arise during the winter flu season. We need to be prepared, and closing COVID-19 centres prematurely would significantly undermine that preparedness.

**Mr Allister:** Whatever their use at the peak of the pandemic, and even that, I do not think, was huge, they are characterised at the moment by gross underuse. I have GPs telling me of doing four-hour shifts and seeing no patients, yet they are paid, out of hours, £100 an hour. Moreover, support staff have to be paid as well. Where is the medical and financial sense now in continuing with that?

Would the Minister care to comment on the fact that one GP reported to me that a representative of the BMA said to those GPs that the centres are being kept open purely for political reasons. Is there any truth in that?

**Mr Swann:** There is absolutely no truth in that last statement. I can assure the Member of that. There is no political advantage for me in keeping COVID-19 centres open. However, there is a significant health benefit to the people whom we have been supporting through them. The health service needs to be able to react flexibly should there be another upsurge or outbreak of COVID-19. Until 17 June, 7,526 people had been seen through the COVID-19 centres.

The Member referred to a number of shifts during which no patients were seen. That is correct, and we are fortunate to be in that position in a number of areas. I can give the Member the details. From 9 April to 17 June, the COVID centre at the South West Acute Hospital recorded nine days when no patients were seen; three days were recorded in Dungannon; five days in Lisburn; nine days at Downe; one day in Newtownards; and three days in Coleraine. As I said in the initial answer to the Member, that is why we are scaling back the service of GPs, their attendance and the contracts that ask them to be in those centres and to be available.

Although COVID-19 is in retreat, we have not yet defeated it. I would be negligent in my duty if I did not make sure that we have the ability to respond should there be another outbreak in certain areas where the COVID-19 centres have proven to be beneficial. The centres have been supported by the BMA, the Royal College of General Practitioners, and the GP federations.

3.00 pm

### Contact Tracing Programme: Update

5. **Mr Allen** asked the Minister of Health for an update on the contact tracing programme. (AQO 539/17-22)

**Mr Swann:** Contact tracing is the central tenet of the test, trace and protect strategy that I launched on 27 May 2020. It is an established method of identifying and breaking the chains of infection and clusters of communicable disease. While the Public Health Agency and our colleagues in environmental health are well versed in the use of such an approach, there is a clear difference in the operation required to help the management of COVID-19, both in the scale of the pandemic and the fact that it is an unknown disease. Contact tracing works by testing people potentially infected with the disease, speaking to them to advise on isolation, identifying their close contacts, who may be at risk of contracting the disease, and then speaking to those contacts to give guidance on isolation and what to do if symptoms develop. Contact tracing, in itself, will not eradicate COVID-19. It can only work as part of an overall strategy of testing, adherence and support for the advice to isolate, as well as maintaining measures such as hand hygiene and the appropriate social distancing.

On 27 April, the PHA began a pilot to test its capacity to respond, at scale, to the requirements for contact tracing during the pandemic. That involved tracing the contacts of a sample of cases who had tested positive. On 18 May, the agency began the transition to a programme of tracing contacts of all positive cases, and, on 25 May, that transition was completed. Northern Ireland was the first part of the United Kingdom to have that service operational. My Department is overseeing the scaling of the operation, which is likely to be required for the next two years until a vaccine is available and a mass vaccination programme is in place.

The service operates at a number of levels. There is a manual contact-tracing centre, where skilled clinical contact tracers will call all positive cases and their contacts to advise and guide on next steps. A cohort of public health consultants provide medical advice and clinical leadership to the centre, as well as dealing with complex cases and managing outbreaks or clusters of diseases. Other staff will be recruited to support the analysis of the information and intelligence gathered, in order to advise on the progression and management of the disease, along with administrative and managerial support for the centre. A call centre will provide Northern Ireland-centric advice on various aspects of checking symptoms, booking tests and providing signposts to sources of social and community support. There will be a suite of digital products that will support the progress of citizens who have the means and preference to work that way.

I can update the Member on the period from 25 May to 24 June. There have been 481 cases added to the contact-tracing database, and successful telephone encounters with the cases have resulted in 82% contacts, with 733 contacts identified.

**Mr Deputy Speaker (Mr Beggs):** I am conscious, Minister, that there was a lot of important information there. Answers should take two minutes, and you can request an additional minute, should you require it.

**Mr Allen:** I thank the Minister for his comprehensive answer. Minister, you have outlined that contact tracing is one important resource at the disposal of your Department, alongside others that include the wider Executive guidance and regulations. Recently, we have seen examples of mass gatherings that are perceived to have exceeded the limits set out. Will the Minister outline whether he is confident that contact tracing will have the resources at its disposal, should an outbreak occur as a result of one of those mass gatherings?

**Mr Swann:** We have 92 contact tracers in place who work over a seven-day week rotation. The more contacts and positive cases we have, the more pressure they come under. On average, each contact tracer can trace five contacts in a day. Any mass gathering that breaches the guidance or the regulations where we have the potential for a mass outbreak puts that contact tracing system under pressure. I ask everyone to follow the advice, guidance and regulations that are clearly laid out and supported by the Executive to prevent any further contact or spread of COVID-19 that could put our contact-tracing system under further pressure.

## COVID-19: Second Wave

6. **Mr K Buchanan** asked the Minister of Health what plans he has in place to address a second wave of COVID-19. (AQO 540/17-22)

**Mr Swann:** While the timing and scale are clearly unpredictable, it is expected that there will be a second wave of COVID-19 later in the year. That will depend on a range of factors, including the Executive's future approach to minimising the spread of the virus and the public's adherence to those measures. While plans for the initial surge were carried out at a time when limited data was available, much learning has been drawn from the first wave, and work by my Department has made it possible to track and monitor the trajectory of the pandemic much more effectively. I will monitor closely the reproductive rate of infection and other key metrics and will provide regular advice to the Executive to ensure that we introduce the right measures at the right time. I have asked my officials to develop comprehensive surge plans for critical care, hospital beds and care homes for future waves of COVID-19.

With those plans taking account of the potential for the next surge to coincide with colder weather and the usual winter pressures, the work includes exploring whether the development of a further Nightingale facility will be necessary to help to lift pressures from the system. Belfast City Hospital's tower block was designated as Northern Ireland's Nightingale for the first wave, and it will maintain additional ICU capacity for future phases. However, we know that additional pressures may also need to be lifted from the system, and we are considering that carefully.

**Mr K Buchanan:** Obviously, with any risk, probability and likelihood are a multiplication to give that risk rating. Have the actions of others in the past week or two increased the likelihood of that happening? I hope that the people who have been involved in that have something on their conscience if that is the case.

**Mr Swann:** I have been saying for the past number of months that our biggest risk now is complacency and disregarding the rules, regulations and recommendations that have been laid down by the entirety of the Executive. By following that joint lead and joint messaging that we had, we were able to get Northern Ireland into a very good place with the infection and the spread of COVID-19. I am concerned that any blatant breach or the outworkings of not following those rules and regulations will have an impact on the spread of COVID-19. All that I can say is that I ask the people of Northern Ireland to follow the guidance and regulations that have been laid down and supported by the entirety of the Northern Ireland Executive to maintain the place that we have in managing the spread of COVID-19 in Northern Ireland.

## RQIA: Board Vacancies

7. **Ms C Kelly** asked the Minister of Health to outline how he plans to fill the vacancies on the board of the Regulation and Quality Improvement Authority (RQIA), including a time frame for new appointments. (AQO 541/17-22)

**Mr Swann:** On 18 June, I appointed Christine Collins as the interim non-executive chair of the RQIA board. That interim appointment is intended to start the process of reconstructing the RQIA's board in order to ensure that it can continue to exercise effective oversight of the RQIA's work and statutory responsibilities. I fully recognise the need for permanent appointments to be made to the RQIA board as soon as it is possible to do so. I have instructed my officials to immediately put in place arrangements to initiate a public appointments competition that will seek to appoint a permanent non-executive chair and 10 permanent non-executive members. My Department values and promotes diversity and is committed to equality of opportunity for all, with appointments made on merit. In keeping with my Department's commitment to co-production and partnership working, I am keen to ensure that the permanent appointments made to the RQIA board will further strengthen the voice of those who use the services in the field of regulation, quality and improvement.

To attract as much interest as possible, the RQIA board vacancies will be widely publicised. The Department's planned communications for the competition will encourage all individuals who wish to participate in public service and make a difference to the way in which health and social care services are delivered in Northern Ireland. I encourage them to submit an application form. The forthcoming public appointments competition will comply fully with the provisions outlined in the commissioner's 'Code of Practice for Ministerial Appointments in Northern Ireland'. It can take approximately nine months for a Department to administer a public appointments competition in line with the provisions set out in the code of practice. Therefore, in view of that timescale and until such times as it is possible to make the permanent appointments, I am proceeding to urgently appoint a number of interim non-executive members. Those interim

non-executive member appointments are considered necessary to ensure that the RQIA's board is quorate without further delay. Given the unprecedented situation in RQIA, the interim non-executive member appointments will be made under the emergency procedure in line with the commissioner's code of practice. My officials are developing a plan that will set out a proportionate recruitment process to secure the interim appointments to the RQIA board. My officials will engage with the commissioner to obtain her approval of the content of the recruitment plan prior to its implementation.

**Ms C Kelly:** Minister, how do you intend to broaden the recruitment process to ensure a representative, inclusive and diverse RQIA board membership?

**Mr Swann:** I touched on that towards the end of my initial response. That is important. The RQIA board has to have representation that can speak on behalf of the service users. It must have experience of the care home sector as well as all the other sectors that it quality-inspects but also from the insurance point of view as well as progression in the delivery of the service, to make sure that those facilities deliver for the people who use them and the residents in them.

I will conduct the initial process of appointing the interim non-executive members under the commissioner's code of practice, but, as I said, in regard to the public advertisements, I encourage as many people as possible who have an interest in improving the quality and the inspection side of our care home sector and all the other sectors that RQIA inspects and regulates to please apply for the full-time posts that will be advertised.

## Rebuilding Health and Social Care Services

8. **Mr McAleer** asked the Minister of Health for an update on the management board for Rebuilding Health and Social Care Services' most recent interaction with the Transformation Advisory Board and health trade unions regarding the Rebuilding Health and Social Care Services strategic framework. (AQO 542/17-22)

**Mr Swann:** My approach to rebuilding has been informed by engagement with trade unions at the development stage of the 'Rebuilding Health and Social Care Services' strategic framework. My officials sought views from a range of stakeholders, including trade unions, on the checklist, which outlines the key factors that should be considered in the development of service-rebuilding plans. I have also sought the view of trade unions on temporary amendments to the HSC framework, which provides a basis for the role of the Rebuilding HSC Services management board. I am giving consideration to those views, which will inform my approach to public consultation, going forward. I can confirm that it will be a 12-week consultation, providing ample opportunity for trade unions and other stakeholders to respond. In addition, my officials regularly meet trade unions, providing an opportunity for ongoing engagement. Furthermore, on 1 July, I chaired a very useful meeting of the strategic health and social care partnership forum. That group brings together senior executives across the system with trade union colleagues.

The Transformation Advisory Board was originally established to advise on the transformation programme, but, clearly, due to the COVID-19 pandemic, work on that

front has been limited in recent months, and it has not been possible for the Transformation Advisory Board to meet on a formal basis. Meetings that were scheduled for 7 April and 1 June had to be postponed. The future role of the Transformation Advisory Board will be kept under review in the context of the governance changes, and I plan to consult on that later in the summer. I have directed my officials to have a meeting of the Transformation Advisory Board, as it currently stands, as soon as possible, and I am confident that, through the forthcoming period of consultation on temporary amendments to the HSC framework and local engagement in the development and implementation of rebuilding plans, there are sufficient mechanisms to support meaningful and constructive engagement in the rebuilding programme.

**Mr McAleer:** Can the Minister give an indicative timescale for the reopening of the public consultation that he referred to?

**Mr Swann:** We are working at this minute in time on what that will look like over the 12-week period, because there was the 12-week consultation on the establishment of the management board and further to that is the step process of the rebuilding structure. We have already completed one for the month of June, and we are now looking at the plans for the next three months — July, August and September — and there will be a further three months after that. As soon as we have the detail of that consultation, it will be published and made available.

## Belfast City Hospital: Outpatient Services

9. **Mr Dunne** asked the Minister of Health when all outpatient services will reopen fully at Belfast City Hospital. (AQO 543/17-22)

**Mr Swann:** The Member will be aware that, on 9 June 2020, I published a strategic framework for rebuilding health and social care services, along with phase 1 rebuilding plans for each of the six health and social care trusts. They aim to incrementally increase HSC service capacity as quickly as possible across all programmes of care, including outpatient clinics, in the prevailing COVID-19 conditions. Subsequent phases will see those services' activity plans and targets updated in three-monthly cycles. Phase 2 — July to September — rebuilding plans will be published shortly.

It is important to emphasise that, as trusts work to deliver services for those most in need, the priority remains to keep patients, service users and staff safe, all of which requires the careful balancing of safety requirements, including the maintenance of social-distancing guidelines and the impact that that has on physical space, workforce availability and personal protective equipment (PPE) availability.

### 3.15 pm

Throughout the pandemic, Belfast City Hospital continued to deliver vital outpatient services, and the trust has indicated that those will continue on the basis of clinical priority through telephone and video calls and only where required with face-to-face attendance at other Belfast Trust sites. Plans are in place to open Belfast City Hospital for outpatients in a phased approach. The priority clinics expected to return in the first instance are dermatology, gynaecology, ear, nose and throat (ENT), and breast and mammography.

It is critically important to emphasise that it will be neither possible nor desirable to return to business as usual. We must seek to improve services through the rebuilding process, but that will not happen overnight and will require a response that is both agile and adaptable to ensure that the system can respond to further potential COVID-19 surges.

**Mr Dunne:** I thank the Minister for all his efforts in the COVID crisis.

In early June, Minister, you highlighted that outpatient activity had dropped 40% to 50%. Will you give us an assurance today that red flag cancer referrals at the City Hospital and other services, including dermatology, will be fully restored across all our trusts?

**Mr Swann:** I thank the Member for his supportive comments.

The Belfast Trust recently submitted its stage 2 rebuilding plan for July, August and September, which has involved enhanced local system working, strong clinical leadership, flexible and remote working, where appropriate, and rapid scaling of technology-enabled service delivery. The trust engaged with front-line staff to reflect on lessons learned, and further work on that is crucial to inform plans. The phase 2 plan will be published by the Department of Health in due course, and, as I said, the priority clinics returning will be dermatology, gynaecology, ear, nose and throat (ENT), and breast and mammography, which is scheduled to return on 20 July.

The ongoing plan is that Belfast City Hospital outpatients will open in a phased approach from the week beginning 14 July onwards. Red flag and urgent cases are being prioritised because the trust is working on relocating administrative and medical staff who were placed in the City Hospital outpatients department in order to maintain services and social distance as a result of the opening of the Nightingale services.

### Urgent and Emergency Care: Partnership Working

10. **Ms Ennis** asked the Minister of Health what assurance he can give that partnership working with those who use and deliver urgent and emergency care will be central in any reconfiguration of services. (AQO 544/17-22)

**Mr Swann:** The principles of partnership working and co-production are at the heart of the ongoing review of urgent and emergency care and will remain so as we emerge from the first wave of COVID-19 to contemplate the long-term model that can best meet the needs of all citizens. The challenges facing our urgent and emergency services are complex, and the root causes are system-wide. Whilst the issues often manifest in the form of busy emergency departments and long delays in admitting patients to hospital, the solutions require a coordinated approach across all of Health and Social Care, one that is led by clinicians and informed by the experiences of those who use the services and their families and carers. That is why my Department initiated a clinical-led review of urgent and emergency care in November 2018 with a remit to examine all the areas that are crucial to the coordinated delivery of unscheduled care, including the care of older people, children and those requiring better and quicker access to mental health services, the role of the Ambulance Service and better coordination across primary, secondary and community care pathways, to ensure that people get

the right care in the right place as soon as they need it. Service users and carers have had an important role in shaping the review to date through a co-production work stream that has undertaken research, designed surveys and made valuable recommendations to improve patient pathways and experiences. The work of the review was at an advanced stage prior to the outbreak of COVID-19, and I intend to complete the work and publish the review report later this summer.

In the context of the ongoing pandemic there may also be immediate actions that we require to ensure that our emergency departments (EDs) and hospitals do not reach the levels of overcrowding that we have seen in previous years. In the meantime, I assure the Member that the partnership and co-production approach has been at the core of what has been a transparent and inclusive review to date and will continue to play a central role as we move forward.

**Ms Ennis:** Is the Minister aware that, over the past weekend, the entire south Down, Newry and south Armagh area was without any ambulance cover? What does the Minister have to say to my constituents, who are rightly aggrieved by that? Will he urgently address the issue?

**Mr Swann:** That was brought to my attention. I think that her party colleague highlighted it in the media. The Northern Ireland Ambulance Service has issued a statement on that, in which it says:

*"The normal level of cover in Newry station for Saturday dayshifts is two crews. However, on this occasion, NIAS had arranged an additional crew and the planned cover was enhanced by 50%, with three crews on duty. At the time of this call all three crews were engaged on other emergency calls and the nearest available Emergency Ambulance crew was despatched to the call, arriving at 17:45."*

The Ambulance Service apologised for the delay in responding to the call and wants to point that, no matter what was reported on social media about the response time being nearly an hour, it was actually 28 minutes.

NIAS staff are highly committed healthcare professionals who always give of their best, and it is demoralising for them to see inaccurate reports relating to response times and misleading references and inferences about patient conditions on social media. We respectfully ask that anyone, particularly public representatives, contact the Northern Ireland Ambulance Service in the first instance to ascertain the accuracy of response times. While being mindful of maintaining patient confidentiality, NIAS will be happy to engage in a manner that benefits patients and improves our services to local communities. Northern Ireland Ambulance Service is grateful to the staff on the front line and in ambulance control who continue to work tirelessly to ensure that an ambulance response is provided to those who have an immediate and life-threatening need. I place on record my full support for the Northern Ireland Ambulance Service. It is working in challenging and critical times, and I ask Members to be supportive of it rather than critical of it.

### Mental Well-being: Rural Communities

11. **Ms Hunter** asked the Minister of Health, given the complex nature of COVID-19 and the limited access to mental health facilities in rural areas, what consideration

he has given to a pilot scheme employing mobile vans to support mental well-being in isolated rural communities. (AQO 545/17-22)

**Mr Swann:** There are no current plans to implement mobile vans in rural communities to support well-being. The focus has been on online provision to ensure equitable provision for all. The current support in place to support mental well-being in isolated rural communities is the COVIDWellbeingNorthern Ireland online hub and psychological first aid for all of those working or volunteering with local communities. Health and social care organisations have partnered with the organisation for the review of care and health apps to create a library of health and well-being apps for everyone who has been reviewed, and it has been rated as helpful, safe and secure. Helplines Northern Ireland is available to rural communities. The stress control programme that is normally delivered by the five health and social care trusts has been adapted to be delivered online since COVID, and rural supports are commissioned by the Public Health Agency to support rural communities.

**Ms Hunter:** Given the complexity of COVID-19 and the rural barriers to access, does the Minister have any strategies for tackling elderly loneliness specifically?

**Mr Swann:** In regard to older people specifically, there is nothing that I am aware of. I have worked with Community Pharmacy and spoken to them about their delivery services. They said that, when they were out delivering medicines, they were finding that that engagement with the older people who had been self-isolating and shielding was vital. There is a piece of work, and I think that we have been working with our community and voluntary sectors in supporting older people who have been self-isolating and shielding at this time. There have been a number of projects, and one that, I think, is worth mentioning, especially for rural areas, is that of Rural Support. We have seen that the number of calls to the Rural Support helpline has increased as a result of COVID-19. However, the ability to deliver one-to-one, face-to-face mentoring is limited due to social-distancing measures. Preparations are ongoing for the recruitment of additional mentors, even through Rural Support, who will be needed post-COVID-19 due to the increased demands for services.

## Rebuilding Health and Social Care Services

12. **Ms McLaughlin** asked the Minister of Health, given its lack of trade union or allied health professional representation, how he will ensure the new management board engages with front-line workers in the rebuilding of health and social care services. (AQO 546/17-22)

**Mr Swann:** The interests of all Health and Social Care colleagues are represented through the current membership of the management board. In taking forward their ambitious work programme, the management board will take account of and represent all relevant expert advice. Regarding allied health profession representation, the Chief Nursing Officer represents the views of nurses, midwives and the allied health professionals on the management board and will be advised by the Chief Allied Health Professions Officer in my Department. In addition, the Chief Allied Health Professions Officer will attend meetings of the management board as necessary.

My approach to rebuilding has been informed by ongoing engagement with trade unions both in relation to the development of the checklist to be considered in the development of service rebuilding plans and on the temporary changes to the HSC framework. My officials regularly meet the trade unions, and I chaired a useful meeting with the strategic health and social care partnership forum on 1 July.

On engagement with front-line workers, the checklist outlined in the rebuilding strategic framework clearly states that service providers must ensure that there is a consistent approach to the meaningful involvement of staff in developing solutions and in the decisions that affect their working life. I expect the rebuilding management board to monitor that closely as plans are developed and to advise me accordingly.

**Ms McLaughlin:** Does the Minister agree that one of the things that COVID-19 has taught us is that working together brings better outcomes and that more expertise, integration, co-operation and cross-departmental working has led to better outcomes for our patients and our management? If that is true, the management board must reflect that. I ask the Minister to give greater consideration to having more expertise on that management board, particularly across the allied health experts.

**Mr Swann:** I thank the Member for her support and the acknowledgement that the board is made up of highly skilled professionals and is not the "cabal" that was referred to recently in the Health Committee.

In regard to representation on the management board, as I said in my earlier answer, the Chief Allied Health Professions Officer works through the Chief Nursing Officer; that is the line of reporting. The Chief Dental Officer reports through the Chief Medical Officer. They are represented on the management board. When their input and expert advice is needed and required, they can attend the board. It is not that they are excluded from it. They are not permanent members of it, but there are avenues where their expert advice can be sought and engaged.

## Western Trust Reset Plan

13. **Mr Middleton** asked the Minister of Health for an update on the implementation of the Western Trust reset plan. (AQO 547/17-22)

**Mr Swann:** As the Member will be aware, on 9 June the Western Trust published its plan for the month of June along with the rebuilding strategic framework that I announced on the same day. Along with other trusts, the Western Trust will shortly publish its rebuilding plan for the period of July to September, setting out planned activity for the next three months. The management board will monitor progress on the implementation of the plan.

**Mr Middleton:** The Minister will be aware that today the Western Trust has again issued guidance around Altnagelvin Hospital and its emergency department and an increase in numbers. At one point it was up to 60 in the emergency department. What advice can the Minister give to people coming to emergency departments? Can he give an update on when GP surgeries can reopen to take the pressure off emergency departments?

**Mr Swann:** The advice given was covered in the guidance, where we asked those who were visiting an emergency

department to attend on their own, if possible, but, if they needed support from another, due to medical or support needs, to bring somebody with them. If they could, it would be preferable that they attended on their own to reduce the numbers coming into the emergency departments. It follows on from an answer to an earlier question about the ongoing review of emergency and urgent care services that we need to complete across Northern Ireland. We need to look seriously at how we manage how people approach our emergency departments and where else they can go to seek medical assistance and advice.

The Member's point on GP services and surgeries opening up for more face-to-face engagement is something that we are working on with the GP federations, so that we can move to that normalisation. There are changes that have been made over the last 14 to 15 weeks in regard to telephone triage and telephone consultations that GPs have had to introduce that have been beneficial.

However, I always say that, if anybody does need to see a medical professional face-to-face, that avenue and opportunity is always there for them.

**3.30 pm**

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

**Mr K Buchanan:** On a point of order, Mr Deputy Speaker. In relation to other languages used in the Chamber, during Question Time, we heard languages in the Chamber that were not English. It leaves some Ministers and Members not understanding what the answers actually are. I pass to you, Mr Deputy Speaker, to ensure that answers are given in a language that the majority of people in the Chamber can understand.

**Mr Deputy Speaker (Mr Beggs):** The Member has raised a valid point, and his point is on the record. My understanding is that Members should provide a translation to ensure that everybody understands what is being said. I ask Members to take their ease now.

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

**Mr Principal Deputy Speaker:** I ask those Members who are exiting the Chamber to do so, to allow other Members to take their place.

## Committee Business

### COVID-19 Guidance and Financial Support to Industry Sectors

*Debate resumed on amendment to motion:*

*That this Assembly recognises the impact of the COVID-19 pandemic on the taxi, haulage, driving instruction and private hire bus and coach sectors; acknowledges that these industries have not been prioritised in terms of guidance and support packages; and calls on the Minister for Infrastructure to bring forward proposals for the formulation of guidance and financial support for these sectors as a matter of urgency. — [Miss McIlveen (The Chairperson of the Committee for Infrastructure).]*

*Which amendment was:*

*Leave out from "these industries" to "Minister for Infrastructure" and insert:*

*"the powers of the Minister for Infrastructure are limited to regulation of the transport and transit sectors; welcomes the work undertaken by sectoral bodies and the Minister for Infrastructure to ease burdensome regulation during the emergency period; further recognises that these industries have not been included in specific Executive support packages for private businesses; and calls on the Executive". — [Mrs D Kelly.]*

**Ms Anderson:** Go raibh maith agat, a Phríomh-Leas-Cheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo agus tá mé i gcoinne an leasaithe. I am in favour of the motion and against the amendment.

It has been three months since we went into lockdown, and now that we are, hopefully, coming out of the other end of this phase and towards economic recovery, our taxi industry is on its knees. Not a single penny has been put aside for a dedicated scheme that could offer financial support to taxi drivers, who have fallen through the gaps of nearly every scheme on offer. Although some taxi drivers have been able to avail themselves of the self-support and self-employment scheme, many have been unable to do so. Those who have accessed some support have been burdened by heavy operational costs.

The Minister for Infrastructure, whose Department is responsible for transport policy in the North, states that her responsibility is only for the regulation of the sector. However, I believe that she has a wider responsibility to represent the interests of the transport sector during these unprecedented times and should not just leave these massive issues at the door of other Departments. Nichola says that it is Diane's responsibility; Diane says that it is Nichola's responsibility. The transport industry sees a bickering game of ministerial ping-pong. All the while, our taxi drivers — hard-working individuals — struggle to pay their bills, put food on the table and support their families. This is akin to firefighters arguing about who should



operate the hose whilst the fire burns on and the building burns behind them.

I am proud to support the motion and, if Mrs Kelly is in the room, I am proud to support the taxi drivers in Derry. Despite what she said, it is not just about north and west Belfast and, even if it was, they deserve support. Taxi drivers across the North are looking for support. Other Departments have worked together to put financial support in place such as, for instance, the £12 million package for the emergency childcare providers that came from the Health and Education Ministers. Education has the policy, but Health has the legal authority.

The taxi sector feels left behind during this darkest of times. Their issues have been kicked from pillar to post, and the Minister with responsibility has not advanced a cross-departmental scheme. She has not taken ownership, she has not championed the sector and she has not given a lead. That is what the taxi industry and many others are calling for. Behind the words of the motion, there is a reality that our taxi drivers face every morning when they wake up and every night, when many of them lie awake unable to sleep because of the extreme stress and anxiety that is caused by having absolutely no support. They have been pushed into a precarious financial position during a period of extreme uncertainty, which has severe repercussions for their mental and physical health. Taxi drivers are crying out for help. They came to Stormont last week to make their voice heard after months of frustration and passing the parcel. It is time that you, Minister, showed leadership.

I also support the motion because, since the beginning of May, I have been doing my utmost to fight for one of my constituents in Derry — a recently self-employed taxi driver — who has not had a single penny of support. I lobbied HMRC on the self-employment income support scheme, but it was unwilling to help. In May, I asked Minister Nichola Mallon to put a scheme in place for all taxi drivers but she said that it was not her responsibility. At the Infrastructure and TEO Committees, we discussed whether Minister Dodds should extend the hardship fund to those who were recently self-employed, such as my constituent but, as of yet, there is no clarity on that.

The Minister for Infrastructure, as the person who is responsible for transport policy, needs to take the lead. She needs to work on a cross-departmental basis, as other Ministers have done and have demonstrated. She needs to bring forward a costed proposal for the formation of guidance and financial support. She needs to roll up her sleeves, get active and seek the support and guidance that the taxi drivers, haulage companies, driving instructors and bus operators so desperately need and deserve.

**Mr Principal Deputy Speaker:** The next person on my list is Mr Daniel McCrossan, who will have four minutes because of the amount of time that is left. It might be an idea not to take an intervention.

**Mr McCrossan:** Thank you, Mr Principal Deputy Speaker. I was lining up for the interventions for this.

First, I welcome the opportunity to contribute to the debate, which is an important one. I agree with the substance of the motion, which is that there are substantial gaps in support for taxi drivers, driving instructors and bus companies. I want to put on record that the transport sectors have been very important in getting us through the pandemic. Many people who work in transport have

been key workers in every sense in ensuring that vital medical supplies were delivered to vulnerable people, that supermarkets were appropriately stocked and that many elderly and sick people were able to attend appointments, scans and other medical procedures. They should be recognised in the Chamber for the vital work that they have done and continue to do. They should not be subject to a political point-scoring exercise, where the issue is clearly a cross-cutting one that needs to be dealt with by the Executive. There should be no pointing the finger at my colleague Minister Mallon, saying, “You must do this”, when people in the Chamber and, in particular, on the Infrastructure Committee, rightly know that it is not her responsibility to address the issue of grant funding to bail out taxi drivers, haulage companies or others.

I am not sure why two parties in particular are perched up like two hummingbirds singing from the same hymn sheet —.

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

**Mr McCrossan:** No, I will not.

Singing from the same hymn sheet about who is responsible for the grants being rolled out.

I note that although Mr Boylan jumped to his feet today to acknowledge that it is a cross-cutting exercise, in the same breath he said that he was not going to support the amendment — an amendment that provides a resolution to the issue and ensures that there is some delivery. I am, at least, pleased that his colleague Ms Anderson acknowledges that it is a cross-cutting issue and that it has to be resolved by the Executive.

Mr Frew, I have often listened to your interventions in debates, but, today, I am somewhat worried — actually, I am alarmed — about the intervention that you made because you said that there is plenty of money in the coffers; they have not dried up. Well, I am sure that I and other Members and those watching would like to think that, given RHI, that is a bit of a loose statement to make. It would give Sam McBride much to write about when he looks at how money has been spent beyond COVID-19, if that is the attitude of certain parties as to how public money is to be rolled out. I would hope that lessons have been learned.

**A Member:** Will the Member take an intervention?

**Mr McCrossan:** I will not.

DUP and Sinn Féin logic would almost suggest that, because councils are responsible for granting licences for pubs, for example, we should expect councils to pay the grants for bailing out pubs and businesses.

We need to get to the facts, and the facts are that the Department for Infrastructure’s statutory functions do not include the power to create grant support for hardship or loss of income to those sectors. You know that. So why are we standing in the House today pointing the finger and saying, “You need to resolve this, Minister Mallon. Your Department needs to resolve this”, when, in actual fact, this could and should be resolved by the Executive, given that a significant amount of money has been returned because businesses have not availed themselves of the grants that were put out over the past months.

If we are serious about delivering for those in the haulage industry, taxi drivers and driving instructors, let us work together to do it, instead of pointing the finger across

the Chamber at Ministers who have worked very hard to ensure that the voices of those who fell between the stools have been heard clearly throughout the entire pandemic.

**Ms Mallon (The Minister for Infrastructure):** I thank Members for their contribution to today's debate. This is an extremely important issue, and while there has been much confusion, today's debate has given me a welcomed opportunity to clarify my role, remit and powers and the actions that I have taken to date, within my responsibilities, to provide assistance to the industries highlighted in the motion. I hope that, in setting out the facts, those who have accused me and my Department of abandonment, of not stepping up or coming up with ideas, of a lack of leadership, of having a can't-do attitude will reflect and see it as unfair.

As the Committee Chair pointed out, I have introduced a number of measures to ease the regulatory burden on hauliers and taxi drivers to assist them during the crisis. I will turn to those before addressing the issue of guidance and financial support. As regulator of the taxi industry, a priority for me during the current public health emergency has been two-way communication with the industry on regulatory issues that need to be addressed. My officials and I have been in regular and ongoing contact with the industry, including individual drivers and operators and through open letters to the industry to ensure maximum reach. I recently met with a delegation of drivers outside this Building, and I listened to their concerns.

I have put in place a number of measures to support the industry during the pandemic. I have brought forward coronavirus regulations to ensure the issue of a six-month taxi vehicle licence, automatically and free of charge, to vehicles for which the previous licence expired between 10 March 2020 and 9 October 2020. All licences have now been issued. Drivers' certificate of professional competence (CPC) training providers are also now authorised to deliver taxi periodic training remotely, via online video platforms. That enables drivers to continue to undertake some training online.

With regard to medicals, following discussions with the Department of Health and the British Medical Association, the BMA and GPs have agreed to support and prioritise the processing of medical forms for key workers who need them to renew their licences. In addition, and with effect from 26 May 2020, taxi drivers who do not have a medical condition to declare will have their taxi driver's licence renewed without a medical report.

### 3.45 pm

For the haulage industry, throughout the crisis, I have pressed for recognition that maintaining our transport network is essential to safeguarding food security and ensuring that critical goods continue to be delivered. I have put in place a range of measures to support the freight sector. This includes introducing a range of regulatory measures, suspension of all MOT tests for commercial vehicles and relaxation of other requirements in areas such as the CPC, tachographs, medical assessments and planning restrictions. An EU regulation came into effect on 4 June 2020 enabling the extension of the validity of certificates and licences to support those transport operators and individuals that, owing to the coronavirus restrictions, are having difficulties fulfilling certain administrative formalities before the expiry of the relevant deadlines. These measures supplement or supersede

announcements that I have already made in relation to Driver CPC, driving licences, tachographs and road transport operator financial standing. On 25 June 2020, the UK Government announced that they will suspend the heavy goods vehicle levy for a year, with effect from 1 August 2020, as it is recognised that the haulage industry is critical to restarting the economy as the pandemic begins to subside. That suspension applies here and will provide further much-needed assistance.

A number of Members, including Jim Allister and Cathal Boylan, referred to the financial package secured for ferry operators.

**Mr McNulty:** Will the Minister take an intervention?

**Ms Mallon:** In a second.

It is important to be aware of the facts as they are very relevant to the motion proposed by some of the Committee today. My Department did not devise or administer this package. I worked alongside ministerial colleagues to make the case to the Department for Transport and the UK Treasury. They devised the financial scheme that the Executive agreed to jointly fund. This is a pertinent point that I will return to.

To support private coach operators, my officials have held weekly meetings with industry representatives, while all permit holders were issued with a letter reassuring them that their permits would be safe in the event that their services were withdrawn temporarily. I have also met industry representatives and recognise the huge financial difficulties that they face as a result of the COVID crisis. Given their key role, not least to our tourism sector, it is right that private tour operators are a key work stream of focus in the Department for the Economy's COVID recovery work; I very much support that.

As Members have also highlighted, my Department is responsible for regulating the approved driving instructor (ADI) and approved motorcycle instructor (AMI) industry through the DVA. It does not, however, employ driving instructors or motorcycle instructors in the capacity of delivering driving instruction and, therefore, has no remit to suspend their services for public health reasons or determine when they might return to work.

Mr Buchanan highlighted that he felt that an email circulated by the DVA a few Saturdays ago had caused confusion among the sector. That email was important because, that weekend, a number of elected representatives had indicated to driving instructors that they could recommence and resume services in line with close-contact services. I felt that it was important that I communicated the case with them clearly. The Executive Office confirmed that the regulations do not currently prevent driving lessons from taking place. If it is safe to do so for both instructors and their customers, they should; that is what the DVA communicated to the driving instructors whose data we held.

Throughout the crisis, the registrar for ADIs and AMIs in the DVA has provided regular updates to the industry and signposted them to the latest public health advice on social distancing and safe working practices and advice on financial support. I accept the point if Members feel that communication could have been better. I will always seek to improve things where I can, and I will take that back and feed it to my officials. On 23 June, however,

the registrar met industry stakeholders and the Northern Ireland approved instructor council group to provide further updates, address their queries in relation to the planned reinstatement of services and listen to their concerns, including on dates for resumption of driving and vehicle tests, extension of theory test pass certificates and safe working practices. I understand that that meeting was welcomed by the industry. I appreciate the frustrations felt by our ADIs and AMIs in these uncertain times. The DVA will continue to provide regular updates to the industry to inform it of any relevant changes to service safety that may have an impact on their business. I assure them that my officials are working to resume car and lorry driving tests as quickly as possible because we recognise the importance of that to their industry and custom.

I will turn to the issue of financial support to the taxi, haulage, private bus, coach and driving instructor sectors. As with many Members in the House, regardless of our party political background, we are all very aware of the hardship and challenges that are facing these sectors. There are financial assistance schemes on offer but I, like you, remain concerned for those who fall outside their scope. In fact, since this crisis hit, more than any other Minister, I have been raising the issue of the impact of COVID-19 on these sectors with Executive colleagues. I have shared a number of my correspondences to Executive colleagues with the Committee. It has also been made clear that my statutory functions do not include the power to create grant support for hardship or loss of income for these sectors. DFI carries regulatory responsibility for these businesses and it could only make grants available in relation to regulatory matters. This is defined in statute.

As I stated at the Committee meeting on 29 April 2020, existing taxi legislation — I am referring to section 51 of the Taxis Act (Northern Ireland) 2008 — does not extend to providing general financial support grants to the taxi industry in times of hardship and to cover lost income.

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

**Ms Mallon:** In one minute.

That is not simply my opinion, as one Member put it. I sought legal advice from my officials to check this, and it has confirmed my limited vires in that regard.

However, the help push the issue of financial support for the taxi industry forward, I contacted Minister Murphy and Minister Dodds on 20 March 2020 to seek information and advice as to whether there was specific support and financial assistance that the industry could access. In my emails, I indicated that I was keen to discuss the issue with them. Follow-up emails to Minister Dodds on 14 April and 12 May sought an update to guidance on social distancing for the industry. I advise that in his response, which is dated 30 March, Minister Murphy indicated some of the measures that would directly assist the taxi industry, whether self-employed individuals or those who run taxi operations. These included the measures that were announced by the UK Chancellor to support the self-employed who were impacted by coronavirus through the coronavirus self-employment income support scheme. That scheme provides for a taxable grant being paid to the self-employed, or their partners, who have suffered a loss of income, with 80% of their profits up to a cap of £2,500 per month. For taxi operators, he advised of help that is available through zero

rates bills for April, May and June, and the opportunity for small businesses to avail themselves of a grant under the small business rate relief scheme.

Furthermore, I wrote to the Executive on 26 March, and then again on 28 March, to stress that there was a need to ascertain what financial support could be made to the industry. In both memos, I also suggested that options should be explored as to how the industry could be repurposed during the COVID-19 crisis to help the vulnerable who were staying at home. In addition, in an email to the Executive Office on 28 March, I stated that I had been contacted by many in the industry and stressed the need to TEO for urgent redeployment and assistance for the sector. I have also written to the Minister for Communities to explore the idea of how taxi drivers can play their part in taking the pressure off our vital services by helping the most vulnerable in our communities by, for example, delivering groceries, food parcels, medicines and other critical supplies to those who are shielding and vulnerable.

On financial support for the haulage industry, the Department for Transport has had regular engagement with the Road Haulage Association and the Freight Transport Association to understand the up-to-date picture for road hauliers at a local and UK-wide level. Work along these lines is being led by DAERA. Given its role in food security, it is the lead in identifying the evidential basis for specific financial interventions to the haulage industry. My officials continue to work with DAERA and other colleagues to support that work.

I understand that, at a time of stress, people need to know where to go for help, and it is very important that they are pointed to the right place. I have set out the steps that I have taken in my remit as a regulator, but also how I have reached out to Executive colleagues, given their roles and responsibilities, to provide support to the industries that we are very much focused on today. I was therefore very pleased to see the Minister for the Economy bring forward a paper to the Executive that included options to enhance support to the very industries that we are talking about today. The Economy Minister's paper outlines options to extend the hardship funds to include self-employed businesses with no employees. Her paper acknowledges that this would encompass the taxi industry and, possibly, the haulage, driving instruction and private bus and coach sectors. I have written to Minister Dodds to confirm that I am very supportive of this option because I recognise the hardship being felt by those who have not been able to avail themselves of the hardship schemes currently on offer.

A number of Members highlighted the fact that, as regulator, I hold data and information. Prior to and since this recent paper, I have reiterated my offer to provide whatever information or data I hold, as regulator, to ensure that we can communicate with those who need assistance. Surely, all of us in the House can support this.

As Mr Boylan, Mr Muir and Martina Anderson highlighted in their contributions — I thank them for that — this is a cross-cutting issue. As Minister for Infrastructure, I do not have the vires to provide financial hardship and assistance schemes, but I have been determined to do what I can within my remit and by working with others.

Today, we have all been united on the need for a proposal to come before the Executive. That costed proposal was brought to the Executive recently by the Minister for the

Economy, and it is in line with the other hardship schemes that her Department, the Department of Finance and the UK Treasury have announced to date. As Mr Beggs and Andrew Muir highlighted, to avoid double accounting — Mr Muir urged caution on this — careful work is required to ensure that any scheme that is devised provides assistance to those who have been unable to avail themselves of any such scheme to date.

There is no ping-pong here. I can speak for myself, and I have continuously tried to reach out because I want to ensure that all those who have fallen through the cracks can get the support that they deserve. An Executive effort is what is required: an Executive effort that is highlighted in the amendment. The best way, in my humble opinion, for the Assembly to show its support for these sectors is to show its support for the amendment ahead of the Executive's consideration of future hardship schemes. That is what I remain committed to doing.

**Mr Principal Deputy Speaker:** Ms Sinéad Bradley has five minutes to wind on the amendment.

**Ms S Bradley:** Dolores Kelly, in moving the amendment, repeated the fact that the Minister for Infrastructure does not have the legal vires to provide the financial assistance that the motion calls for. Roy Beggs and Andrew Muir referred, correctly, to another fact: across many sectors, many sole traders and self-employed people with no employees have, to date, remained outside the Executive's support schemes. It is, I believe, obvious to all Members that a body of work needs to be done to close the gap created by the schemes led by the Department for the Economy. Rightly, Mr Beggs warned of the need for such work to continue to be channelled through the Executive as an assurance that double accounting cannot happen as the funds are rolled out.

It is important to note, however, that this work does not rest exclusively with the Minister for the Economy; it will require a cross-cutting effort by all Ministers at the Executive table to ensure that all those sole traders and individuals who have yet to be supported by the Executive are included. This must, and I have no doubt will, include the taxi, haulage, driving instruction and private hire bus and coach sectors, which are in urgent need of help. I say that I have no doubt because I know, as does every member of the Committee for Infrastructure, that Minister Mallon has ensured that their plight was heard by all her Executive colleagues. Mrs Kelly listed a catalogue of communications, which was repeated by the Minister, showing that all Executive Ministers are aware not only of the plight of transport workers but of the fact that the Department for Infrastructure does not have the legal vires to provide financial assistance.

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

**Ms S Bradley:** I apologise that I will not have time for an intervention.

I feel compelled to repeat that fact because it seems to be lost on some in the House. Sinn Féin contributors tied themselves in knots. In front of my eyes, they shredded the motion when Mr Boylan placed on record that he agreed with the limitations of the Department's vires. The Member for Newry and Armagh went on record to state that she recognises that the Executive have a role to play in reaching a solution. Yet, Sinn Féin then goes on to state

that it cannot support the very amendment that recognises these two facts.

**Mr Boylan:** Will the Member take an intervention?

**4.00 pm**

**Ms S Bradley:** I will not. We set the tone earlier on that.

The amendment, as outlined by Daniel McCrossan, moves the debate closer to a resolution. It cuts through the "He said, she said" arguments. The amendment sets a course for a swifter resolution, but Sinn Féin cannot support it. The DUP has gone on record today to say that it wants to see a swift solution, and it does not want to play party politics, yet it fails to support the amendment.

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

**Ms S Bradley:** I will give you one moment. I know that you have been trying.

**Mr McNulty:** I thank the Member for allowing me to intervene. I apologise to Mr Boylan and Miss McIlveen for interrupting their team huddle in the canteen below earlier.

Will the Member take the opportunity to comment on Mr Boylan's apparent complete U-turn on this issue? For weeks now, he has been tabling questions for written answer to the Economy Minister on what her Department was doing for the coach and taxi sector. Just when did he decide that that was the responsibility of the Infrastructure Minister? Maybe someone told him to lay off the Economy Minister and turn his attention elsewhere. Is this just an example of the DUP/Sinn Féin ruling elite class absolving themselves of responsibility as usual? *[Interruption.]*

**Mr Principal Deputy Speaker:** Mr McNulty, you are consuming all of your colleague's time. *[Interruption.]*

**Ms S Bradley:** Thank you for that informative intervention. *[Interruption.]* The DUP has gone on record —.

**Mr Principal Deputy Speaker:** Ms Bradley.

**Ms S Bradley:** Apologies.

**Mr Principal Deputy Speaker:** We will not have shouting up the Benches. I enjoy a good heckle as much as the next person. Do not get me wrong on that. Mr McNulty, interventions should be brief. You consumed —.

**Mr McNulty:** That was brief.

**Mr Principal Deputy Speaker:** It might be brief in Armagh, but it is not brief here. You consumed an awful lot of your colleague's time. I call Ms Bradley. You have about a minute and a half left.

**Ms S Bradley:** The DUP will not support the amendment, which defuses the political point-scoring and offers a real solution. Let us be clear: the amendment sets out a clear course of finding a quicker solution. The DUP apparently has a pre-prepared position that it has declared and will continue to align with Sinn Féin on that regardless of the facts.

The DUP wants the Minister for Infrastructure to make a bid for funding that it knows she cannot spend. How would that make those who are in need feel today? It is a ridiculous proposal, which reveals a lot about the consideration that went behind the motion put before us today. Can you just imagine the prolonged kerfuffle and the process that would be required if such a bid was made, and it was not made in a cross-cutting way? Mr Muir, we

might have time to watch that fish learn to climb a tree. *[Laughter.]* A cheap political point-score. That is what the motion was. If anybody was sincere in doing anything else, they should have no problem supporting the amendment to the motion. In fact, I will go further. If you supported the need to bring the motion to the House today, there is a moral duty on you to support the amendment, which sets clarity on how to move this matter to a final resolution. If you are sincere —.

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

**Ms S Bradley:** I will just make a closing comment. I ask those to just step up and represent the people they claim to be representing today and support the amendment.

**Mr Principal Deputy Speaker:** I call the Deputy Chairperson of the Committee for Infrastructure, Mr David Hilditch, to conclude and make a winding-up speech on the motion.

**Mr Hilditch (The Deputy Chairperson of the Committee for Infrastructure):** I support the motion and thank the Members who took part in the debate for their contributions on what is, no doubt, a very important matter. This is an issue that has had a massive impact on the lives of individuals and businesses severely impacted by COVID-19. The Chair of the Committee and my party colleague Michelle McIlveen gave an overview of the Committee's consideration of the issues facing taxi, bus and coach hire, haulage and the driving instructor sectors. I will speak on a number of the issues that have come out of the debate before I summarise the views of other contributors.

The first thing to acknowledge is that, despite an amendment being laid to the Committee motion, it is clear that there is no disagreement about the dire situation facing these sectors. Everyone here today recognises the concerns of the individuals and organisations involved and the impact on their lives, their families and the businesses that they have invested time, money and effort into building. Therefore, it is a good starting point that we all recognise the problems, and we know that support is needed. That is a good place to be. I thank all contributors to the debate for their words to that effect.

Dolores Kelly, who tabled the amendment, outlined that the Department for Infrastructure has, indeed, brought in a number of measures to assist those who are suffering from the economic fallout of the pandemic. She added that we all owe a debt of gratitude to the workers in those sectors, who have worked throughout the worst of the past few months. Mrs Kelly outlined that she believed that the impetus for the motion came from the taxi industry in north and west Belfast, a point that I do not recognise as, indeed, I have been lobbied by local taxi drivers in my constituency.

She outlined that schemes are available, some industries have availed themselves of them, and that those schemes have been made available by the Department for the Economy and the Department of Finance. She supports the view of her party colleague, the Minister for Infrastructure, that the Department has no support or power to provide that financial package. She cast blame on the ferry companies for not sharing their support down to the hauliers — again, that should be looked at — and directed taxi drivers and driving instructors to the Department for the Economy's website if they need help. Dolores Kelly noted that the Minister wrote to the Minister of Finance and the Minister for the Economy, and wrote

to the Executive to ask that financial support be made available. She finished by urging the Executive to fill the obvious gap in funding, and accepted Jim Allister's point that it is a problem for the Executive in their totality.

Andrew Muir supported the amendment. He noted that there were disparities across those industries and cited hauliers as a sector in which some have remained busy during the crisis. He asked for better coordination across Departments. Andrew noted that there is concern about the furlough scheme coming to an end, and that something needs to be done in that regard. He said that the situation is stark and that the Department for Infrastructure and HMT need to provide support. He said that coach operators, often, rely on tourism, and that there needs to be coordinated help for the tourism sector. Hopefully, that is coming. He said that the motion would raise false hopes among those sectors. We do not see eye to eye on that. Mr Storey, in his intervention, made the observation that local coach operators to whom he has spoken are looking to DFI for regulation and, indeed, financial assistance.

Keith Buchanan supported the motion. He noted that the COVID-19 crisis has impacted massively on the activities of all those sectors. He said that there had been no clear guidance on PPE for taxi drivers, and that they had, very much, been left to their own devices. He said that it is difficult for taxi drivers to socially distance, they are self-employed and they need to work. He made the point that the Minister of Finance had not yet received any bids for support for the taxi industry from the Department for Infrastructure. He highlighted that the cancellation of coach holidays would mean that it would be difficult for some operators to survive, that operators are investing heavily in their operations, and that costs still need to be covered. He said that some driving instructors have six to eight hours of instruction booked without knowing when testing will recommence. He also said that the haulage industry is suffering totally.

Liz Kimmins, in support of the motion, asked the Minister for Infrastructure to lead on those issues and provide clear guidance. She said that it was unfair to say that the complaints had come from taxi companies in north and west Belfast, a point that I have already made. She said that haulage is haemorrhaging money when hundreds of vehicles are parked up each week, and that not all hauliers are in the same position. Indeed, it is costing some hauliers tens of thousands of pounds weekly for lorries to be parked up. She said that it is important to realise that it is not just up to the Minister for the Economy but the Minister for Infrastructure, too, to champion the cause.

Paul Frew said that he supports any Committee that identifies a problem and brings it to the Chamber. North Antrim haulage companies that he has spoken to have been left out. He asked where we would get food and medical supplies if it were not for the few drivers who are still working. Mr Frew said that, in the middle of the crisis, Ministers just cannot have a "can't-do" attitude; that was his catchline. He said that the Finance Minister had £59 million for transport, which was now £29 million, that he could not unlock, and that he was waiting for a bid. He asked why a bid had not come. Mr Allister questioned the £29 million and asked whether it had already been earmarked for something else.

Cathal Boylan made the point that, at the Committee meeting when the motion was agreed, there was a

unanimous decision, in the absence of Mrs Kelly, and that Mr Beggs had voted in support of the motion. Mr Boylan noted that the industries mentioned look to the Infrastructure Minister as their Minister. They look to her for answers and to bring forward proposals, and he said that the Committee for Infrastructure supports them in not just regulations. He called on the Minister to draw up proposals that might be discussed with the Executive and get the support of the Minister of Finance and the Minister for the Economy. He said that the Minister for Infrastructure had found time to work with airports. He noted that she had stated that her powers in respect of airports were limited but that she had managed to secure funding by working with the DFT.

Roy Beggs supported the amendment. He made the point that some sectors had been affected to varying degrees and that, to avoid duplicating schemes, the Executive should introduce a well-coordinated scheme that will get the support of the Economy Minister and will be regulated correctly as it will impact on other parts of the economy.

Martina Anderson supported the motion. She pointed out that no scheme had been put in place for taxi drivers and that many had fallen through the cracks in the other schemes. She said that the Minister had a wider responsibility and that the Department for the Economy and the Department for Infrastructure were blaming each other. She also said that taxi drivers needed someone to take control and give leadership and that they were suffering, mentally and physically, due to the not knowing. She talked about a constituent who has not been able to get any support or work during this difficult time. She stated that the Minister needs to take the lead and bring forward costed proposals.

Daniel McCrossan agreed with the substance of the motion that the sectors need help. He said that they should not be subjected to a point-scoring exercise. Most of us believe that that is not what this is. He said that this is a matter for the Executive and pointed out that it is not the role of the DFI to develop grants. He said that money had been returned from grants and not been taken up.

The Minister wanted to clarify her powers, and some facts. She said that she had met with the sectors and had brought forward schemes. She outlined a range of schemes and mentioned those during her speech. They included the medical licences and the suspension of MOTs etc. She spoke of the financial challenges facing the sectors mentioned in the motion, but outlined that she can make grants only on a regulatory basis. She outlined her communications with the Executive and individual Ministers.

Members, it is time for the Government to show leadership, when actions of certain Ministers and Members have undermined the authority of the Executive. We must lead and recognise that each and every industry will need tailored help, support and guidance.

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Hilditch:** A one-size-fits-all approach is not suitable for moving forward. We have to do everything in our power to support these industries.

*Question put, That the amendment be made.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Principal Deputy Speaker:** Clear the Lobbies. The Question will be put in three minutes. I remind Members that they should continue to uphold social distancing and that Members who have proxy voting arrangements in place must not come to the Chamber.

**4.15 pm**

Before I put the Question again, I remind Members that, if possible, it would be preferable to avoid a Division.

*Question, that the amendment be made, put a second time.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Principal Deputy Speaker:** Order. Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that, during any Division, social distancing in the Chamber continue to be observed. In order to facilitate that, I ask Members to do the following: any Members in the Chamber who are not due to vote in person should consider leaving the Chamber until the Division has concluded. Those Members who wish to vote in the Lobbies on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first, and any Member who has voted may then wish to leave the Chamber until the Division has concluded. If a Member needs to vote in both Lobbies, however, he or she should not leave the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing.

*The Assembly divided:*

*Ayes 30; Noes 53.*

**AYES**

*Dr Aiken, Mr Allen, Mr Allister, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Beggs, Mr Blair, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Catney, Mr Chambers, Mr Dickson, Mr Durkan, Ms Hunter, Mrs D Kelly, Mrs Long, Mr Lunn, Mr Lyttle, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Mr O'Toole, Mr Stewart, Miss Woods.*

*Tellers for the Ayes: Ms S Bradley and Mr McCrossan.*

**NOES**

*Ms Anderson, Dr Archibald, Mr Boylan, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr Lyons, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Miss McIlveen, Mr Middleton, Ms Mullan, Mr Murphy, Mr Newton, Ms Ni Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Poots,*

Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin,  
Mr Storey, Ms Sugden, Mr Weir.

Tellers for the Noes: Mr Boylan and Mr Hilditch.

The following Members' votes were cast by their notified proxy in this Division:

Ms Armstrong voted for Mr Blair, Mr Dickson, Mrs Long,  
Mr Lyttle and Mr Muir.

Mr K Buchanan voted for Mr M Bradley, Ms P Bradley,  
Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke,  
Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew,  
Mr Givan, Mr Harvey, Mr Hilditch [Teller, Noes],  
Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen,  
Mr Newton, Mr Poots, Mr Robinson,  
Mr Storey and Mr Weir.

Mr McGrath voted for Ms S Bradley [Teller, Ayes],  
Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon,  
Mr McCrossan [Teller, Ayes], Mr McGlone, Ms McLaughlin,  
Mr McNulty and Mr O'Toole.

Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr  
Boylan [Teller, Noes], Ms Dillon, Ms Dolan, Ms Ennis,  
Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney,  
Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch,  
Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh,  
Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill,  
Ms Rogan, Mr Sheehan and Ms Sheerin.

Miss Woods voted for Ms Bailey.

Question accordingly negatived.

Main Question put and agreed to.

Resolved:

*That this Assembly recognises the impact of the COVID-19 pandemic on the taxi, haulage, driving instruction and private hire bus and coach sectors; acknowledges that these industries have not been prioritised in terms of guidance and support packages; and calls on the Minister for Infrastructure to bring forward proposals for the formulation of guidance and financial support for these sectors as a matter of urgency.*

**Mr Principal Deputy Speaker:** Mrs Kelly aside, the Ayes have it.

I ask Members to take their ease for a moment while we change the top Table.

## Private Members' Business

### Disability Services and Family Carer Support

**Ms Armstrong:** I beg to move

*That this Assembly recognises the significant impact of COVID-19 on children and adults with a disability and the exceptional contribution of family carers further to the cessation of many statutory and non-statutory services; and calls on the Minister of Health to produce a detailed plan for the resumption of services.*

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer, Ms Armstrong, will have 10 minutes to propose and 10 minutes to wind. All other Members will have five minutes.

**Ms Armstrong:** Thank you, Mr Principal Deputy Speaker. I promise that I will not take my full 10 minutes, as I know that a lot of Members will want to speak on the motion.

I propose the motion not just on behalf of the Alliance Party but on behalf of a cross-party group of MLAs. I thank all those who signed the motion. I also recognise the work of the many volunteers and carers who contributed to it. I recognise the work of Chris Lyttle MLA, who is not speaking on the motion today, in negotiating with quite a few Members in the background.

We have come together to recognise the significant impact that COVID-19 has had on children and adults with a disability and the exceptional, amazing contribution of family carers throughout lockdown. From the outset, I want to confirm that the motion has been created with Families Involved Northern Ireland (FINI), which represents a regional network of carers and family members who provide substantial unpaid care for disabled adults and children. Those carers are part of the rainbow of heroes who have protected and looked after some of our most vulnerable family members, who, thankfully, have not come into contact with COVID-19. They have kept their loved ones safe, irrespective of the exhaustion and ongoing anxiety throughout the past 16 weeks.

One of the key issues with lockdown was the almost immediate withdrawal of many statutory and non-statutory services. That showed how quickly COVID-19 forced changes on us. So many people with disabilities and their families rely on those services. In most cases, services were removed without warning or consultation with families. The services included day care, respite care, day opportunities and other social care support. Carers took over immediately, providing full-time care and support. When I say "full-time", I do not just mean full-time working hours; I mean 24 hours a day, seven days a week. How do I know that? I know it because my amazing brother needs such care. My dad, who is in his mid-70s — he will not like me saying that — has provided full-time care for my brother with only short periods of respite provided by me and other family members. I know exactly what it is like to live with the fear that carers have. What if their loved one catches COVID? How would they cope in hospital on their own, without us? What would happen if I or my dad got COVID? Who would look after the person then?

For many carers, having to deal with the fallout of services being removed so quickly has caused many problems. Breaking routine throws a carer's world into chaos. It is

difficult to explain to a loved one why they are not allowed to go to work, day opportunities or day care, watch them become more insular, almost retreating into themselves, or see their independence reduce, while providing all their care. Every day, that means that — I will explain what carers do — they wash the person, dress them, help them with their toileting, prepare their food and help to feed them. They are their entertainment; they protect the person; they do all the cleaning; and they wash all the clothes. They try to maintain good hand hygiene, but that is not easy when the person does not want you to touch their hands. That goes on day after day. The only thing that keeps the person going is that there is no one else to do it. The person whom you are looking after is your loved one. You will do anything to help, support and care for them, even if you are physically exhausted, emotionally drained and have not, perhaps, slept in days.

We also had school support provided, such as physiotherapy, occupational therapy and speech and language therapy. All that ceased to be available for children with special educational needs, which had a severe impact on the health and well-being of families. Not only had parents and carers to take over full-time care, they also had to act as teachers and provide the interventions that had to disappear. Families need to know when services will resume. They need to be part of that process. They will need to reintroduce their loved ones to a routine that once was and prepare them for the necessary changes, such as face masks, handwashing and social distancing. Some of their much-loved support staff will have gone, reallocated to other necessary services or, unfortunately, made unemployed. Minister, I am sure that you agree that carers and families should be recognised for their extraordinary efforts throughout the crisis. They have worked as hard as any of your medical staff for four months without a break.

There is a solution. I am not just saying how terrible everything is, and I hope that I can express the families' wishes in a way that honours their input to the motion. Carers need a detailed plan for the reintroduction of services for the person they care for. They need to be a part of creating that plan, and the planning needs to start now. Indications are that external services will not be restored to meet assessed need for a long time, and that needs to be clarified and shared with family carers. Carers need clarity, not rumours or suggestions. It would be really helpful if trusts could assess the long-term, night and day care and the impact that that has had on our carers. If carers go down, if they get sick, our health service cannot cope with taking over caring duties for the people with disabilities who are cared for and look after those carers. Carers need emotional support, and, while organisations like FINI have enabled carers to talk to each other, many other carers have not been able to speak to anyone and remain in isolation. Just before I came in this evening, I spoke to the Royal National Institute of Blind People (RNIB), who recognise the social isolation and terrible loneliness that is happening. The isolation and the sometimes overbearing responsibility that carers feel needs to be recognised and supported. We need to care for our carers and ensure investment and local support for them.

Family carers have asked for and must be given discretion to use individual budgets immediately for family or for managing a family member's support needs in a way that gives flexibility, choice and control. I appreciate that that may

be for the Department for Communities or the Department of Health, but, to be honest, a lot of the red tape — the barriers — is in place through the trusts. It is time for us to trust our carers and enable them to purchase support until Health is in a position to provide it for them or with them.

Carers who work outside the home also need to be protected. A partnership between Health, Economy and Communities could create employment and benefit protections to allow carers to continue to care for their loved ones and not face being sacked, made unemployed or pushed into poverty because the statutory and non-statutory services are not in place. It is not just all about Health; it is a partnership.

Indeed, when considering partnerships, Health and Education must cooperate to deliver school services and support for children and young people with physical and learning disabilities.

#### 4.45 pm

We are here today to talk about our carers and with our Health Minister. Let us not leave carers behind. Let us not leave adults and children with disabilities behind. Being a carer is not all doom and gloom. It is a privilege to look after my family. There are days when there is a lot of laughter and you can see that the person you care for is happy and coping, and life is good. However, there are days when it is exhausting, frustrating and intolerable. Family carers have remained quietly behind closed doors in fear, desperation and despair. They have always called on their reserves of resilience to survive the most extreme circumstances, driven by the need to stay strong so that they can care for those who need them the most. After all, who else can they depend on? Mr Principal Deputy Speaker and Minister, I hope that today we can say that they can depend on us.

**Mrs Cameron:** I welcome the motion. There is no doubt that COVID-19 has had a huge impact on those with disabilities and their family. During the pandemic, many services that are normally accessed by adults and children with disabilities have been either suspended or disrupted as part of the public health response or health protection regulations. Some examples include the suspension of Disability Action's transport scheme; Shopmobility; charitable initiatives carried out in physical proximity, including counselling, overnight stays and group activities; restrictions on visiting learning disability units; the suspension of off-site visits to family or friends by those in supported living accommodation; and the closure of schools has had an impact on the social and educational outcomes for those with particular needs. I know that in my office we have been contacted by many families who are looking to us for help. These are very real concerns. To give one very brief example, if care has to be stopped for some reason and the family is able to manage in the very short term, will there be guarantees that the care will resume in the future? That is a big worry.

The nature of the COVID threat saw parents having to make emergency care plans for their disabled children in case they became incapacitated. Those are steps that no parent or guardian should ever have to take. This has obviously had a massive impact on mental health. Mental illness is the largest single cause of disability in Northern Ireland. Better awareness and acceptance of it is needed as a society as we chart the COVID-19 recovery. The



measures that are proposed in the mental health action plan are a solid foundation. Some 70% of respondents to the Carers UK April survey in Northern Ireland said that they are providing more emotional support to those they care for, including keeping an eye on them and trying to motivate them. Those with disabilities should not be left behind in discussions on how to tackle the legacy of COVID-19 on mental health resilience. The recovery must be fair and equitable to everyone.

The pandemic has also put into sharp focus the disproportionate risk of mental ill health among unpaid carers. Eighty-one per cent of carers have experienced loneliness as a result of caring, and carers are up to seven times more likely to be lonely than the general population. We need to look differently at how we can better address the risk moving forward.

It is vital that COVID-19 recovery has a safe and central place for adults and children with disabilities, as well as those with caring responsibilities. The phased, or incremental, basis on which health and social care, community services, leisure facilities or businesses reopen should not unfairly disadvantage those with existing health conditions or impairments. There should be impact assessments, whether they are done formally or indirectly, for those with disabilities when making onward decisions. Equal access must be at the heart of this process. That means proactive and substantive consultation with service users, carers and their advocates. It also means regular evaluation of adherence to the wider rights of those with disabilities. Many young people with disabilities are seizing education and training opportunities, some of which have been suspended for the duration of the crisis. Those opportunities must not be lost, and those young people's prospects should be prioritised.

Another key requirement as we look ahead is maybe something that goes without saying, but is often not the case. This is about valuing carers. Unpaid carers played an integral role in the first wave of COVID-19 in preventing our health service from being overwhelmed. That contribution may not have been public-facing, but it is as significant and deserves the same recognition and appreciation as other roles. We believe that there is merit in considering a plan to review and potentially raise the level of carer's allowance or to provide an alternative discretionary payment to take account of the additional care provided by family members during the pandemic. Advocates like Carers NI and Families Involved NI have been pressing for that, and we urge Ministers to examine the potential for a proportionate and fair system of compensation. We are also conscious that the sacrifice of many carers in assuming additional responsibilities during the crisis may have had implications for their employment status. Government need to look at more effective means of allowing people to stay in paid work, if they want to. Many charities have called for a plan for long-term social reform and for investment in care and support services to give unpaid carers respite.

In conclusion, even amidst the upheaval of COVID-19, there are opportunities to be identified and harnessed to improve outcomes moving forward. We want to see Executive Ministers commissioning thorough research into and evaluation of the experiences of carers and those with disabilities during this crisis, as well as the impact of suspended services on their standard of life. This is about

effective risk mapping and informed learning for the future. I commend the motion to the House.

**Ms Sheerin:** No one in the Chamber would argue against an equal standard of living for those in society who live with a disability. However, it is not enough to simply state that we want to see people with disabilities treated equally; we have to act and we have to put in place the measures that will allow disabled people to live equally.

During lockdown, life changed for everyone, but the needs of those who require care remained the same, meaning that it was the carers, in most instances, who had to adapt. Caring for someone, particularly for a loved one with whom you share a home, is not a job that can be shrugged off and left at the back door in the evening; it is a vocation and something that not all of us are cut out to do.

It is worth remembering that care within the home is disproportionately the responsibility of women, and a study carried out by Carers UK in 2019 told us that 69% of female carers in the North of Ireland were unpaid. Of those claiming carer's allowance in the North in 2017, 68% were female. The same study demonstrated the financial and emotional impacts of the role, with respondents acknowledging what they miss out on and saying that they had suffered stress, anxiety and poor mental health as a result of their responsibilities, which are often in addition to work and relationship commitments.

Of course, there are also many challenges with direct payment care packages. Families are responsible for an employee, someone who is carrying out the care of their loved one, and so the usual stress of ensuring that their relative is being looked after appropriately can be compounded by worries about sick days or payslips. That has been magnified in recent times with concerns about the procurement of PPE or the securing of a COVID-19 test. I know from my experience of working with constituents on these matters that no two cases are ever identical, but the crux of the issue is the same: everyone wants the best for their loved one.

A recent report estimated that some 310,000 people in the North are caring for someone and that over 98,000 people became carers during lockdown. Those people are at the heart of today's debate. This pandemic, the consequent lockdown and everything that has gone with it are causes of significant anxiety for us all. For anyone suffering from an illness or living with a disability, the threat of COVID-19 is particularly sinister.

As the North went into lockdown, the impact of the sudden closure and the withdrawal of services on those who depend upon them was extremely hard to imagine. So, too, must be the decision to ask a care provider not to come into the home or to decline parts of a care package because of concerns around COVID-19. I know of constituents for whom carers became part of the family. Relationships build between the carer and the individual, and, when the arrangement is successful, it becomes an organic, natural, supportive situation; a friendship as opposed to a work arrangement.

I know families that avoided submitting a request for a care package because of their fears around coronavirus, with furloughed sons, daughters and siblings stepping into the breach during lockdown. These people have not had a break. They were not logging on in their pyjamas to work from home or spending furloughed days catching

up on Netflix but were providing a service that they, in most instances, have had no training for. As well as that, the change in routine for those with disabilities is often unsettling and upsetting. The loss of respite services during COVID-19 has been significant. Without respite, families are providing 24-hour, seven-days-a-week care, which is obviously a massive commitment that ultimately can have a hugely negative impact on a person's physical and mental health. Put simply, we all need a break.

From a departmental point of view, allowing people to cope unaided for sustained periods of time will lead to a greater draw on resources in the long term. It is vital that as the rebuilding plans for health and social care services are developed further, the trusts and Department do not follow the same bias that occurred with the onset of the lockdown, where social care and carers became second or third in the list of priorities. The plans for resumption need to add value to the lives of our disabled population and to consider the concerns of carers. Carers need certainty on the resumption of statutory and non-statutory services. I know that it has been asked of the Minister before, but it is important that the issue is given serious consideration. The current arrangements and restrictions on what is considered care need to be revisited.

Given the lockdown, family home carers should be given some space to be employed, and what is considered acceptable for care should be relaxed in order to meet the exceptional needs. I commend the motion to the House.

**Mr McGrath:** I rise to speak today, just two days on from Sunday, when we celebrated the 72nd birthday of the NHS, and I acknowledge the phenomenal work that goes on every day right across the health service. I also pay tribute to the many individuals with a disability and their families across the North, who have made such sacrifices during the pandemic and, indeed, will have helped to save lives. I pay tribute to the many family carers, who have given tremendous support and assistance, and I pay tribute to all our healthcare staff, who have given up their time, energy and even, at times, their lives to ensure that the pandemic did not have the biblical impact that was predicted. We need, and needed, our carers. In the midst of the worst days of the pandemic, what was the response of those local heroes? They gave comfort, they lived and breathed compassion and they helped to save lives.

In March, we saw the pulling of the handbrake on social services for adults and children with disabilities. With little warning and no consultation or engagement with those who would be most affected, it was gone in the blink of an eye. Essential daycare facilities and respite services were shut. Support staff and daycare staff were repurposed and transferred along or furloughed. All the while, family carers stepped into the breach and not only ensured that those with a disability were supported and cared for, but that the further risk of infection of family members was prevented.

here we stand, on Tuesday 7 July, with the worst of the pandemic behind us, getting ready for a summer ahead, and what position have those local heroes been left in? In the worst days of the pandemic, we let them step up to the plate and protect some of the most vulnerable in our society, and what is their reward? Those heroes who worked unflinchingly, with no conditions attached, and regardless of the impact on their physical, mental and emotional health, who oftentimes had to leave their own families behind so that they could care for others. How are

they being repaid for that? Well, they are not. We are now being told that the indications are such that these services will not be restored to meet assessed need for a very long time, and no information is being given directly or being shared with the families.

Forgive me, I know that sometimes we in south Down feel very isolated and alone when we see moves to repurpose our beloved Downe Hospital. It looks, though, that we are not alone in this, when we see the same tough, difficult treatment being handed out to family carers. In some ways, I fear for the aftermath of the COVID crisis. Lots of people are talking about a new normal. I hope that there is a new one, because we cannot go back to the old normal. If the old normal meant that you could pull essential staff from a local emergency department, send them to a hospital where they were not needed and then tell them to go home and use their leave, I do want to see that normal. If the old normal meant that you can pull the handbrake on essential social services for adults and children with disabilities, it is not what we want to see. If the old normal meant that family carers had to put their physical, mental and emotional health on the line to care for others in the worst days of the crisis, and not be consulted on the future operation of the service, we do not want to be part of that new normal.

I know that our Health Minister likes to use the term "repurposing" and it has found a way into our new language, but, in this instance, I maybe actually agree with the Health Minister, although he may not believe it.

We need to repurpose our health service and find a new normal. What is the purpose of our health service? It is about the physical, emotional and mental well-being of everyone, whether you are a patient, a family member or a staff member.

#### 5.00 pm

As part of the repurposing, I urge the Health Minister to do three things that are entirely within his gift and to do so as quickly as we can. The first is to put in place flexible funding to be made available to family carers so that they can begin to plan alternative arrangements for care and support for the foreseeable future and so that they can get a break themselves and not be burnt out. Secondly, the Department must ensure that family carers are given the discretion to use individual budgets immediately for managing their family members' support needs in a way that gives flexibility, choice and control. Thirdly, family carers must be fully involved in any and all of the future long-term solutions. I do not think that that is asking too much, and, in case there is any ambiguity or confusion, I absolutely support the motion today and urge all Members to do so.

**Mr Butler:** I welcome the first cross-party motion since the resumption of the Assembly earlier this year, and I recognise the work of Chris Lyttle, the chair of the all-party group on learning disability, and the work that has gone into bringing the motion to the Floor of the House. It is good to be able to talk about a motion about some of the most vulnerable people in our communities and the people who provide the care for them, often in a hidden form. I also recognise the work of the all-party groups on learning disability and disability, which have, in my time over this past four years, been relentless in trying to give a voice to those who are often unseen and unheard. In those two

all-party groups, we have the advocates, the carers, the community and voluntary sector, the statutory sector and the service users represented, and it is one of the most refreshing platforms to be working on as a politician in these days.

Mr Principal Deputy Speaker, if you do not mind, I will read out the motion. It is a powerful motion, and it seeks:

*“That this Assembly recognises the significant impact of COVID-19”.*

When we assess the impact of COVID-19 across our society, those who are most vulnerable must be at the top of our list, not at the bottom. The motion recognises the impact:

*“on children and adults with a disability and the exceptional contribution of family carers”.*

I think that “exceptional” is an important word there, because it is often unseen and unheard what family members and close friends do in the provision of care in the unpaid sector. The motion goes on to talk about the temporary withdrawal of:

*“statutory and non-statutory services; and calls on the Minister of Health to produce a detailed plan for the resumption of services.”*

I support the sentiment of the motion.

It is important that we recognise what a carer is. It would be a disservice to not peel it back a little. A carer today, in 2020, we now know, can be a child. It can be adult; it can be a family member; it can be a friend who gives care to somebody because of their frailty, their disability, their addiction or some other issue because that person cannot cope. That person provides the lifeline for the individual. The thing about being a carer is that, many times, they do not see themselves as carers; they see themselves as having to fulfil that function because there is no one else. Carers are champions, and we should not be afraid to put them on the pedestal where they deserve to be. Whether they fall into that role due to being a parent or a child or a sibling, we need to recognise what they do and the value of that for the person who needs that care. It is very likely that most of us may perform that function, as my colleague Kellie Armstrong has eloquently said today and so many times. That brings a real level of reality to what we are talking about.

I looked at a report about the four top things that carers have been exposed to over the COVID pandemic. Some of them existed before, but they have been compounded and magnified by COVID. One of them is visibility. The doors have been closed, and, perhaps, it has been even harder to get out and to interact with other people and certainly to avail themselves of services. The next was isolation, and there has been isolation across all facets of our society. For those who were already isolated, perhaps, it is even worse. Access is what we are talking about today, because, for the protection of the carer and those who needed the care, some of those services have been restricted or stopped, to prevent them from an even more insidious danger. Then, there is grief and loss. If you are a carer, especially for someone with complex needs, the fear of the loss of that person is a constant, dark companion. It is a burden that is hard to bear and has been exacerbated by COVID. I wrote to the Health Minister on 24 May on that

topic and asked several questions in respect of the impact of COVID and the impact on carers. I was delighted to hear that the Department was committed to working closely with the carer representative bodies and was cognisant of the Carers UK report ‘Caring Behind Closed Doors: Forgotten families in the Coronavirus Outbreak’ and that guidance was published on 10 April and 22 May. It was also good to note that mental health got a significant mention and that there was information provided on that.

As I come to the end of my five minutes, Mr Principal Deputy Speaker, it is with delight that I speak on the subject and support the motion.

**Mr Easton:** It is estimated that up to 310,000 people in Northern Ireland may be providing unpaid care to a family member or loved one. Over 30% of those — 98,000 — have become carers since the COVID-19 outbreak began. Many of those carers will be supporting loved ones who have an incurable health condition or are at the end of their life. Because of COVID-19, social services for adults and children with disabilities were withdrawn in late March due to lockdown without warning or consultation with family carers. Paid support staff, including day-care workers, were reallocated to other services or furloughed. Facilities for day care, respite and other services were shut down. Family carers stepped in 16 weeks ago to provide all support and care and have kept family members free from infection.

Sadly, some terminally ill people have died since the COVID-19 outbreak began. The Northern Ireland Statistics and Research Agency (NISRA) has recorded 716 excess deaths in the year to 19 June. That means that there have been an estimated 3,580 more people affected by bereavement than at the same point in 2019, many of whom are likely to have been providing care to loved ones before they died. Before the outbreak began, capacity issues meant that demand for bereavement support was significantly outstripping supply. That pressure is only likely to have grown as a result of the increase in deaths and disruption in services due to social distancing and other lockdown measures. Providing care for a dying loved one can be an all-consuming role. It leaves carers with little or no time to recharge their batteries, spend time with friends and family or even to do the basic things that most take for granted, like getting a proper night’s sleep or enjoying a meal. More than ever, in the context of COVID-19, access to respite and other support services provide a lifeline for carers of terminally ill people.

The reduction and closure of care and support services and the disruption to services from paid care workers will only have exacerbated these issues. Survey data shows that 44% of carers in Northern Ireland are providing more care than before the outbreak began because of the reduction or closure of support services. For many carers, the outbreak will be an even lonelier and more isolating experience, as they are cut off from wider social support networks and relevant services. Access to regular respite is critical in allowing carers to take a break from their caring roles, recharge their batteries and look after their own health and well-being.

It must be recognised that, while COVID-19 has served to intensify the burden on local carers, the pressures on the services that support them long predate the outbreak. For instance, the widely acknowledged financial pressures facing adult social care have often meant a reduction

in the services available to patients and the carers who support them. A significant increase in funding will be needed to allow health and social care trusts to rebuild after the crisis as well as bringing forward plans for the long-term reform of adult social care. Identifying carers as a priority group requires emotional support services and the development of an agreed pathway for them to access interventions such as psychological talking therapies; work in partnership with third-sector organisations; and providing advocacy and other key support services to carers. Family carers need flexible funding made available to them urgently so that they can begin to plan alternative arrangements for care and support for the foreseeable future and get a break themselves. Carers must be given the discretion to use individual budgets immediately for managing their family member's support needs in a way that gives flexibility, choice and control. Indications are that external services will not be restored to meet excess need for a very long time, although no information about that is being directly shared with family carers. Family carers must also be fully involved in all future long-term solutions.

The Minister has published the strategic framework for rebuilding health and social care services, which I welcome and support. As part of the rebuilding programme, trusts have also produced and published plans for scaling up services. Those plans are now essential. They must be escalated, and we must ramp up service delivery, especially for children and adults with a disability, and fully recognise and support the exceptional contribution of family carers into the future. We owe them a debt of gratitude that must be paid by supporting them now.

**Ms Bradshaw:** I fully support the motion and welcome the opportunity to speak. I hope that the cross-party nature of the motion will send a strong message to the parents and family members watching or hearing reports of our discussion today so that they know how much we care about the subject matter.

I start off by acknowledging how difficult the lockdown has been for families where one of their loved ones lives with a learning difficulty or physical disability. I have said many times in the Chamber that the lockdown measures introduced to minimise the spread of coronavirus have been and continue to be felt disproportionately by certain sections of society, not least this one. We have all been contacted over the last four months by people raising concerns about aspects of accessing healthcare, social care and education. One of the earliest contacts I received was from a worker in a day-care centre for adults in Belfast who was very concerned about the close proximity of attendees on the buses and in the activity rooms, as well as the lack of hygiene control measures and, probably from this person's perspective, the apparent lack of urgency to close operations and stop the spread of infection. Very quickly thereafter, they were all closed. However, we all need to recognise now that that decision, like many others at the very start, was not taken lightly and was reached with consideration of the full ramifications of ceasing such services. Let us not forget that, back in February and March, we were facing into the unknown. Figures for potential projected deaths were in the thousands, and none of us had a crystal ball to know how the virus would spread. From the start, one group of people who were acutely focused on the news and the latest information about the virus were the parents and partners of people who live with health vulnerabilities.

Their principal job in life is to care for their loved ones and protect them from harm. Therefore, when the non-statutory services were closed, it was done without much dispute but with a sense of apprehension about how life would be for them as 24-hour carers without outside help and without the interventions of allied health professionals and other support staff who play such a vital role in working with people on mental and physical health and development.

At this point, I pick up on the huge efforts of the teaching staff in the special needs schools and the physiotherapists, speech and language therapists, classroom assistants and so on who have come up with inventive ways of continuing contact with the children and adults to encourage them to keep doing their activities, their exercises and their learning at home during these periods of isolation. I am sure that the parents and carers have really appreciated their ongoing support. However, I express some disappointment that it took so long for the guidance for social workers working with such families to be reviewed and updated by the Department of Health. I think it was about 12 weeks into the pandemic when that updated guidance came out. I had been contacted by parents who were acutely aware that, because outside carers were no longer coming into homes due to their legitimate fears about bringing in the infection, they were becoming reliant on their other children for support, essentially making them unpaid carers. Many told me of their acute stress and guilt at that, especially as the children were also feeling the pressure of their own absence from school and homework coming through, as well as their isolation from their friends and outside activities. I raised that issue on two occasions with the Minister at the Health Committee, and he came back to me with the answers I was looking for.

#### 5.15 pm

I was asking him principally about the potential for parents to use their direct payments flexibly, as is the case in England. When the long-awaited guidance came out, there was provision in it that social workers could work with families on a case-by-case basis. The guidance also required that the recipient of the money would have to pay tax and insurance and become, effectively, their parents' employee. All of that smacks of extra work and stress at a time when there was already a bucketload of both for the parent and the social worker.

In preparation for the debate, I had a quick look at the comments on posts that I created on my Facebook page during the pandemic to provide updates for carers. One comment jumped out at me, because it said:

*"No shock there, we are always at the bottom of the agenda".*

Ministers and fellow MLAs have talked much over the last few weeks about resetting our health and social care sector and better recognising the unnamed yet diligent members of our society who played a vital role in holding the country together during the lockdown. We owe it to the carers and their loved ones that disability services are better resourced and better meet the needs of children and adults. In so doing, we have to ensure that we listen, engage and do better, going forward.

**Miss Woods:** Thank you, Mr Principal Deputy Speaker, for the opportunity to sign and speak on the motion.

As other Members have said, it is estimated that up to 310,000 people in Northern Ireland may be providing unpaid care to a family member or loved one and a significant number of people have become carers since the outbreak of COVID. Because of COVID, many families have had to make hard decisions about whether they wish to continue with some of the care that they had coming into the house. They have had to consider their safety and keep family members free from infection and face the closure of community, domiciliary and statutory support services. The effect on children and adults with a disability and the impact on family carers should not, therefore, be underestimated. The Assembly must recognise that and do something to help ease the pressure and burden that exists.

Local care and support services were closed, and health regulations have meant that key supports that some were able to access have been removed, including day opportunities and short breaks for respite, which are crucial for health and well-being. Members will have received briefings from FINI, the RNIB and the Coalition of Carers Organisations in response to the motion, giving their support for it and further recommendations. I hope that the Health Minister and other Ministers will take their points on board and commit to meeting all the groups that have come forward with ideas. I also implore the Minister to continue to engage with the sector, commit to co-design, truly listen to the voices of those who are supporting our most vulnerable and build back a better system that is supportive of our carers and those whom they care for.

The organisations that have contacted us are clear: they wish to be fully involved in long-term future solutions and to work in actual partnership and not just as part of a tick-box consultation. Additional funding and flexible finances must also be looked at in the short term for those who need to plan alternative arrangements for care and support to alleviate the pressures that are faced and for trusts to rebuild and deal with the long-term issues that face the social care sector and that predate COVID. I spoke to FINI yesterday and heard the stories and experiences of those women from before COVID and during this time. It was an emotional conversation, in which the realities of their lives were discussed. I thank them for their honesty and openness in engaging with me. What was loud and clear is that they need to be heard. They have ideas and solutions to problems, but many feel that they are not being listened to. They need support, but it must meet the needs of their family members and their needs as carers. They talked about the support that they have received through this time. Some said that they had had none — one or maybe two phone calls in 14 weeks from the statutory bodies. That is not good enough. They tell of day centres being used as storage units, with no firm reopening date, and of the day-care hours that they need being reassessed and reduced. They talk of inconsistencies between trusts and the inflexibility of individual budgets. They talk of the reassessment process for day care being redone and not on a needs basis. I want the Minister to confirm how assessment for future access to day centres and day care is being done and how the people who need it most and who need more care will be able to avail themselves of it. Any future detailed plan should include investing in advancing plans for the upgrade of day centres, for example, to ensure that our buildings are suitable, such as at Ravara Training and Resource Centre in Bangor in my constituency, where parents and carers have been

lobbying for years for upgrades and a new centre. Despite business cases being submitted as far back as 2012, they still wait.

Unpaid carers are vital to keeping vulnerable people safe, yet many fear that continuing 24/7 care will lead them to burnout. Many people in Northern Ireland were performing a caring role in difficult circumstances during and before COVID-19, alongside trying to hold down full-time jobs, take care of family responsibilities and look after their own mental and physical health. We know that, before the outbreak of COVID-19, social care services were already in short supply and families with support met a high threshold to get any sort of care outside the home. Now, some of those services have disappeared, and unpaid carers have to cope alone, which adds to the burden and pressure. The Minister recently rightly stated that Northern Ireland faces a massive challenge in rebuilding health and social care in the wake of the first COVID-19 wave. We had a challenge before COVID, and we face an even bigger one now. Part of that is facing and dealing with the issues that existed, but we have an opportunity to build back better, to refocus and to do things differently, better than we did before. I commend the motion to the House.

**Mr Carroll:** I thank the Members for tabling the motion. I am happy to have signed it and supported it. I thank all the carers in my constituency and across the North who have been working extra hard throughout the pandemic. I thank the organisations — a lot of them — that contacted me and other Members ahead of the debate.

The necessity to implement lockdown exposed how reliant we are on care workers, those who work in a broad range of environments to support people with disabilities and care needs and those who provide care in general, including family members. It was obviously not just that trust services were withdrawn; a broad range of community settings and services were no longer open due to lockdown. The current arrangement highlights the need for respite care, as we have heard, for the families of loved ones with care needs. The truth is that unpaid carers took up the mantle. Family members stepped in and stepped up to provide care when it was required. We should recognise that fact and the fact that, as we have heard, it is mostly women who carry out that work. They deserve not only praise and thanks but some sort of financial assistance or payment in recognition of that. There is a call for a family carers grant, which is something that, in my view, should be welcomed broadly by the House.

Family carers must be given the discretion to use individual budgets immediately for managing family members' support needs in a way that gives flexibility, choice and control. While it is, no doubt, the case that care workers employed by the trusts or whomever work hard and provide essential support, there was a gap in care before the crisis. The unpaid carers whom we are talking and thinking about today were often the ones who stepped in. Families Involved NI mentioned that, in a week of 168 hours, the state provides only 30 hours of support. That is far too low. We have also heard that more than 310,000 people provide unpaid care. That is a staggeringly massive figure that needs to be tackled. People need support.

The mantra of "No return to normal" has echoed loud and clear throughout the pandemic. We cannot return to a situation where the state fails to provide enough hours to families of people with care needs. We have heard in

our correspondence about carers in their 70s and 80s who have had to provide round-the-clock care. I can only imagine how difficult and tough it has been for them to provide care for the people they love on a consistent, 24/7 basis, often without any respite at all. We have to recognise the role played by such people. They were integral in providing care when services were withdrawn. Family carers stepped in 16 weeks ago to provide support and care, and they have done essential work throughout that period.

We also have to recognise that people with disabilities have generally been overlooked by society when decisions were being made. One group in particular that is often overlooked is people who are blind or have visual impairment, and there are an estimated 55,600 of them in our society today. Obviously, social distancing is difficult for them to do, so, when we make plans for moving forward, we need to bear in mind those people. People who are blind or partially sighted have been shouted at on the street because they are not abiding by social-distancing measures. We need to bear that in mind.

We have to remember that many family carers face burnout. We need to act accordingly to support them. Many people have clapped for the NHS in the last few weeks. As we face economic ruin and recession, what better way to pre-empt that than by starting to employ and recruit more carers? That would, obviously, provide jobs, but it would also provide extra hours, as needed, to carers throughout the crisis and afterwards.

**Mr Principal Deputy Speaker:** I call the Minister of Health, Mr Robin Swann, to respond to the comments that have been made. The Minister will have 15 minutes.

**Mr Swann (The Minister of Health):** I thank everyone who commented and those who tabled the motion. The motion provides an opportunity to highlight and debate an important subject: the impact that the COVID-19 pandemic has had on our children and adults who have a disability, as well as those who care for them. I will begin with a simple but heartfelt "Thank you". It would be remiss of me to do anything other than express my sincere gratitude to the many families who have played such a significant part in keeping their loved ones safe during these difficult last few months. It would be difficult to overstate the debt that we owe to them.

Controlling the spread of the virus has, rightly, been our collective top priority and will remain so as we continue the process of easing restrictions. However, I am aware of the real challenges and difficulties that lockdown has presented for the families and carers of those with disabilities and complex medical conditions, many of which have been echoed here today. I publicly thank every one of those families and assure them that they and their loved ones have not been forgotten.

There is, however, much that we need to consider, as is evident from our debate. As I have said on many occasions, the pandemic has changed all our lives. That is particularly so for families including those with disabilities. I am acutely aware that many have faced either long separation from loved ones who are being cared for in a setting outside the family home or the taking on of caring duties on a full-time basis because of the scaling back of services or the closure of schools. According to a recent report that a number of Members have mentioned, nearly

100,000 new carers were added to the list in Northern Ireland as a result of the COVID-19 pandemic. That means that there are potentially well in excess of 300,000 carers in Northern Ireland now. That is a significant number of people whom we rely on to help the people whom they care for to live at home. In turn, carers rely on our health sector to support them in their caring roles. As some have said, it is a partnership. One of many lessons of the pandemic, however, is that we, as an Executive, need to work on strengthening that partnership. My Department, the board and the HSC trusts have worked tirelessly to provide what help and support they can in extreme circumstances, and I thank them for their efforts.

Recently, during Carers Week, we all had the opportunity to celebrate the role that carers undertake. This year's theme was making care visible. Mr Butler referred to that as one of the four main challenges. A report on the state of caring was launched by Carers Week, and it makes for sobering reading. The challenges and anxieties faced by carers are very real. They impact on their relationships and finances and create feelings of isolation and being overwhelmed and undervalued. I have asked my officials to reflect on the findings in the report and report to me. There is no doubt that the toll that the pandemic has taken on our carers is tangible, going by what has come across my desk and the desks of other Members and what has been articulated today by Members advocating on behalf of those families and themselves. In particular, I have been struck by the real sense of what can only be described as fear that is being experienced by some of the families as they struggle to cope with the circumstances that they have found themselves in. They feel deep anxiety about their own health and well-being and that of their children at this difficult time and into the future.

I know that there is a deep concern among Assembly Member colleagues about this, and I share it and I am fully committed to addressing it by building on the detailed work that is well under way around the resumption of services.

### 5.30 pm

On the closure of HSC day centres and schools, as many of you have already said, we saw the early standing down of most of our centre-based day services, along with some short break facilities across all trusts, in response to the COVID-19 pandemic. While we are cognisant of the degree to which many families rely on those supports on a daily basis, it is important to note that the action was considered necessary at that time to minimise the transmission of the virus among adults with learning disabilities and to ensure adherence to public health guidelines. We also saw the closure of schools, including our special schools.

In response to those closures, Members will be aware that, across Northern Ireland, as anxiety increased among families and carers who were struggling to cope at home, all the trusts put in place measures to redeploy their day-centre staff to provide alternative day, short break supports to families on a risk-assessed basis, and in accordance with COVID-19 guidelines. In many cases, that involved bespoke arrangements being put in place to meet the individual needs of those families, with some very laudable effort made to reach out to service users and their families and to provide in-reach services in day centres on an exceptional basis, while adhering to public health

guidance. I know that that support provided much-needed respite for some families and it is worth acknowledging.

I will also take this opportunity to commend those working in the voluntary and community sector for the huge efforts that they made, and continue to make, to support their clients and families. The work that is being done at the grassroots by many organisations that have gone the extra mile and beyond is truly humbling. Organisations such as the Compass Advocacy Network in my constituency reached out to give us an update as to the steps that it had taken to support its service users. It also provides hope for us all that many organisations stood up and supported those families when they needed it. It also provides hope for us all that some good might come out of the pandemic through learning that can be applied as we plan for and seek to rebuild services for the future.

Many Members referred to the importance of cross-departmental, inter-agency working, and I believe that that is particularly true for our disability sector. I say that because one of the positive things to have emerged from the many challenges that the pandemic has presented has been the even closer working that we are witnessing between Health, Education and Communities. That can only be a good thing, and it has come about through the establishment of a joint Health and Education oversight group and local multi-disciplinary panels in trusts to help deliver an integrated support group programme for children with complex needs and the families who are in the greatest need.

Through Health and Education working together, children who rely on the routine and familiarity of school as a vital coping mechanism have been identified and placed in our special schools during this period. That was as a result of guidance that was developed and training that was provided by our health professionals. The collaborative working between Health and Education is continuing, and it will inform the planning of the Education Restart programme, including the health supports that are required for children in line with their statement of special educational needs.

Collaboration with colleagues in the Department for Communities and the Housing Executive has increased to ensure that supported living services can continue to reach the most vulnerable in our society during the pandemic.

During the pandemic, we have collated and produced a range of guidance products in formats that are accessible to those with sensory and learning disabilities. These resources include material from a variety of sources, targeted at helping people with learning disabilities and autism, and their family, express how they have coped with lockdown. The guidance products are available on the PHA website.

I have made additional funding available to Carers NI so that it can extend the operating hours of its advice line service, and, in response to a request from carers, a carers ID card has been developed and distributed to assist them with their in-store supermarket shopping. Officials are working with carers in the health and social care sector to develop guidance that will bring much-needed clarity to the complex subject of direct payments, which Members mentioned today. The trusts have been contacting carers and, where possible, offering additional support. Online stress management classes, carer support

groups and health and well-being sessions have been organised to support carers through these difficult times.

My Department co-produced advice for unpaid and family carers, including young carers. That was published initially on 10 April and has been updated regularly since. This advice brings together a breadth of help and advice from across government, health and social care and other verified sources, making it an essential one-stop shop for busy carers. My Department has amended and produced updated guidance on other issues, including the course of the pandemic, to reflect the specific needs of people with disabilities and their families as our awareness of the impacts of the restrictions has increased. Travel for exercise and visiting guidance are two examples of this. Many organisations contacted us seeking clarification of the rules around exercise where there is an agreed need, perhaps requiring travel to a particular place outside a person's local area more than once a day. We looked into this immediately, and updated guidance was subsequently published and implemented across all trusts.

Following direct engagement with carers from a range of trusts, facilitated by Families Involved NI, we were able to ensure that their concerns about being able to accompany their loved ones into hospital were addressed in the latest regional visiting guidance, which I published last week. I very much hope that, moving forward, this example of co-production in action can be built upon.

Members referred to the recovery and reset plans. This is a good point at which to address the second part of the motion, which is the call for me:

*"to produce a detailed plan for the resumption of services."*

I am pleased to report to Members that detailed planning is under way across Northern Ireland for the resumption of services. Let me make it clear: I have made it clear that I want services to be recommenced as quickly as it is safe to do so. At the beginning of June, I published an overarching strategic framework for the mammoth task that we now face: the task of rebuilding our health and social care services as we emerge from this initial peak of the first COVID-19 surge. In doing so, I have made clear that we cannot look too far ahead or ignore the huge strategic challenges that faced the system pre-COVID and which have been further compounded by the pandemic.

As I said previously, the process of rebuilding will be incremental. In this context, under the auspices of the strategic framework, plans have been developed for a regionally consistent approach to the resetting and recovery of the disability services that, across Northern Ireland, were scaled back during the first surge. All trusts, in partnership with the independent sector providers, are developing detailed service-specific action plans informed by a range of factors. These include COVID-19-related staff absences; the ability to implement social-distancing measures in current facilities; the ability to return staff from redeployment; and local variation in infection rates and practicalities. Engagement with carers and independent sector providers on these plans is under way across all trusts. It is important to recognise that there have been practical barriers to consultation with service users during the pandemic. However, we must ensure that their views shape how services are reset and scaled up.

Initial feedback suggests that flexibility will be essential as we enter the recovery phase. Reflecting the demand for increased creativity in the approach to service delivery, and in the light of experiences during the first surge, incorporating the learning and new approaches developed in response to the pandemic will be central to our approach to restarting services and, indeed, to the future shape of learning disability services in Northern Ireland. To that end, the lessons learned from COVID-19 must inform the ongoing development of the learning disability service model for Northern Ireland.

In conclusion, it is important to emphasise that our understanding of the impact of COVID-19 on our population is a developing picture. Although the anecdotal evidence is clear and backed up by much of what has been said here today, we still have a lot to learn, particularly about its impact on various groups here in Northern Ireland, including those with a disability and their families and carers.

While I am confident that the detailed planning already under way reflects what we currently know, I am also fully committed to increasing our understanding of the impacts on children and adults with a disability and their families in order to inform our plans for rebuilding as they continue to evolve in line with the strategic framework that I have already published on the principles of co-production, which I am fully committed to as we move forward.

We will also continue to work in partnership with our partners across all Departments to ensure that the holistic needs of those with a disability and their families are met. On that basis, I support the motion today and thank the Members once again for bringing this important issue to the Assembly.

The last word must go to families: I assure you that your contribution to our response to the pandemic to date is much valued by me and my Department. I salute your resilience and your incredible efforts to advocate on behalf of your loved ones.

While we must recognise that the road ahead will be challenging and the service capacity will likely continue to be significantly impacted, it should not have to be a struggle for those who play such an important role in our system. We must keep striving to improve how we do things. As a system, I know that we will rise to that challenge, and I look forward to doing that with everyone who has a stake in making it better for all. I support the motion.

**Mr Principal Deputy Speaker:** Thank you, Minister. The Minister went a minute over, but, given the content of that minute, I think that I did the right thing in not interrupting him.

I call Mr Colm Gildernew to conclude and wind up the debate on the motion.

**Mr Gildernew (The Chairperson of the Committee for Health):** I am very pleased to be associated with the motion today. I also acknowledge the work that Chris Lyttle has done in bringing us all together on such an important issue.

Members across the board have largely recognised many of the groups who have engaged in the debate outside this Chamber, and families involved, who I did a significant Zoom meeting with a number of weeks ago, have been instrumental, as have a range of other groups. In the run-up to the debate, there was an issue raised in relation to whether or not this would be tokenistic. I recognised that concern from that group of people.

We all know that, in the best of times, carers are faced with very difficult situations and that the COVID-19 crisis has indeed accelerated many of those issues. It has left them further isolated and left them with further difficulties in relation to holding down a job and trying to manage their caring role at the same time. That is something that we need to be very conscious of.

I would also have been delighted had this motion included an element of financial recognition for the additional costs that carers have had because of PPE and having to pick up extra care. That is something that we need to look at very realistically, and I acknowledge the Minister's remarks about looking at that issue very specifically. It is important that we address that as a priority in the time ahead.

Members here today also indicated the unfair, if you like, impact of caring on particular groups. Women obviously are the first group that come to mind in relation to that, but I have concerns about carers of children who have had to deal with the issue of their schools being closed and all those additional supports or respite disappearing from them.

When I first came into the Assembly, I became Sinn Féin spokesperson for carers and well-being. I asked for that role to be created because I think that there is a wide recognition that, too often, we treat carers as an afterthought in many ways. We cannot see that continue because, as has been acknowledged by the Minister and by other Members who spoke today, there is a huge amount of people who are providing care in our society, and the entire health and social care system relies heavily on the input of those carers.

As Kellie Armstrong said, if we do not support them and they get burnt out, we are in serious trouble. There is absolutely no question about that. We need to engage with them in a realistic way. I acknowledge the Minister's point that there have been additional difficulties with COVID-19. However, additional opportunities have opened up. Many of us have seen all-party group meetings. I attended one Zoom meeting, in particular, at which there were 80 people. Therefore, other ways of engagement are being opened up that should be explored proactively.

#### 5.45 pm

I also want to address the issue of trusts' responsibility, which is central. In the first instance, they have a responsibility to identify carers. A number of months ago, I did a piece of work with the trusts on their register of carers. It is patchy and incomplete. They understand that they do not know fully who is providing care in the community. The Minister has acknowledged the additional carers who have come forward at this time. That is a significant and welcome piece of work, but there is much more to be done in that respect. We need to find out who out there is providing care and what we need to do to support them.

Almost every Member who has spoken in the debate has acknowledged the fact that caring, in itself and before COVID-19, has a huge impact on physical and mental health. Everyone has also acknowledged the impact of loneliness on carers across the board and the further difficulties with that at this time. There are also significant issues around poverty and the impact that being a carer has on career progression. In the longer term, we need to reinforce the rights of carers in legislation. At this



time, the only legal right that a carer has is the right to an assessment. They do not even have the right to have any needs identified in that assessment met. At least, it is a start that unmet need is being captured. We also need to look at that issue.

Many Members mentioned the need to provide flexibility around direct payments and individual budgets where that suits a particular situation. We cannot overlook the essential need for the core services that have been stopped, including schooling, day care and respite services. Carers have been stressed out for weeks now, as was mentioned by a number of Members. In many cases, they are truly at the end of their tether. We need to reflect on that. I believe that the Minister understands that, and I welcome the moves that he has taken. However, as a matter of urgency, we need to see what practical steps we can take for the rebuilding of services. The Minister has mentioned difficulties with that. We need to engage with those difficulties robustly in order to try to prioritise that. It is one of the key issues that we are looking at now.

I commend Members for the debate. It is an important message to send out. While I recognise that people out there will be concerned that the motion is somehow tokenistic, it is important that we, at least, start to have that debate and move the practical situation forward. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the significant impact of COVID-19 on children and adults with a disability and the exceptional contribution of family carers further to the cessation of many statutory and non-statutory services; and calls on the Minister of Health to produce a detailed plan for the resumption of services.*

**Mr Principal Deputy Speaker:** Members, as I am moving the next motion, I am, obviously, unable to chair the debate on it, although some might think that I would maybe try. I have been advised that Deputy Speaker Beggs is unavailable and is, therefore, also unable to chair the debate. Standing Order 9A(1) provides for those circumstances by requiring the sitting to be chaired by a temporary Speaker. The temporary Speaker is defined as:

*“the member, present at the sitting, who has served the Assembly the longest number of days, and in the case of a tie, the oldest”.*

In accordance with Standing Order 9A(1), I have, therefore, asked Mr Jim Wells to take the Chair.

I invite Members to take their ease. I propose, by leave of the Assembly, to suspend the sitting — *[Interruption.]* Members, one moment. I propose to suspend the sitting until 6.00 pm in order to allow for change at the top Table. The next motion will be on ministerial breaches of the COVID-19 guidelines.

*The sitting was suspended at 5.50 pm and resumed at 6.00 pm.*

*(The Temporary Speaker [Mr Wells] in the Chair)*

## **Ministerial Breaches of COVID-19 Regulations and Guidelines and the Associated Damage to Executive Messaging on COVID-19**

**The Temporary Speaker (Mr Wells):** I ask Members to take their seats. As the Principal Deputy Speaker has outlined, it falls to me, as temporary Speaker, to chair the debate. I remind all Members that, in my role of temporary Speaker, I will, of course, discharge my duties during the debate impartially.

**Mr O’Dowd:** On a point of order, Mr Temporary Speaker. Can you clarify something for the House? The motion is titled “Ministerial Breaches of COVID-19 Regulations and Guidelines”, yet in the text of the motion there is no mention of a ministerial breach of the COVID-19 regulations. I just want clarity on what Members are debating today and what they will be voting on.

**The Temporary Speaker (Mr Wells):** I thank the honourable Member for Upper Bann for his intervention. The titles of motions are determined by Members when they table their motion. There are admissibility criteria for motions, but the wording of the motion is a separate matter. You have a concern about the title. The issue has been considered, however, and the title and the motion are in order under Standing Orders.

**Mr Stalford:** I beg to move

*That this Assembly acknowledges the immense sacrifices that people, families and communities have made during the COVID-19 emergency; pays tribute to those who selflessly prioritised the need to keep each other safe above their own personal needs, particularly during times of trauma, loss and grief; expresses disappointment in the actions of those in ministerial office who breached public guidance and failed to share in the sacrifice that we have asked of others; implores members of the public to stay with us and to continue acting in accordance with the regulations in order to keep each other safe and prevent further deaths; recommit to upholding the spirit and the letter of the COVID-19 regulations and the related public health guidance; and calls on the deputy First Minister and the Minister of Finance to apologise for their actions, which have caused immense hurt.*

Over recent days, Members of the House have been asked by senior Government Ministers not only to suspend their critical faculties but to suspend their physical senses. In a fashion that would shame Kellyanne Conway, the deputy First Minister asks us —

**The Temporary Speaker (Mr Wells):** Order, Mr Stalford. I am sorry. I should have given Members an indication of the timing for the debate. You will have your full 10 minutes.

**Mr Stalford:** That was a good line too *[Laughter.]*

**The Temporary Speaker (Mr Wells):** The Business Committee has allowed up to one hour and 30 minutes for the debate. The proposer of the motion will indeed have his full 10 minutes in which to propose and 10 minutes in which to wind. All other Members who are called to speak will have five minutes.

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**Mr Allister:** On a point of order, Mr Temporary Speaker. Does it follow that there is no ministerial response in the debate, as you have indicated that all other Members who are called to speak will have five minutes?

**The Temporary Speaker (Mr Wells):** I understand that Mrs O'Neill is responding in her capacity as deputy First Minister. In that role, she is entitled to 15 minutes rather than the normal five minutes allocated to Members.

**Mr Allister:** Further to that point of order, Mr Temporary Speaker, how can it be that Mrs O'Neill is responding as deputy First Minister, speaking on behalf of the Executive Office? Should we infer from that that the First Minister has assented to that and that, when she rises, Mrs O'Neill is speaking on behalf of the Executive Office, which means that she is also speaking on behalf of the First Minister?

**The Temporary Speaker (Mr Wells):** That is a valid point of order, Mr Allister. I am simply relaying the information received by the Business Office and the Clerk. It will be up to the deputy First Minister, Mrs O'Neill, to address that point during her 15-minute address to the Assembly.

**Mr Allister:** On a point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mr Allister.

**Mr Allister:** With respect, it is not for Mrs O'Neill to address that point. If Mrs O'Neill is appearing in the House on behalf of the Executive Office, custom and practice dictate that she can appear in that role only with the assent of the First Minister. Is she appearing on behalf of the Executive Office to speak for 15 minutes on behalf of that office? If she is speaking only on her own behalf, she should be restricted to 5 minutes and speak from the Back Benches, I would have thought.

**The Temporary Speaker (Mr Wells):** The Member has been around this Building almost as long as I have, and he knows the protocol that, when someone responds in their capacity as an Executive Minister, they have 15 minutes. I have no doubt that, when Mrs O'Neill is speaking, you will be quick to your feet to ask her about that very point, and I am sure that she will address it. However, at the moment, I am simply relaying the information that has been received by the Business Office. It is not for the Business Office or me to decide anything beyond that, and I can confirm that she is addressing the Assembly at the end of the debate in her capacity as deputy First Minister.

**Mr Lyons:** On a point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mr Lyons.

**Mr Lyons:** I will just make it clear on behalf of the First Minister that this is not a joint statement on behalf of the Executive Office.

**Mr Allister:** On a further point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mr Allister.

**Mr Allister:** Given the joint nature of the office, how can Mrs O'Neill address the House as deputy First Minister, on behalf of that office, if she does not have the consent of the First Minister? Mrs O'Neill, in the House, has no power as deputy First Minister. Any power she has is solely the power of the joint office. If the joint office is not consenting to her speaking as deputy First Minister, she cannot speak as deputy First Minister. Is that not correct?

**Mrs O'Neill:** On a point of order, Mr Temporary Speaker.

**The Temporary Speaker (Mr Wells):** Mrs O'Neill.

**Mrs O'Neill:** I confirm that I intend to speak as an MLA this evening and respond to the debate. I do not know where the confusion has come from, but it is certainly not of my making.

**The Temporary Speaker (Mr Wells):** Well, that raises an interesting point. Normally, a Minister is automatically entitled to 15 minutes in their capacity as a member of the Executive, if they are responding to a debate. Individual Members, even if they are Ministers, who are speaking as private individuals are allocated only five minutes. The difficulty is that the Business Office was informed that Mrs O'Neill was responding to the debate in that capacity. Therefore, we allocated her 15 minutes, and that is quite normal and the right thing to do. The difficulty is that we have allocated the time accordingly. Mrs O'Neill is telling us that she is speaking as an ordinary MLA, so she would be restricted to five minutes rather than 15.

**Mr Allister:** I respectfully suggest that there is no difficulty: if she is speaking as an MLA, she has five minutes. End of.

**The Temporary Speaker (Mr Wells):** Yes, your interpretation is right, Mr Allister. I am grateful to Mrs O'Neill for confirming her status for the debate and to Mr Lyons for his intervention. I do not know whether you have prepared a 15-minute speech or a five-minute speech, Mrs O'Neill. I have no doubt that there will be references to you during the debate and you may have an opportunity to intervene. I am, therefore, ruling that, on this occasion, it is five minutes for the speech. That still means there are 10 minutes for either Mr Stalford or his nominee at the end of his contribution.

Sorry, Mr Stalford: you still have ten minutes.

**Mr Stalford:** Thank you, Mr Temporary Speaker. In a fashion that would shame the Trump Administration, the deputy First Minister asks us to shut our eyes to what we all can see and stuff our ears to drown out what we all can hear. We are urged to rely on alternative facts. Her assertion that she abided by the guidelines that she wrote and imposed on every other citizen in this country has been repeated ad nauseam. That pretence cannot be sustained unless we close off all reason and judgement.

Let us examine the facts. What do the regulations that the deputy First Minister had a hand in drafting say? They are very clear:

*"These Regulations further amend the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 in order to allow for gatherings of up to 30 people in public places and outdoors."*

Thus far, the lamentable defence of her actions that the deputy First Minister has provided hinges on a spurious premise: that the crowd following the cortège at Mr Storey's funeral constitutes the funeral, whilst the parade walking behind does not. We are asked to divorce one from the other. However, we cannot. Our eyes will not allow us to do that, for we can see, leaving aside the fact that there were clearly more than 30 people walking in the cortège, there were hundreds more walking behind them and in close proximity and there were thousands in Milltown cemetery. I will come to Milltown later. That clearly and openly constitutes a breach of the regulations.

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Furthermore, given the images that have emerged showing a mass procession, I would be grateful if the deputy First Minister could confirm whether Sinn Féin, who, I am given to understand, organised the event, submitted the requisite 11/1 form to the Parades Commission. If not, that constitutes a further breach of the law, one that, I suspect, the deputy First Minister's party would be quick to seize on if others were guilty of it.

There are other reasons. The other reason why the defence of 30 in the cortège constituting the funeral breaks down is what happened in Milltown. Regulations state that gatherings should be up to 30. The deputy First Minister wrote them. She knows both the letter and the spirit of those regulations. Why, then, was a public address system set up in Milltown cemetery? You do not need a public address system, if you intend to address 30 people. Is the deputy First Minister seriously contending that what occurred in Milltown cemetery was separate from Mr Storey's funeral? If it was, it did not constitute part of his funeral; it constituted a Sinn Féin rally in a cemetery. If you are abiding by the letter and spirit of the regulations, you do not advertise public gatherings. Yet that is precisely what Sinn Féin did. Republican activists were recruited from all over the country to attend the event; indeed, some enjoyed the occasion so much that they were posing for selfies with the deputy First Minister in yet another breach of the regulations that she authored.

There you have it, sir: more than 30 in attendance; hundreds more behind them in a procession; widespread advertising of an event; installing a public address system in a cemetery; a mass rally in a cemetery; and posing for selfies. Yet the deputy First Minister continues to insist that her actions were within the regulations. That is for the birds.

All this is most regrettable, because the Northern Ireland Executive had been doing well in dealing with the pandemic that we are in the middle of. After a period of three years without devolution and these institutions and those of us who occupy them being held in contempt by the wider community, we were making progress in how people feel about the Assembly. I regret to say that the deputy First Minister's credibility is now shot to bits. I do not say that to be cruel or unpleasant; it is simply a statement of fact. What credibility there was is now gone.

At the recent meeting of the Executive Office Committee, the deputy First Minister told me that it was not for me to adjudicate on what funerals she could or could not attend.

Yet, sir, that is precisely the power that she has assumed for herself, which we gave her, over the last four months. Not only did the deputy First Minister take on those powers but she was zealous in telling us all how necessary they were. As a consequence, many people in this country lost out on giving their loved ones the funeral that they would like. Seemingly, those rules do not apply if a senior member of Sinn Féin is the person who is being buried. That is what really sticks in people's craw. That is what is at the core of this issue: "Do as I say, not as I do".

### 6.15 pm

I have no doubt that an attempt will be made to brazen it out in the hope that, once we have all had our say, that will be the end of the matter. That is not my intention. I am asking the Executive Office Committee Chairman, Mr McGrath, to consider initiating a Committee-led inquiry

into these events in order to establish on the record of the House the scale of the breaches that occurred. We cannot have a situation where a senior Government Minister, week after week, fronts up a press conference, urging our people to sacrifice, sacrifice, sacrifice, only to then apply different standards when the person who is being buried is a colleague. No matter how much Mr Storey may have meant to the deputy First Minister — I accept what she said at the Executive Office Committee, which was that he meant a great deal to her — there are others who did not have the chance to give a send-off to people who meant a great deal to them.

On 4 June, the deputy First Minister said:

*"We have to send a message very clearly that by gathering in such a big crowds we're actually spreading the virus, and ultimately that's killing people".*

That was on 4 June, and it was said about the Black Lives Matter protests that occurred at the front of Belfast City Hall and other places. The events at Milltown made those look tiny by comparison, so why does the principle apply to people taking part in a Black Lives Matter event but does not apply to the people participating in a republican event?

In conclusion, I am sad that we have come to this juncture, but, like many other people in this country, I am outraged and disgusted at the persistent denial of that which we can see for ourselves. The longer that that persistent denial goes on, the more the credibility of the deputy First Minister melts away like snow off a ditch.

**Ms Flynn:** Tonight I will oppose the motion. With the entire Sinn Féin team, I recognise how difficult and challenging these past few months have been for everyone but particularly for those who lost loved ones to COVID-19 or those who had to endure the heartache of losing someone during the pandemic. I recognise those Members who lost close relatives during this time, and I recognise their heartbreak. I take this opportunity to offer my sincere condolences to every single family that has lost a loved one at this time and to every family out there that is going through the difficult and heart-wrenching process of grief. That includes the family and friends of Bobby Storey.

Bobby Storey, who tragically passed away on 21 June, was a very dear friend of mine. He was a person of huge influence and inspiration not just to me but to many hundreds of thousands of republicans across this island and further afield. Bobby was a mentor, a champion, always in my corner, and he did his very best to support me and many other younger republicans in our party. He was loved by so many from the constituency of West Belfast. He earned the respect of the community of West Belfast, republican or otherwise, and it will always be with a smile that I will think of Bobby, including here tonight.

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

**Ms Flynn:** I would rather not, thank you.

In discussing the motion, I am mindful of the grief and the sorrow that his family is experiencing, and my heart is sore for my friend and my colleague, Bobby's heartbroken partner, Teresa. My heart is sore for their children, some of them my very good friends. My heart is sore for their young grandchildren, some of them still trying to make sense of what has happened and some who still do not understand

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what has happened at all. My heart is sore for Bobby's nearest and dearest lifelong friends.

In two days of discussion in the Chamber, there has been little consideration of the pain being experienced by the family of Bobby Storey. There has been very little or no expression of sympathy and no condolences. How many Members here, in the midst of this week's incessant media coverage, the tweets, the Facebook statuses and the interviews, have genuinely given any thought to the grieving family of Bobby Storey? It seems that, for many in the Chamber, the family of a republican activist is worthy of less respect and less consideration. I have thought constantly about the family of Bobby Storey, the Pickering family, the Storey family and about his young grandchildren, who have lost their Granda Bobby, and Teresa, who has lost her partner and the love of her life. Every day since Bobby has passed, their pain has been real and heartfelt.

We can all have our own very different perspectives on the life and contribution of Bobby Storey and also on the events of his funeral, but I urge Members who rise to speak on the motion tonight to please also accept and remember that his family are grieving and that their grief is as deep and as difficult as the pain of anyone else. Whatever issues we are discussing here tonight, we should all recognise that diminishing the dead diminishes us all.

**The Temporary Speaker (Mr Wells):** Thank you, Ms Flynn. Members, this is an issue that I am sure everyone has a strong opinion on, but I thank Mr Stalford and Ms Flynn for the tone of their contribution in the two opening speeches. I am absolutely certain that that will be perpetuated by Mr Daniel McCrossan.

**Mr McCrossan:** Thank you, Mr Temporary Speaker. I absolutely acknowledge that there is a grieving family, but I also acknowledge that there are many grieving families whose grief has been compounded by their inability to have a traditional wake and funeral, which are so important to the fabric of our society. The SDLP recognises the grief of the Storey family and we do extend our thoughts and prayers to them at this time, but this debate is not about the Storey family. It is about us, as an institution, practising what we preach to ensure confidence in the House, in our Executive and in those who lead our Executive.

The lockdown restrictions have not been easy for many people, but the vast majority of people across the North have heeded the advice that we, as an institution, gave. Only this week, the US special envoy Mick Mulvaney praised our efforts in curtailing the deadly virus on these shores. I am proud, as an MLA for West Tyrone, of that fact that the actions taken by the Executive and in the Chamber have had, and continue to have, life-saving consequences for the public and have saved countless lives.

We have made a massive impact on stopping COVID-19 here, and that is due to the many sacrifices that people have made during lockdown, as instructed by our Executive continually, week in and week out. Those personal sacrifices will continue to have a massive toll on people, and that is especially the case with funerals. Many families have had to say goodbye to loved ones, with no wake, no physical mass and no funeral burial at all. We have all become accustomed to that during COVID-19. The sacrifices that those families have had to make are immeasurable and will stay with them for the rest of their

life. I have seen this at first hand across my constituency in West Tyrone, where grandsons, granddaughters, nieces, nephews, cousins, sons, daughters, brothers, sisters, neighbours and friends were unable to attend the funerals of loved ones and friends. They are doing that on the advice given to them by our Executive every week.

The motion is about recognising the immense pain and hurt that has been caused to people in all our communities, who were asked to make significant sacrifices in the interests of protecting friends and families. I think that we should reflect on the scale of the sacrifice that every single Member present here today has asked the people in our respective communities and constituencies to make on a daily basis.

I think today of my colleagues in the SDLP who were lifelong friends of our dear friend John Dallat, a former Deputy Speaker of this House. We were denied the opportunity to say goodbye and honour his contribution to our island, to our peace and to his people in East Derry. We made the decision that our pain, our needs and our grief had to come second to the public health advice that we have all committed to, and asked others to do the same.

I think of colleagues in other parties in this Chamber, such as Edwin, who have experienced the loss of a loved one and were not able to share their pain with family members in the way that we normally would, and the sacrifice that he and his party colleagues have also made, in terms of attending the funeral of his late father.

It is a matter of profound regret that, having asked so many to selflessly put their personal paid aside and to act to keep each other safe, members of our Executive, including the joint head of Government, could not share in that sacrifice, and that is what is at the heart of today's issue. It just seems to many out there that there is a hierarchy of pain that Ministers in Sinn Féin have created.

For a party that claims ownership of the idea of republicanism, the principle that all citizens are equal and that everyone be afforded the same opportunities and treatment under the law, the actions of those Ministers are a great betrayal of that ideology. That is what has annoyed so many. There cannot be one rule for those who govern, and another for the rest of us.

The motion is an opportunity for those who breached the public health advice to acknowledge the additional hurt and pain that has been caused to those who have already endured hardship throughout the COVID crisis. It is a further opportunity to apologise for the actions that have damaged the credibility of the Executive's public health messaging. I am not sure that the deputy First Minister or her party fully understand the depth of damage that has been caused to the credibility of these institutions.

I appeal to the vast majority of people who have abided by the regulations to please continue doing so to ensure that each of us is kept safe. Do not allow this to derail your commitment to fighting the virus and looking out for each other. In spite of the breach of trust that has taken place, please stay with us.

I ask the deputy First Minister, and I know and acknowledge that she and her party colleagues have had a great loss as well, to please acknowledge the loss that the rest of us have also endured and suffered, and that we could not attend those funerals, and please apologise.

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**The Temporary Speaker (Mr Wells):** Would the Member —

**Mr McCrossan:** When a wrong has been made, the best way to make that wrong right is to apologise and admit that a mistake has been made.

**Dr Aiken:** Members of the Assembly, I rise in regret to bring the motion to the Assembly and to the people of Northern Ireland. As I said directly to the deputy First Minister, this is not a matter of orange and green. This is a matter that goes to the core of how we deal with this crisis. It is a regret that, despite the biggest health challenge that our citizens have faced in decades, two Ministers who purport to show leadership in the Executive have flagrantly chosen to flout the rules and guidelines that they themselves set and imposed.

Until last Tuesday, our Executive's decisions had the hard-won acceptance and support of the people of Northern Ireland. Thanks to the abject failure of the deputy First Minister, the Finance Minister and some MLAs to abide by the very rules that we set, that support is now gone. It is you who made the rules, sold those rules and now have indisputably broken those rules. In any other democracy, both of you would have done the decent thing and resigned, but this is Northern Ireland: we do not have a normal democracy. We do, however, have a Pledge of Office. In affirming the Pledge of Office, you both stated that you will:

*"uphold the rule of law based as it is on the fundamental principles of fairness, impartiality and democratic accountability"*

and

*"support the rule of law unequivocally in word and deed and to support all efforts to uphold it".*

Demonstrably, you did not do that. Instead you have come to the House, in a degree of arrogance unmatched except by special advisers needing eye tests, in the twisting of truth, a truth that is self-evident to everyone bar the Ministers.

The failure to address the issue head-on has shown that, whether on the streets of Belfast or in our very cemeteries and crematoriums, there are different sets of rules, rules in which you believe that even the rules of mathematics do not apply and when the numbers of 10 or 30 are magically transposed to hundreds and 61. However, somehow in the Orwellian Adams world, your interpretation of the rules means that, somehow, you are more equal than the others

### 6.30 pm

Deputy First Minister, do not take my word for it. A member of the clergy in my constituency put it much better than I ever could when he said:

*"I have stood in my empty church and sat in my car following a brief impersonal funeral with only nine other people present, and I have more than once wept about what I was not able to provide. Then, I turn on the news and see a funeral in west Belfast, with a multitude attending in close formation. What an insult. Clearly, because I have eyes and a brain, I could see that this was breaking what I thought were restrictions."*

The deputy First Minister and the Finance Minister have both failed. You have failed to uphold your own rules

and guidance, and you have failed to uphold your own pledge of office, but, unforgivably, you have put your own narrow party interests above those of your constituents. It beggars belief why neither of you can see that and why you still feel that you deserve to be given any respect or credibility by not just this Assembly but especially by the family and relatives, particularly of those 554 people who are deceased and the many thousands who have suffered from COVID. Your arrogance and the way that you have spoken to the people of Northern Ireland and this Assembly is insulting. It has undermined the very health and safety of our nation, which is, indeed, the primary responsibility of leadership. You have failed. Both you and the Finance Minister should have done the decent thing and resigned.

**The Temporary Speaker (Mr Wells):** As a result of the earlier intervention, I have been able to reallocate the 10 extra minutes that Mrs O'Neill would have had if she had been speaking as deputy First Minister. That will allow me to bring in extra Members to speak. I will be able to bring in at least two Members from the minor parties to make a contribution towards the end of the debate. I thank those who have not used their full allocation. Again, that has helped me.

**Ms Armstrong:** I will be the only Member to speak on behalf of the Alliance Party. We wish our message to be clear and concise. First, I want to pass on my condolences to Mr Storey's family. Grieving is, at any time, difficult, but to have your loved one's funeral be the subject of such intense public and political scrutiny must be very difficult for the family.

Many of us have made sacrifices throughout lockdown. Rules stopped us from attending wakes and funerals and from comforting family at the saddest of times. The rules stop us from visiting seriously ill family members in hospitals. The rules are difficult, but the public took on board those regulations and guidelines, keeping the R number down and the spread of COVID-19 limited. To everyone who complied with and upheld those rules: thank you. It has been really hard. Your actions have helped to save lives.

Sadly, we are not free from this awful virus yet, and, having recognised the public sacrifices, I come to my second point. Alliance recognises and understands why there has been such public outrage and anger expressed as a result of what took place on 30 June. The Alliance Party contends that Sinn Féin did not act in accordance with the health regulations, but I am not going to pick over the details of what took place. It is sufficient to say that others are able to wait until it is safe to come together to remember a member of their family who died during the pandemic. They are not risking having gatherings now.

While I accept that the deputy First Minister has apologised for hurt that families may have felt, both she and Sinn Féin need to go further. We have been through so much over the past number of years. Unlike RHI, COVID-19 has touched every single person and family across this place. This crisis is personal. When anyone breaks the rules, it is personal and it hits everyone, and everyone was looking to government here to lead us out of this crisis. Until 30 June, as others have said, the Executive's messaging was working. It was collegiate. It was finally providing the public with confidence that the First Minister and deputy First Minister were working

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together, and the Executive were working together. However, following the actions of 30 June, that collegiate approach appears to have fallen apart.

I really do not know how the afternoon podium announcements will be accepted or believed again. How many times have each of us heard the words, "Why should I? Why should I stick to the rules now?"? We need to rebuild the public's trust and to do all that we can to bring the public with us as we all work through this crisis and the difficulties that we are yet to face. Those difficulties include the end of the furlough scheme. We will see more businesses struggle and people will lose their jobs. As discussed in the previous motion, we have carers at breaking point, and who need services reinstated, before they collapse. We have Brexit and the impacts that that will bring. We could face a second spike as has happened elsewhere; Leicester, Melbourne and across Spain. While the public are tired of lockdown and making sacrifices, the virus is not tired. It is still a threat to every person and that is why we need the public to get back to believing the message of social distancing, washing hands and keeping safe. It is still as important now as it was in March.

Before this crisis, many in the Chamber were involved in the New Decade, New Approach negotiations and agreed to enter the Executive on the basis of a better way of working together. I am glad to hear today that there has been an announcement of the nomination of Mr Paul Kennedy to the Standards Commissioner role that will come into place and that we will be talking about that here on 21 July. That is one of the mechanisms that we needed to come out of New Decade, New Approach. Our way of governing relies on trust and confidence. Our Government is all or nothing. It is either pull the place down or get on with it. Sadly, there is no intermediate process to work through the issue created by the actions on 30 June. There is only one viable option available here. While some want to see the end of the Assembly, the rest of us are here to serve the public, to take difficult decisions and to work together to get out of this crisis. To do so, we ask Sinn Féin to reflect on the damage done, and in the best interests of all citizens, to recognise and own the issue that they created and to apologise.

**Mr Storey:** Thank you Mr Temporary Speaker. As I rise to speak in the debate, I do so ever conscious that there is a family who grieve the passing of a loved one. I also do it in the light of what the scriptures tell us in those words that are often repeated:

*"It is appointed unto man once to die, but after this the judgment."*

Members, we will all one day, when we pass this scene of time, not be held accountable to this Assembly, but to the judge of all the earth.

As we come to the debate, as Mr McCrossan adequately put it, the issue is not the passing of Mr Storey. The issue is what happened and the actions of the deputy First Minister and others. I wonder, in the House and among the people who are watching, should anybody be surprised? Did it come as a shock that we had, in the deputy First Minister and others, such a display that really said to the people of Northern Ireland and further afield that their republicanism, its ideology and all that it is to them is more important than the law? It is more important than doing what we said must be done for many weeks. We should

not be surprised by double standards and doublespeak from the party opposite. We, and I, have suffered as a result of coming to this House. I have lost good friends who, still to this day, are opposed to our coming into Government with Sinn Féin.

The scripture says, ultimately:

*"by their fruits ye shall know them."*

What is in a person's heart will ultimately be displayed in their actions and in what they do. Let us remember that the former leader of the republican party denied that he was even in the IRA. How insulting to the intelligence of the people of Northern Ireland can you be? What can we say of the families of the Disappeared? What can we say of the litany of families who have grieved for many, many years because of the actions of republicans? They have never once said where those people are, with the exception of Jean McConville, and that forever will hang over the head of republicanism as a shame and a disgrace.

The motion refers to

*"the immense sacrifices that people, families and communities have made".*

**Mr Stalford:** I appreciate the Member's giving way. On 23 May, the deputy First Minister said:

*"The role of every member of society is still crucial on the journey towards recovery. The better we all follow the advice" —*

all follow the advice —

*"and regulations that are in place, the sooner we can come out the other side of this together."*

Does the Member agree that one party decided to come out of the other side of it quicker than the rest of us?

**The Temporary Speaker (Mr Wells):** The Member has an extra minute.

**Mr Storey:** Yes, and I thank you for that. We have many quotes from the deputy First Minister. I noticed a quote in the 'Belfast Telegraph' prior to Mother's Day. She rightly, on that occasion, determined that, because of the circumstances, Mother's Day would be different for those who had the joy of being able to celebrate with their mother. However, I want to take you to a family in my constituency — a neighbour of mine — who wrote to me on the following day. This is what he said:

*"As I said earlier, this whole saga has been made quite personal to me and my family. I buried my father at Toberkeigh Presbyterian Church on Monday 15 June. He'd been suffering from dementia for a number of years. In his final three weeks, we had to admit him to Causeway Hospital as he had taken an infection. We couldn't see him for over two weeks. When we finally got him home, unfortunately he passed away within two days. We were all well aware of the circumstances surrounding COVID-19 and the issues it was creating for families of the bereaved. We adhered to every single element of the legislation as described by the undertakers. Yes, we were disappointed dad couldn't be given the send-off he richly deserved. It hurt. However" —*

I want the Members opposite to listen to this; not only to hear, but to listen:

*"It hurt. However, it hasn't hurt anything like the pain we have felt when watching what unfolded at yesterday's republican funeral. It's an absolute outrage, and I'm livid as I write this to you, Mervyn. For there to be one rule for one and not the other is an absolute disgrace."*

Mr Temporary Speaker, there are questions for the PSNI, and, tomorrow morning, I, along with the First Minister, will meet the police in relation to those questions.

**The Temporary Speaker (Mr Wells):** Can the Member bring his remarks to a close, please.

**Mr Storey:** There are questions for the Church authorities. There are questions for Belfast City Council. I say to the deputy First Minister in the House tonight: there are questions that you must answer, and the best way that you will answer them is by your actions. I think that those actions are to leave the office that you currently hold.

**Mr Sheehan:** I want first of all to declare an interest. Ba chara de mo chuid é Bobby Storey, agus tá me iontach, iontach bródúil é sin a rá anseo anocht. Bobby Storey was a good friend of mine. I am very, very proud to say that here tonight, and I am conscious that there is a grieving family out there — in fact, two families, the Storeys and the Pickerings. I am also conscious that many people who have lost loved ones during the pandemic are also grieving. Bobby was the third friend of mine to die since COVID-19 arrived on our shores, and, on each occasion, the regulations were completely different.

Sometimes, I think that people are trying to compare apples with pears, and that is not fair. I wonder, sometimes, whether some representatives are exploiting some people's emotions.

**6.45 pm**

I knew Bobby Storey for almost 45 years. I was with him in the army, in prison and in Sinn Féin. Bobby Storey did not go out to seek conflict; conflict came to him as a young teenage boy, when his family were driven from their home in north Belfast. That is something that Bobby Sands and I shared with him. The three of us grew up in unionist areas with unionist friends and were driven from our homes because of the sectarian nature of the state. That is something that unionists should take cognisance of.

**Mr Stalford:** On a point of order, Mr Temporary Speaker.

**Mr Sheehan:** Whatever —.

**The Temporary Speaker (Mr Wells):** I am sorry, Mr Sheehan. Mr Stalford has a point of order.

**Mr Stalford:** You will be aware of the content of the motion, which relates to breaches by Ministers. It does not relate to anything that Mr Sheehan has said thus far. Could you instruct him to direct his comments to the content of the motion?

**The Temporary Speaker (Mr Wells):** I was listening carefully to Mr Sheehan to see whether he was going to come back to the motion, which, of course, is about the funeral and the activities surrounding it. I urge him to do so.

**Mr Sheehan:** Go raibh maith agat, a Leas-Cheann Comhairle Sealadach. Of course, this is about the funeral. It is entirely about the funeral, even though Daniel McCrossan and Mervyn Storey have both said that it is not about the funeral. It is about Bobby Storey. Bobby Storey was a man who did not do anything half-heartedly. When he set his mind to something, he went and did it and he gave it his full commitment, whether that was as an IRA volunteer, as a prisoner trying to escape or as someone who was heavily involved in the peace process. What debates such as this do is that they overshadow the contribution that Bobby Storey made to peace in this country. I was with him in the H-blocks in the early '90s when we discussed every twist and turn of the peace process. When Bobby was released, in May 1994, he immediately joined the leadership and began selling the prospect of peace to IRA volunteers not as an enforcer but as a convincer, someone who debated and argued with IRA volunteers and convinced them that there was an alternative to armed struggle. The reason he was able to do that was that he was someone who led from the front. He was meticulous in his planning, and he was fearless. That is why he got the support of IRA volunteers.

Unfortunately, republican funerals have been the subject of attack on many occasions. I remember that Francis Hughes's body was hijacked by the RUC when the family wanted to process along the Falls Road. I was at Larry Marley's funeral when it was attacked and mourners batoned by the RUC and when plastic bullets were fired at mourners at Finbarr McKenna's funeral. I was also in Milltown when Michael Stone attacked the cortège.

**Mr Lyons:** On a point of order, Mr Temporary Speaker.

**Mr Sheehan:** I want to come to —.

**The Temporary Speaker (Mr Wells):** Mr Sheehan, you will not lose any time. Mr Lyons has a point of order.

**Mr Lyons:** I have already listened to Mr Sheehan in the Executive Office Committee glorifying terrorism. We have it again today in the Chamber. Surely it is wrong of us to come out with comments like that, which are clearly the glorification of terrorism.

**The Temporary Speaker (Mr Wells):** Mr Sheehan, I reminded you earlier that the motion is about the events of last week. I have given you a fair degree of latitude to deal with the motion. I have been very lenient, and I think that you should now move on to the subject that is under debate.

**Mr Sheehan:** OK. Go raibh maith agat.

In the closing moments, I want to respond to Mr Aiken, who talked in dulcet tones about the concern that he has for grieving families. Yet, he was happy to retweet a vile and despicable tweet the other night that said of Bobby Storey's death that it was one of his rare propaganda mistakes. Has he been underwater for so long that he has lost all his human decency? He has forgotten the age-old tradition of not speaking ill of the dead. I wonder whether Mr Aiken will retract that and apologise to the Storey family.

Mr Buckley: "The rules are there for a reason. Everybody needs to follow the rules. No one is exempt from the rules. We are all being asked to do difficult things right now, but we are being asked to do them to save lives."

That was deputy First Minister Michelle O'Neill on 9 April 2020.

*"We have to send a message very clearly that by gathering in such big crowds we are actually spreading the virus, and, ultimately, that's killing people".*

Deputy First Minister Michelle O'Neill, 4 June. The public rightly ask and I ask today, "What deputy First Minister O'Neill do we have in the House today?". What Sinn Féin do we have with us in the House today? Do we have the one who rubber-stamped the coronavirus regulations? Is it the one who stood upstairs preaching the message previously outlined to the Northern Irish public? Is it the one who called on businesses — named and shamed them — saying that she would close them down if they did not follow or dared to breach the regulations that she had put in place? Or is it the one who, last Tuesday, allowed the mask of respect, integrity and equality to slip from her face as she blatantly breached the regulations that she helped to set? Throughout COVID-19, we have asked people to make life-altering sacrifices, and yet Sinn Féin believe that the standards that apply to ordinary people in this country should not apply to them. In a truly free and fair society, everybody must be equal under the law and equally subject to the law, and that point goes to the heart of the huge anger that we see at this time throughout this country.

Northern Ireland's success in combating COVID-19 has been centred on the foundation of public and household support for the laws and guidance introduced —.

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

**Mr Buckley:** Absolutely.

**Mr Stalford:** The Member will be aware of the Members' code of conduct. We all signed up to it when we became Members here. It says:

*"Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest."*

Those are the rules by which our people have been abiding. Seemingly, drawn from the Members' code of conduct, the deputy First Minister and her party do not think that they apply to them.

**The Temporary Speaker (Mr Wells):** You have an extra minute, Mr Buckley.

**Mr Buckley:** I thank the Member, and I put firmly on the record, as I have done before, that Sinn Féin Ministers and Members are in breach of both ministerial and Members' codes of conduct. You have rightly outlined that point. However, it is clear that members of Sinn Féin consider themselves to be above the shared effort and sacrifice made by the country throughout this difficult period.

Grieving is universal. We are all human, and we will all be capable of making mistakes. No one, inside or outside the House, is infallible. However, let me be clear: this was no mistake. It was a premeditated, concerted effort by the Sinn Féin officials and hierarchy to bypass the law and place a hierarchy of grieving. Last week, I raised the conduct of five MLAs who were in attendance to the attention of an incoming commissioner — I am glad that someone will be appointed soon — but I am afraid that I will have to correct the record because it has now been brought to my attention and become apparent that some 10-plus MLAs were in attendance at the funeral of Bobby

Storey. The deputy First Minister may not be able to bring herself to apologise, but she cannot escape the reality. The reality is that there is widespread outrage towards her and her party colleagues.

There are many questions following the Bobby Storey funeral to which the Northern Ireland public rightly deserve answers. What prior contact was made between Sinn Féin personnel and the PSNI in the facilitation of Mr Storey's funeral? What made Bobby Storey's funeral any different to Belfast City Council from every other funeral or cremation within its jurisdiction throughout the COVID-19 period?

This is more than error of judgement. You have acquiesced to a hierarchy of mourning and robbed families of the opportunity to say goodbye to loved ones. The entire episode has undoubtedly brought into question the credibility of the deputy First Minister. That has been summed up by her failure to take responsibility for her actions and apologise for the hurt caused. If the deputy First Minister wants to restore any sense of credibility, she should consider her position and resign. This question has been asked time and time again: if the author of the rules does not feel bound to uphold them, why should anyone else?

In closing, I assert that two wrongs do not make a right. I appeal to all those who may feel that an appropriate reaction to this blatant breach is to disregard the regulations themselves. Please do not. Keep the attention where it deserves to be. The lives of your loved ones could depend on it.

**Mr O'Dowd:** I, too, add my sympathies to Teresa and the Pickering and Storey families. I welcome the belated acceptance of some in the House that there is grief in this story, though it has been a long time coming.

It is worth noting that, when the MLAs who signed the motion drafted it, none of them thought, "Will we speak to Sinn Féin to see if we can come forward with a motion that will give confidence to the public that we claim to be speaking on behalf of? Will we try to bring forward motion" —

**Dr Aiken:** Will the Member give way?

**Mr O'Dowd:** Maybe later on.

"Will we speak to that party and try to put forward a voice that confirms the COVID-19 message as it is today?". None of that happened. I accept that the 37 MLAs who signed the motion are perfectly entitled to do so, but there is no attempt here to move forward. There is, perhaps, an attempt by some to score political points. There is an attempt to use the old battleground between republicanism and unionism. For the record, Mr Storey, it is as difficult for republicans to share power with your party as it is for you to share power with us. We accept that.

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

**Mr O'Dowd:** No. I will not give way this time.

We have all made sacrifices to advance the peace process, and I acknowledge all sides in that.

I do not judge anybody on this point, but, when I look down the list of the 37 MLAs who signed the motion and look around the Chamber at those who are present and those who are not present, I know that there are Members who attended large funerals. I know that there are Members who, as neighbours, friends and constituency representatives, stepped out and offered sympathy to



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families whom they know at very difficult times. I know that. I do not pass any judgement on them for that. They are human. They did what they had to do at that time. I know that a Member who has called for the resignation of the joint First Minister today joined with a large crowd because he thought that that was the right thing to do. If I had been in his constituency at that time, I probably would have done the same thing. What I do judge is the blatant hypocrisy of those who have signed the motion. Some of those who have spoken and some of those —

**Mr Buckley:** On a point of order, Mr Temporary Speaker. It is being insinuated that some Members are not present in the Chamber because they are potentially in breach of regulations themselves. Would you not make a ruling? Because of COVID regulations, not every Member can be in the Chamber right now, so it is unfair for them to be criticised.

**The Temporary Speaker (Mr Wells):** I do not think that that is a point of order, Mr Buckley, but you have made your point.

**Mr O'Dowd:** I am conscious of the time that he used up, Mr Temporary Speaker.

I judge them on the blatant hypocrisy of their position. I have not suggested that people are not here because they may have breached the regulations. It is worth pointing out, folks, that the motion does not refer to the breach of regulations.

The motion does not refer to the breach of regulations, so be aware of what you are voting for. The public will make up their minds on these things and the public will not be fooled by those who are presenting themselves as the defenders of right or wrong, because the public will also have seen you at these large gatherings, funerals etc. I am sure that the public appreciated that you were there offering your sympathy and that human connection that we, as elected representatives, often have to do.

### 7.00 pm

I also want to reflect on some of the messages from the opposite Benches, which are that the joint First Minister should resign. The motion that Members have signed does not call for a resignation. There is a motion floating about the Building that does call for her resignation, but the Members opposite have not signed it, so they should stop sending out false messages to their base. There is no motion before the Assembly in relation to the breach of regulations. There is no motion before the Assembly calling for the joint First Minister to resign. I know that those make good sound pops for the media, or whatever it may be, but, again, the public — your constituents — will know exactly what you tabled today.

I will return to the issue of respect. I welcome the fact that there has been belated acknowledgement of Bobby's passing, but I put on record my disbelief at the commentary of the leader of the SDLP about comments from my colleague Martina Anderson at the Committee for the Executive Office when she was talking about the death of her friend. The leader of the SDLP referred to them as "sycophantic drive!". How on earth can anyone refer to someone's comments about their friends, in a moment of grief, as "sycophantic drive!"? I ask for that to be withdrawn.

Mr Aiken, could you look Teresa in the eye or look Bobby's grandchildren —

**The Temporary Speaker (Mr Wells):** Will the Member bring his comments to a close, please?

**Mr O'Dowd:** — in the eye and gloat over his death in the way that you did in your tweets? I ask Mr Aiken to take the opportunity today to express his regret for retweeting the tweet that has caused great offence.

**The Temporary Speaker (Mr Wells):** As I said earlier, Members have kept to time, and I indicated that there are slots for two Members of the minor parties, so I will ask Mr Carroll to speak.

**Mr Carroll:** We should remember that the Storey family is grieving and we should be considerate of that.

Yesterday, we learned that the deputy First Minister, Michelle O'Neill, has not so much as been contacted by the PSNI. Yet, on the other hand, Black Lives Matter protesters have been fined, cautioned and are being aggressively pursued for prosecution for taking part in socially distanced gatherings on 6 June, and some have had a number of calls and police interviews. This contrast sums up the hypocrisy of the state here, its abuse of power and its discriminatory implementation of the coronavirus regulations.

Just weeks ago, when challenging Black Lives Matter protesters, Michelle O'Neill stated:

*"We have to send a message very clearly that by gathering in such a big crowds we're actually spreading the virus, and ultimately that's killing people. So we're asking people to protest in a different way."*

As it turned out, those protests, which her party criticised, were safe and did not spread the virus and certainly did not harm anyone, nor did they contribute to an increase in transmission. However, the main point is this: does the deputy First Minister assume that one rule exists for her and another for Black Lives Matter protesters? The hypocrisy is shocking.

From the beginning of the crisis, People Before Profit has insisted that social distancing requires social organising, and any efforts to organise gatherings must be made with the utmost aim of ensuring safety. We urged everyone to follow that approach, even in emotive and difficult circumstances, such as funerals. It is unfortunate that that was not the approach of Michelle O'Neill, as selfies that were released last week proved.

Nonetheless, I avoided jumping on board the chorus of condemnation from the DUP and others as they called on Michelle O'Neill to resign over the funeral attendance last week. In fact, I was dismayed that the parties that refused to call for cautions and fines for Black Lives Matter protesters to be dropped were the same parties that did not bat an eyelid when it came to powerful companies like Bombardier risking workers' health and breaking social-distancing rules by forcing staff back to work before it was safe. They are the same parties that would not do what was necessary when workers were speaking out about unsafe conditions in Moy Park or when care home bosses were telling staff to work without PPE. These are the same parties that have made the argument, time and time again, in the Chamber for kick-starting the economy, without even the semblance of a real test-and-trace system,

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in their quest to restore the primacy of profits and the market, regardless of the cost to life. The same parties that implemented without question regulations giving the state the apparatus and ability to police ordinary people and workers but not bosses or Ministers. The same parties that hypocritically whitewashed the RHI racket.

I want to be very clear: People Before Profit will not play any role in this farce — this hypocrisy — and I believe that that is what our voters expect of us. However, I will say that, clearly, at least eight families —.

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

**Mr Carroll:** No, thanks.

At least eight families were treated differently from those who attended the cremation at Roselawn last week. Clearly, and understandably, that compounded their grief. It should never have happened, and it was right for Belfast City Council to apologise. An apology from the deputy First Minister for that would, I believe, go some way to easing the hurt that those families are feeling. However, I also suggest that an apology to Black Lives Matter protesters is needed, not just from the deputy First Minister but from the whole Executive.

It is not surprising to me that this hurt comes off the back of a last-minute regulation change that was hastily and, in my view, undemocratically, pushed through Stormont to change the number of attendees allowed at funerals at the eleventh hour. That is exactly the method that was used to target the Black Lives Matter protesters, who are feeling a sense of injustice. We are told that these last-minute changes are coincidences, but they seem to happen very regularly.

There cannot be one rule for politicians and those in power and another rule for BAME protesters. The fines and threats against Black Lives Matter protesters must be dropped immediately. It is time for the deputy First Minister, and all Executive Ministers, to support this call. It is greatly disappointing that my amendment, which would have refocused the motion to that end, was not selected for debate, because the truth is that the entire Executive owe an apology to the BAME community for its disgraceful treatment in recent weeks.

**The Temporary Speaker (Mr Wells):** I should have explained that the motion relates to an incident in Mr Carroll's constituency, which is why he got that particular speaking slot.

**Mr Chambers:** The leader of Sinn Féin, Mary Lou McDonald, was clear when she said that the funeral of Bobby Storey was meticulously organised. It is against that backdrop and in the context of those words that we must couch all our remarks on that funeral. The responsibility for the clear, deliberate breaches of the regulations and guidance issued by the Executive, as well as the attendance and behaviour of Sinn Féin Ministers and MLAs, sits with the deputy First Minister. Her actions and words have damaged the credibility of the Executive, underlined her clear lack of integrity and undermined her moral authority and that of the whole Executive Office.

This funeral and the grief of the Storey family, which I acknowledge, are centre stage only because some people, who should have known better, were not prepared to make the same sacrifices as have been made by hundreds of families throughout Northern Ireland in how they buried loved ones. On 10 May, the deputy First Minister said during a daily update:

*"We also know that recovery will only happen one step at a time, to do otherwise risks undermining the sacrifices people have already made and increases the risk of a second spike in the future."*

However, even before the funeral, there were significant breaches of the guidelines, which stated that wakes should not be held. There was a wake for Mr Storey, and Sinn Féin MLAs attended. Did the deputy First Minister attend? Sinn Féin MLAs were involved in large-scale gatherings some days before the funeral, when Mr Storey's remains were brought home to his family. At the daily update on 11 June, the deputy First Minister said:

*"However, with this freedom comes a serious responsibility for us all to follow the public health advice and guidelines to the letter."*

Before the funeral, there was a breach of the advice that funeral arrangements should not be advertised, in order to curtail the numbers attending. Sinn Féin's official Facebook page, the MP Paul Maskey, the Assembly Speaker, Mr Alex Maskey, and multiple other party figures were among those openly publishing the funeral timings and route on social media. At the time, the Executive were telling the public that only 10 people could attend a funeral, and the Church authorities involved have confirmed that that was the latest Stormont guidance that they had. That night, the advice on the Executive website upped that number to 30, but that was after the funeral.

The guidance also said that there should be no gatherings after funerals, yet there are images of several such gatherings, some of them involving prominent Sinn Féin politicians. The guidance also states that coffin lifts should not take place unless the pall-bearers all reside in the same house, yet Mr Storey's coffin was carried by several individuals, including Gerry Adams.

On 29 June, the day before the funeral, the deputy First Minister said:

*"The social distancing guidance has not been reduced to one metre. Two metres is still the optimum distance that everyone should try to adhere to in terms of social distancing."*

Published selfies that Mr Stalford referred to suggest that social distancing went out the window, and the fact that a sound system was in place in Milltown cemetery suggests that the organisers expected large numbers to turn up.

Perhaps the most telling statement from the deputy First Minister was made before the Black Lives Matter protest. Mr Stalford quoted it, and I will quote it again. She was reported as saying:

*"We have to send a message very clearly that by gathering in such a big crowds we're actually spreading the virus, and ultimately that's killing people"*.

How can the deputy First Minister reconcile saying those words in the light of what we all witnessed last week? It is an undisputable example of "Don't do as I do but do as I tell you". I have to put on record that I have not heard anything in the House tonight that justifies the deliberate breaches of the regulations that are designed to save lives.

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**The Temporary Speaker (Mr Wells):** Mr Butler has very kindly agreed to delete his name from the list to allow others in, and we are extremely grateful for that.

**Mr Easton:** I am ashamed to be part of the Assembly today, having to debate what is the biggest scandal involving multiple Members of the Assembly. We are not here today because it is an orange or green issue — and it is not. It is to do with breaking the law and the rules of the Assembly. We are here today because we need to get to the bottom of why the deputy First Minister, the Finance Minister and at least five other MLAs that we know of, although that seems to be going up by the minute, felt the need to abandon the public health measures that they insisted every other citizen must adopt to help save lives in our collective partnership to beat the COVID-19 pandemic.

Let us look at the facts and the evidence. I will mention some comments that have been made. Even before the funeral, there was a significant breach of the guidelines, which state that wakes should not be held. The guidelines state that no remains should be taken home to rest. However, Sinn Féin MLAs Martina Anderson and Gerry Kelly were involved in large-scale gatherings days before the funeral. There was a breach of the advice that, in order to curtail numbers, funeral arrangements should not be advertised. Sinn Féin's official Belfast Facebook page quoted MP Paul Maskey, Assembly Speaker, Alex Maskey MLA, and multiple other party figures amongst those giving funeral timings and routes.

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

**Mr Easton:** Yes.

**Mr Buckley:** The Members' code of conduct states:

*"Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Assembly and never undertake any action which would bring the Assembly into disrepute."*

Does he believe that that action brought the Assembly into disrepute?

**The Temporary Speaker (Mr Wells):** You have an extra minute, Mr Easton.

**Mr Easton:** Thank you. I totally believe that the Assembly has been brought into disrepute.

Video footage and photographic evidence shows mass breaching of social distancing amongst crowds. At least 1,800 uniformed republicans stood along the side of the road in expectation of a crowd and set up a public address system in the cemetery, something demonstrably unnecessary when 30 people are meant to attend a funeral.

Mrs O'Neill specifically breached social distancing by standing to get a selfie. However, that was the fault of a blink of an eye. How many blinks of eyes did she have that day? The guidance says that there should be no gatherings after funerals, yet there are images of several such gatherings, some of them involving prominent Sinn Féin politicians, such as Seán Lynch MLA having a selfie with 40 individuals at the Felons Club.

The guidance states that it is also recommended that coffin lifts should not take place unless pall-bearers all reside in the same house, yet the coffin was carried by

several individuals. Even at the service, over 100 people attended the mass when only 30 are allowed to attend.

**7.15 pm**

**Mr Stalford:** I appreciate the Member's giving way. Does he recall a story in the 'Belfast Telegraph' on 27 March, in which the deputy First Minister told Ulster Carpets that it should close to protect employees during the coronavirus outbreak? Why should profitable businesses be forced to close if those rules do not apply when it comes to republican funerals?

**Mr Easton:** I thank the Member for his comments. We all must abide by the law. We all must stick to the law. There can be no differences, whether you are member of Sinn Féin or anybody else.

The rule of law has been broken, and the PSNI must investigate. The Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020 have been broken, as has the code of conduct for Members. In addition, the deputy First Minister has broken the ministerial code and her Pledge of Office. That must be investigated by the incoming Assembly Commissioner for Standards. However, despite the clear evidence, the deputy First Minister has not accepted that she or her party have broken any rules, disregarding her own message. I quote her:

*"We are in difficult times but none of us are exempt from these regulations."*

Just you, deputy First Minister, and your party, Sinn Féin.

During a Black Lives Matter protest, protesters were given fines by the PSNI. Mrs O'Neill admonished the protesters, saying that they were:

*"spreading the virus and actually that's killing people".*

I put it to you, deputy First Minister, that, by attending that funeral, you and your colleagues did exactly the same thing; spreading the virus, and "actually that's killing people", by facilitating and encouraging crowds.

Does the deputy First Minister realise how she has made a mockery of the Assembly? Why would anyone outside the Assembly even begin to take us seriously after her and her party's actions? Does she realise or even care that 826 people have died so far because of the coronavirus pandemic? The families and friends of those 826 people have not been able to go to the funerals of their loved ones. They have made that sacrifice for the health and well-being of the people of Northern Ireland. They are all hurting.

**Mr Butler:** I thank the Member for giving way. Does he recognise that that is not just the case in respect of those who have died from coronavirus? There were, perhaps, 4,500 or 5,000 deaths between the beginning of April and the end of June, and all the bereaved deserved the right to have a funeral and pay their respects.

**Mr Easton:** I thank the Member for his comments. I agree totally. Many people have suffered due to the actions of the deputy First Minister and her party.

This week has shown that ordinary members of the public have been treated by a different standard from Sinn Féin, and that anger stretches far beyond those who

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disagree with Sinn Féin's politics. The funeral points to the remarkable hold that old IRA veterans have on Sinn Féin, even forcing its current leadership, who have no IRA background, into actions that, they must have known, would not only be politically indefensible but a danger to public life.

Then, we have the debacle of what happened at Roselawn. I do not have time to go into it, but it is clear that Belfast City Council and the PSNI have questions to answer about what they knew in advance of the funeral taking place and why it was allowed to go ahead in the fashion that it did.

**The Temporary Speaker (Mr Wells):** Will the Member draw his remarks to a close, please?

**Mr Easton:** Why were families denied access and the right to have their loved ones cremated? I want to make it clear that no family or person should be treated differently.

In conclusion —.

**The Temporary Speaker (Mr Wells):** I ask the Member to conclude, please.

**Mr Easton:** Sorry. I ask the deputy First Minister to consider her position and resign until all investigations are concluded.

**The Temporary Speaker (Mr Wells):** I call Mr Jim Allister. I hope that we will have time for Ms Sugden as well. We will see how things go.

**Mr Allister:** Sinn Féin, by their actions, never mind their words, have been laughing in the faces of grieving families across the Province, whether they were Protestant, Catholic, unionist or nationalist. Sinn Féin, in the office that they hold, decreed what the regulations would contain. They were very clear. Regulation 5(2)(g), which was in full operation in all its parts last Tuesday, is abundantly clear: you could not attend the funerals of your friends. The deputy First Minister told us, of course, that there were no exemptions to the regulations, yet she proceeded to tell us that she would never apologise for attending the funeral of a friend.

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

**Mr Allister:** She made the regulations that said you could not attend the funeral of a friend. I will give way.

**Mr Stalford:** The Member will recall that, when the deputy First Minister appeared in front of the Executive Office Committee, I asked her whether it was really so important for her to attend the funeral. One of the reasons that was given was that she was a political leader. Does the Member agree that that is a perfect example of politicians putting themselves above the people?

**The Temporary Speaker (Mr Wells):** You have one extra minute, Mr Allister.

**Mr Allister:** Thank you. Yes, it is beyond doubt that Sinn Féin think that they are above the law. They give some weasel-word apology, some carefully crafted words in Connolly House that convey no apology whatever. Of course, we have experience of that. One of the Members listed in the motion is Minister Murphy. We all know the cruelty with which he treated Paul Quinn's family by refusing to utter the words. Why is that? It is for the reason that every member of Sinn Féin has refused to back off this

issue. It is because the loyalty of the deputy First Minister and all the rest of them is not to these institutions; it is not to this place. Their loyalty is a fidelity to the republican movement. That is their first call of loyalty. Indeed, the Sinn Féin ideology is that they are a direct lineal succession of the provisional Government of 1916 and the 1918 Dáil. They say, in fact, that the IRA is the lawful authority.

**Mr Sheehan:** On a point of order, Mr Temporary Speaker. I am not sure where that comes into the motion. I did not hear any mention of the first Dáil.

**The Temporary Speaker (Mr Wells):** Mr Allister will come back to the motion very quickly.

**Mr Allister:** I have made it abundantly clear that we are here because of Sinn Féin's arrogance and refusal to face up to and apologise for putting themselves in a position where they declared to all that they were above the law. I have just recited the reason why Sinn Féin — Mr Sheehan included — think that they are beyond the law. Their loyalty is to a different law: that of the republican movement.

The people who made the law are the people whom we now find in breach. They say, "Oh, we have apologised". No, they have not. They are weasel words. At best, Ms O'Neill said that she was sorry that families across the country had been subjected to the difficulties of the regulations. She was sorry if they were hurt by that, but she was not sorry for doing what she did. She underscored that by saying, "I do not apologise. I will never apologise for attending the funeral of a friend". It is like the apology that we got about the Troubles: "We are sorry so many people died, but the IRA's campaign was justified". That is not an apology. It is the same weasel words here.

I said that they were laughing in the face of grieving families, but they are also laughing in the face of the Assembly, because they know that the Assembly has not got the will to do anything about it.

**Miss Woods:** Will the Member give way?

**Mr Allister:** In a moment.

Look at the motion: the Assembly "expresses disappointment". I am disappointed that it was raining this morning. There is no censure in disappointment. Of course, that gives Sinn Féin more reason to laugh at the Assembly, because they know that the absurdity of the arrangements mean that they can. Three quarters of the Executive are disappointed in them, but they know that they can cling to office. Why? Because of the absurd situation of mandatory coalition, which robs the House of the right of true sanction and proper control and proper respect to all of those at whom Sinn Féin are laughing.

**The Temporary Speaker (Mr Wells):** Will the Member bring his remarks to a close, please?

**Mr Allister:** That is the reality of it. The challenge to the House is this: is this debate just about "sound and fury, signifying nothing", or will Members do something about it? That is the challenge.

**The Temporary Speaker (Mr Wells):** Further to the point of order raised by Mr Allister at the start of this item of business, I can confirm that the private office confirmed this morning that she would be responding in her capacity as deputy First Minister. However, as Mrs O'Neill has clarified that she is responding to the debate as an MLA, she has five minutes in which to do so.

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**Mrs O'Neill:** I confirm again that I am speaking as an MLA. First, a lot has been said over the past week since the untimely death of Bobby Storey and my attendance at his funeral. Unfortunately, there has been considerable controversy over my decision to attend the funeral. As a Member of the legislative Assembly, I have taken every opportunity to set out my position: at the scrutiny Committee last week, at the Executive Committee, at the party leaders' forum on Friday past and in the Chamber yesterday and earlier today.

At the forefront of my mind are all the families who are grieving and all those who have lost loved ones over the course of the COVID-19 pandemic, of whom there are many. I have listened carefully to the voices of those who have lost loved ones. Every one of those situations is a tragedy in its own right. The untimely loss of a loved one is always very difficult, and there are no words that can relate to the scale of the human tragedy of all of those who have lost someone. All grief is the same.

I am particularly concerned that grieving families who have lost a loved one during the pandemic have had their heartache compounded by the necessary restrictions that were in place at points in time over the past few months. They were not able to have their family and friends there to support them and help them through their mourning, and their grief has been hugely difficult. I realise that grieving families have experienced more hurt over the past week; indeed, many MLAs have spoken this evening about different families. We heard about Mervyn's neighbour and John Dallat's family. Órlaithí talked about Bobby's family. All of those families have been really hurt, and I am sorry that that is the case. With hand on heart, I can say that I would always apologise for any unintended hurt that was caused. It was not and would never be my intention to hurt anybody in society.

I was invited, in my capacity as deputy leader of Sinn Féin, to attend the requiem mass, join the immediate family in the funeral cortège and attend the ceremony at Milltown. The personal responsibility on me was to ensure that my actions were in compliance with the regulations and the guidance, which I take very seriously. I am satisfied that I acted responsibly in the church, as part of a limited group of no more than 30 people as part of the cortège and at the ceremony in Milltown, where I paid my respects. At no stage did I seek to give offence to anyone, including the Chamber, nor would I ever seek to do so.

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

**Mrs O'Neill:** I will make my statement, thank you.

I take very seriously my responsibilities as a public office holder and as deputy First Minister and joint head of government. I assure Members that I have acted in accordance with those responsibilities. While the legislator is responsible for the regulations during this emergency period, it is the PSNI that is responsible for their enforcement. I understand that the PSNI will review the events of that day and consider any suspected breaches of the health regulations.

It is unfortunate that this matter has divided the Executive and Assembly that many of us worked so hard to restore in order to get on with delivering public services to the public whom we serve. We have huge challenges before us and important work to do, and I firmly believe that all parties of the Executive are committed to that and to ensuring that

we have stable power-sharing after three years without a functioning Government. We have made good progress on all of that despite all of the difficulties. My commitment is to continue that work.

Since the middle of March, the management of the response to the COVID-19 pandemic has been the Executive's number-one priority, and our objective throughout has been to help keep people safe and support those who have faced real hardship as a result of the pandemic. That has involved a huge effort from all involved, including our health and social care workers, teachers, essential retail staff, those who provide key local government services, industry and employee representatives, church leaders and many more. There are people in every sector — public, private and community and voluntary — who had to abruptly stop their normal work and practices to join the fight against COVID-19 and help manage the risks and mitigate the impact of the pandemic.

The progress that has been achieved is entirely due to the support and concerted effort of everyone. As a result, we have now reached a key turning point in the management of the crisis, where the Executive's attention is able to move from purely controlling the public health response towards planning for economic health and societal recovery instead.

### 7.30 pm

We have come a long way in a very short time. The fact that we are now able to reverse our way carefully out of the restrictions represents huge progress. COVID-19 is still with us, and I will continue to lead us through this and into the recovery, where we are looking beyond the response phase towards the actions that will be needed to effect robust and sustainable recovery, rebuild public services and restore more ways of living. There are many challenges facing us, and, in moving forward, we also need to pick up on the urgent priorities and plans in other important areas unconnected to COVID-19 —

**The Temporary Speaker (Mr Wells):** I ask the Member to bring her remarks to a close, please.

**Mrs O'Neill:** — including the key issues contained in New Decade, New Approach, on the basis of which these institutions of the Good Friday Agreement were restored back in January.

**Mr Allister:** Resign.

**The Temporary Speaker (Mr Wells):** I have no intention of resigning, Mr Allister, I can assure you. *[Laughter.]*

**Mr McGrath:** None of us would want to see you resigning from your role, Mr Temporary Speaker.

I thank Members for their contribution to today's debate. The issue is incredibly sensitive, and I recognise the passion with which Members have spoken about their experience of loss and the experiences of their constituents. We have asked people to make immense sacrifices over the past few months, particularly during periods of trauma and grief, and that has been reflected in the testimony that we have heard today.

The motion is not, as some may have characterised it, about political point-scoring. Nor is it about the character or actions of the man whose funeral members of our Executive attended last week, and we should acknowledge

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the pain of that grieving family. It is about the serious breach of trust that has taken place between Ministers and members of the public, who were told that their ability to mourn had to be constrained to protect others. It is about the failure to acknowledge that, by breaching the public health guidelines that the Executive issued, their Ministers have critically undermined their own authority. It is about the basic failure to acknowledge that what they did was wrong and that they should apologise.

**Miss Woods:** I thank the Member for giving way. A Commissioner for Standards is due to be appointed soon. Does the Member agree with me that the First Minister and the deputy First Minister will surely have to move swiftly to appoint the other members of the panel for ministerial standards? Without that happening, there is no prospect of accountability in this Assembly, and we will continue to move from one political crisis to another.

**Mr McGrath:** I thank the Member for her contribution. Yes, it is important that we have all the apparatus of the Executive and the Assembly in place so that they can fulfil all their responsibilities.

We have not come to the Chamber today seeking to tear down the institutions. We have not sought to exclude Ministers from office. What we are asking for is an acknowledgment of the pain that their actions have caused and an apology for carrying out those actions, because, to date, the denials and the doubling-down has sapped more and more authority from the deputy First Minister. This is about restoring the credibility of our public health advice and allowing us to keep the public with us as we seek to keep them safe.

**Ms Sugden:** I appreciate the Member's giving way. I ask those who put their name to the motion this: if the deputy First Minister does not apologise as asked, what are the next steps? What do those parties intend to do?

**Mr McGrath:** We will give that consideration after we have concluded the debate this evening.

It is simply no longer credible for the deputy First Minister to come in here and deny that she breached the public health guidance. That is beyond doubt. A half-apology that expresses regret "if" people were hurt is no longer acceptable. There is no "if". People in every community, from every background, were hurt seeing hundreds of people, led by our joint First Minister, at that funeral, when so many were laid to rest without their close family present.

Since it has not come from the deputy First Minister so far, let me apologise, on behalf of the Assembly and on behalf of politics here, to those who have been hurt. You have been badly let down by the people who asked you to make unimaginable difficult sacrifices, by people who have since shown themselves incapable of sharing that sacrifice. I am sorry about that.

When the moment came to show solidarity, the message sent out from our joint head of Government is that her movement, her people and her pain is more important than yours, and it is more important than the public health advice that we have issued to keep everyone safe. Coronavirus has ripped the heart out of many families. There have been many direct deaths as a result of the virus — over 550 in the North — and many other untimely deaths or excess deaths that have not been classed as due to coronavirus but are probably due to it in some way.

In total, with the other natural deaths, over 5,000 people have lost their life in the North since the pandemic began and the introduction of the restrictions in March.

Mr Temporary Speaker, those are 5,000 families who are suffering the pain and emotion of a family death, often older people and the lead generation of a family but not always so, and they were told in no uncertain terms that they must stick to the rules. They must abide by the regulations. No deviating from them. All in the interest of public safety. They did the right thing. They stuck by the rules and did it for one reason and one reason only: for the greater good of our community, to stop the spread of the virus and to save lives.

It was not just about the funeral, it was about the whole grieving process for those families because they did what they were told. They had no wakes. They had no visitors to the houses, and they told people that, if they must line the route, they should do it with social distancing in mind. They stuck to the rules for chapels, with significantly smaller numbers than in this case. They took their time slots and followed staff guidelines at the crematorium, and they did not organise after services. Nor did they organise and invite people to the funeral, organise dress codes and set up PA systems so that the obviously expected crowds could hear.

Regulation after regulation was broken. Advice after advice was flouted. Rule after rule was ignored, and then the party wonders what all the worry and concern is about.

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

**Mr McGrath:** Yes.

**Mr Storey:** Is it not also the case that we need to put on record that this was not the first republican funeral —.

**The Temporary Speaker (Mr Wells):** Can the Member speak into the microphone?

**Mr Storey:** Apologies, Mr Temporary Speaker.

This was not the first republican funeral at which something like this happened. On four other occasions, there have been clear breaches of the regulations.

**Mr McGrath:** I am here today to talk about this issue, and I do not want to stray from that.

The decision by Sinn Féin and the wider republican movement has sent a message to the community of the North that they are different, that they are special and that they are the elite. Sinn Féin have lauded themselves as being the anti-establishment party, yet they forget one thing: they are the establishment. They are the elite. They are on high as the joint leaders of Government and have been for 13 years. They have made it to the lofty heights and have chosen to look down on others and say, "Do as we say not as we do", which is more reminiscent of 1990's Tories than any freedom fighter or socialist that I know.

I want to talk about a few of the comments that have been made. In starting, Mr Stalford said that people had stuck to "the letter and spirit" of the guidelines. I have outlined how that has been done, and it is the difference and straying from that that has caused much of the pain. He also correctly highlighted how many people felt that the Executive were working well, pulling in the one direction and reaching out and helping the community. I hope that, if there is an appropriate apology, we can get back to that stage.

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Órlaithí Flynn mentioned and detailed how important Mr Storey was to members of Sinn Féin, and I acknowledge that. She also mentioned that when people pass, it is an important loss, and I acknowledge that as well, but I go back to my comment about the 5,000 families who have lost loved ones in the North since the restrictions were introduced. However, there was a difference, and it is the difference here in what happened afterwards that we are referring to and not the loss of the person. Of course, we want to send our condolences to the family.

Daniel McCrossan highlighted how we managed to contain the spread of the disease by sticking to the rules. That was a difficulty, because we feel that when people break the rules, we will see an increase in the spread of coronavirus.

He also mentioned John Dallat and Edwin Poots's father, and we appreciate that those families had to go through difficult times as well.

**Mr Sheehan:** I thank the Member for giving way. When you talk about "we", do you include Mr Aiken in that, after the re-tweeting of the vile and disgusting tweet that was so hurtful to the Storey and Pickering families? Is he included in that "we", who send out our condolences?

**Mr McGrath:** I thank the Member for his intervention. I will never support any re-tweet that has been done in a hurtful or harmful way, but I leave it to those individuals to account for their behaviour.

**Dr Aiken:** Will the Member give way?

**Mr McGrath:** Yes.

**Dr Aiken:** Just to clarify for the House, I was re-tweeting something by a Mr Austin Stack. We all, in the House, know Mr Stack's relationship with the republican movement.

**Mr McGrath:** I thank the Member for his intervention. I was going to move on to his intervention and suggest that he had used the word "regret". It was in a different context. However, he mentioned that it is not an issue that is orange and green; this is indeed about right and wrong.

Mr Temporary Speaker, do I get the extra minute that others may have —?

**The Temporary Speaker (Mr Wells):** Order. When you sum up, you do not get an extra minute. It is only —.

**Mr McGrath:** I was chancing [*Laughter.*]

**The Temporary Speaker (Mr Wells):** I have been around the Building too long to fall for that one [*Laughter.*] The Member has been very generous, I accept, with interventions, but, unfortunately, he pays the penalty for that. He has lost the opportunity to conclude his speech. No doubt, I will read it in next week's "Down Recorder" anyhow.

I apologise to Claire Sugden and Miss Woods. I tried to make certain that all who wished to speak got a chance to do so. Unfortunately, some Members were very liberal with interventions and we ran out of time. I know how frustrating that can be.

I thank all Members for the tenor and moderation that was shown this afternoon. This could have been a bloodletting session. It could have stoked up difficult emotions, leading up to the period ahead of us. However, in my opinion, everyone put their views forcefully but in a way that, I

thought, was responsible. I am extremely grateful to you all for the way in which that occurred.

I suspect that, as I move to the next point, that is where the agreement will end. I will put the Question.

*Question put and agreed to.*

*Resolved:*

*That this Assembly acknowledges the immense sacrifices that people, families and communities have made during the COVID-19 emergency; pays tribute to those who selflessly prioritised the need to keep each other safe above their own personal needs, particularly during times of trauma, loss and grief; expresses disappointment in the actions of those in ministerial office who breached public guidance and failed to share in the sacrifice that we have asked of others; implores members of the public to stay with us and to continue acting in accordance with the regulations in order to keep each other safe and prevent further deaths; re-commits to upholding the spirit and the letter of the COVID-19 regulations and the related public health guidance; and calls on the deputy First Minister and the Minister of Finance to apologise for their actions, which have caused immense hurt.*

**Mr Lyons:** On a point of order, Mr Temporary Speaker. Before any of us came into the House or could take our seats, we had to sign the undertaking that requires us:

*"to support the rule of law ... in word and deed and to support all efforts to uphold it".*

I do not believe that the glorification of terrorism is in keeping with that undertaking or that trying to justify membership of a proscribed organisation, as Mr Sheehan has done, is in keeping with that. It would be appropriate if a ruling were made on that, so that we do not find ourselves in a position in future where Members of the House can get up and justify membership of a terrorist organisation.

**The Temporary Speaker (Mr Wells):** I have no doubt that the honourable Member feels strongly about that point, but it is not, technically, a point of order about the organisation of the debate. However, his views are now on record and perhaps could be referred to another body.

**Mr Lyons:** Further to that point of order, I would like the Speaker to rule on that. It is a serious issue. I do not just want to put it on the record; I want a ruling. This is very serious.

**The Temporary Speaker (Mr Wells):** I will indeed refer it to the Speaker, who, no doubt, is watching this online as we speak. No doubt, he will consider that issue.

**Mr Buckley:** Further to that point of order, if the Speaker's Office is making a ruling, can we also put it on record that it be forwarded to the incoming Commissioner for Standards of the House?

**The Temporary Speaker (Mr Wells):** It is not the role of the Speaker to refer anything to the Commissioner for Standards, but any individual Member or private individual may refer a matter to the incoming commissioner.

No doubt, Members are aware of what has been said and can take the decisions that, they feel, are appropriate.

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There are no other points of order, and the next item on the Order Paper is the Adjournment. I remind Members that there is a meeting of the Ad Hoc Committee on the COVID-19 Response on Thursday in the Chamber. I believe that the Minister for Communities will be presenting. The next plenary meeting will be on Tuesday 21 July.

*Adjourned at 7.45 pm.*



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# Northern Ireland Assembly

Tuesday 21 July 2020

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Deputy Speaker (Mr Beggs):** Before the first item of business, I remind Members that, as the Business Committee is not meeting today, there will be no lunchtime suspension of the Assembly and we will continue on through.

### Standing Order 20(1): Suspension

**Mr Butler:** I beg to move

*That Standing Order 20(1) be suspended for 21 July 2020.*

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20(1) be suspended for 21 July 2020.*

### Northern Ireland Assembly Commissioner for Standards: Appointment

*The following motion stood in the Order Paper:*

*That this Assembly, in accordance with Section 19(1) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011, appoints Mr Paul Kennedy as the Northern Ireland Assembly Commissioner for Standards. — [Mr Butler.]*

*Motion not moved.*

## Executive Committee Business

### Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020

**Mr Deputy Speaker (Mr Beggs):** The next two motions are to approve statutory rules relating to the Health Protection (Coronavirus, Restrictions) Regulations. There will be a single debate on both motions. I will ask the Clerk to read the first motion, and I will then call on the Minister to move it. The Minister will then commence the debate on both motions. When all who wish to speak have done so, I shall put the Question on the first motion. The second motion will then be read into the record, and I will call on the Minister to move it. The Question on that motion will then be put. If that is clear, we shall proceed.

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

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 be approved.*

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

**Mr Kearney:** There are two motions before the Assembly today, and with your permission I will address both of those in my remarks. I will begin by outlining the changes brought about by these regulations and the reasons behind the Executive's decisions.

First, amendment No 9 contained only one substantive amendment. Regulations 6, 6(a) and 6(b), which place restrictions on gatherings, are amended to allow for gatherings of up to 30 people in public places and outdoors. Allowing up to 30 people who are not members of the same household to meet together outdoors is consistent with step 3 of Executive's approach to decision-making. The Executive considered that this relaxation would offer benefits in terms of personal well-being, the promotion of responsible social interaction and a sense of a gradual return to normality. I am sure that we would all welcome that. It means that, for the first time in many months, our citizens have the opportunity to meet with their friends and family and share time together.

Secondly, amendment No 10 contained a set of substantive amendments that reflect decisions taken by the Executive on 2 July. Those decisions were taken after careful consideration of the available scientific and medical

advice, and they are in line with the timetable of indicative dates previously published by the Executive in order to facilitate the reopening of businesses and other services. The amendments include that regulation 5 on restrictions on movements and regulations 6(a) and 6(b) on restrictions on gatherings are amended to permit the reopening of museums, galleries and betting shops from 3 July.

Regulations 5, 6(a) and 6(b) are also amended to permit the reopening of massage, tattooing and piercing businesses from 6 July, and to permit the reopening of spas from 6 July, but not insofar as they provide services relating to water or steam.

Regulations 5, 6(a) and 6(b) are further amended to permit the restricted opening of restaurants and bars in registered clubs from 3 July.

Some changes have also been made for reasons of consistency and clarity. First, the reference in regulation 5 to who might attend a funeral has been removed, now that the number of people permitted to gather outside has been increased. Secondly, a change has been made to regulation 6 to clarify that summer schools and schemes can operate. Thirdly, technical amendments have been made to regulations 3 and 6 to correct the numbering of sub-paragraphs and to clarify that beer gardens can sell and serve alcohol without food.

These relaxations are aimed at boosting well-being and allowing our citizens to re-engage with our tourism, cultural and service infrastructure. They will assist in the restart of the economy by helping to protect the jobs of those who work in those sectors and their wider supply chains, and, importantly, will contribute towards an increased sense of normality.

As I explained before, the Executive will not be rushed into making decisions simply as a result of artificial deadlines or to match decisions taking place in other jurisdictions. As we have discussed in the past, we have come a long way from when the coronavirus restriction regulations were first laid. We have seen great progress as a result of everyone's concerted efforts in the intervening period. Regrettably, other places have not experienced our relative progress to date.

D'éirigh leis na rialacha agus le cur chuige an Fheidmeannais maidir leis na srianta a mhaolú agus tá siad ag obair de réir a chéile. The regulations and the Executive's approach to easing restrictions have worked and are continuing to work. Sábháladh beatha. Lives have been saved. Our health and social care systems have not been overwhelmed. Businesses are beginning to reopen and services are returning. Our citizens for the first time in a long time are beginning to enjoy being able to do more, but it is important to acknowledge that the battle against COVID-19 is far from over. We cannot afford to drop our guard for a moment when it comes to keeping people safe.

All those relaxations were agreed on the basis of the most up to date medical and scientific advice. Crucially, they were adopted with the stipulation that all relevant public guidance and mitigating measures be implemented in advance of those sectors reopening.

I will now take the opportunity to note some of the other changes that have been agreed since the amendment regulations being debated today were laid. On Thursday 9 July, the Executive agreed a range of other measures. Those included the reopening of cinemas, bingo halls,

amusement arcades, indoor fitness suites, indoor and outdoor gyms, and playgrounds from 10 July; a return to competitive sporting events without spectators, both at grassroots and professional level, which extends to include horse racing and equestrian competitions, from 11 July; the reopening of libraries from 16 July; the reopening of indoor leisure centres or facilities but not swimming pools from 17 July; and the resumption of indoor wedding, baptism and civil partnership ceremonies, with numbers to be determined by the venue on a risk-assessed basis. The Executive also agreed that the wearing of face coverings on public transport would become mandatory from 10 July, except for people for whom an exemption applies.

Those changes were given effect in the amendment (No. 11) regulations, which were made on 9 July. Members will have an opportunity to debate those measures in due course. We are now at an important point in the course of the COVID-19 pandemic. We are beginning to look beyond the response phase towards the actions that will be needed to secure a robust and sustainable recovery, to rebuild public services and for us to seek to restore more normal ways of living.

Is é dúshlán atá romhainn anois ná teacht ar na bealaí agus na modhanna chun é sin a bhaint amach le go mbeadh muid ábalta ruaig eile den aicid mharfach seo a bhainistiú más gá. The challenge facing us now is to find the ways and means to achieve that whilst managing the risk of a second wave of this deadly virus, were that to transpire. The Executive will therefore be monitoring the impact of all the relaxations very carefully. We are prepared to reintroduce restrictions if that is considered necessary in order to control the virus, but our focus needs to be on ensuring that that does not happen. Vigilance and caution will continue to be essential as we move through the coming weeks. All the practical advice continues to apply. Fanaigí ar shiúl ó chéile. Ní gá bhur lámha. Keep your distance, and wash your hands well and often. A Leas-Cheann Comhairle, molaim an rún agus na rialacha don Tionól. I commend the regulations to the Assembly.

**Mr McGrath (The Chairperson of the Committee for The Executive Office):** I am speaking on behalf of the Committee for the Executive Office. There has been much debate in the Assembly and its Committees, and, indeed, in the media, about recent amendment regulations. Although the Committee for the Executive Office has discussed issues around the outworkings and alleged breaches of the regulations, it does not have responsibility for scrutinising the legislation. The statutory responsibility for that lies with the Health Committee, and I am sure that its Chair will provide a detailed commentary. The Committee for the Executive Office welcomes, however, the timely lifting of all the restrictions that are mentioned and encourages continued discipline and compliance with them.

#### 10.45 am

I will now make a few remarks as an SDLP representative and highlight the fact that this continues to be a worrying time with a number of spikes in community transmission. People have been very worried about the outbreaks in places such as Limavady. That scares people, and we need to continue to do all that we can to manage our behaviours and approaches to everyday life so that they are done in a safe manner.

Today's restrictions that are eased include the allowing of gatherings of up to 30 people outdoors and permit the reopening of key businesses and high street venues to allow a greater sense of normality to return. Now we can go to museums, beauty parlours, spas, bars and restaurants and see summer schools take place, but always underpinning the relaxations is the need to remember to keep to social distancing guidelines and to wash our hands.

Businesses across these islands have been impacted the most, yet some have had to bear the brunt more than others. Our hospitality sector has felt the full whack of the pandemic and for it to be permitted to reopen, in even a small way, is a move in the right direction for it.

The regulations continue to cause confusion. I worry about an Executive who cannot relay messages to people and then get upset when people do not stick to the guidelines. Well, if you do not even stick to the guidelines yourselves, what hope is there that people in our communities will stick to them? People are angry at the "One rule for us and one rule for them" that some have displayed. Ministers, please go back to Stormont Castle today and shout "Clarity" at the top of your voice. Let simple, clear and effective messages be the mantra from here on. Stop the confusion. Stop the double standards. Let people know exactly what they can and cannot do in a way that is easy to understand. As my Committee has heard, you have 45 or more press officers, the cream of the crop. They should be able to help you to spread the message clearly.

Let us not fall into the trap, which is easy to fall into, of trying to make the pandemic a green-and-orange issue, an us-and-them battle a day. I ask the Executive Office and its Ministers to pull together and to do what is in the best interests of people here on the basis of the scientific advice that is available to you. The restrictions impact all of us, be it where you can go, whom you can be with and even if and when you can go on holiday. Most of us have stuck by the rules and have ensured that we lead by example. Some Members have felt the heat of that more than others in recent days. I think of my close family members overseas, whom I have not been able to see since last year, but rules are rules.

The anomalies of the guidelines continue. If we examine what is being cleared today and introduced a few weeks ago, we see that we now permit 30 people to gather outdoors in a socially distanced manner but not if they choose to watch a sporting event. It is an oddity that people can gather in large numbers to eat and drink indoors yet cannot gather outdoors to watch a sport, even with proper social-distancing and safety measures in place. I hope, for the immediate future of the GAA, soccer and other sports, that that rule is revisited tomorrow at the Executive meeting and that the Minister can give us his view on it today. Many of those sports need the gate fees from attendees to survive. They can do it safely. They can do it properly. They just need the Executive to be on their side. I hope that that is possible and that we see the change tomorrow. I wrote to the First Minister and deputy First Minister to ask for that change, and I hope that it will be reflected in what we hear being proposed tomorrow. I hope, too, that other Members here today will support me in their contributions in order to help our sporting community to allow spectators back safely to sporting events.

I welcome the further easements detailed today. I believe that all of us should support them, and I encourage clarity at all times.

**Mr Gildernew (The Chairperson of the Committee for Health):** Ba mhaith liom cúpla focal a rá ar leasú uimhir a naoi agus ar leasú uimhir a deich. I will speak about the amendment (No. 9) and amendment (No. 10) regulations, which the Health Committee was briefing about on 9 July. The Chief Environmental Health Officer (CEHO) advised us of the main easements for each, as outlined by the junior Minister this morning, and reminded the Committee of the 21-day period and the process for bringing proposed easements to the Executive for consideration. Once again, the Committee enquired about the commencement dates applying to different easements and was reminded that changes are made as quickly as possible since, under the original regulations, restrictions must be withdrawn as soon as they are considered unnecessary.

A number of members raised concerns about notice and preparation time for those affected. It was noted, for example, that the amendment that increased from 10 to 30 the maximum number of people who could gather outdoors came into effect on the same evening as the regulations were laid. Members enquired whether advance notice was given to, for example, the PSNI ahead of changes to regulations. The Chief Environmental Health Officer had no knowledge of advance notice being given to enforcement authorities at that time.

The Committee again enquired about the scientific evidence underpinning decision-making and noted that a written request for further detail remains pending. Again, assurances were sought in relation to the health and safety of workers in light of the recent outbreaks in Leicester and in Germany. We were advised that the Chief Medical Officer and Chief Scientific Adviser monitor situations elsewhere and keep regulations under constant review.

The CEHO also confirmed that work was under way to restructure the regulations to improve clarity and coherence, given that there have been so many sets of amendments. It is clear that we have moved from a list of reasons to leave home, which has grown so lengthy that it would now make more sense to state what is not permissible.

Further to a question on guidance, the CEHO advised that the Department that sponsors a particular change is responsible for producing any guidance required on it.

The Examiner of Statutory Rules had not had a chance to report on the regulations prior to the Committee's consideration, since they had been laid only a few days earlier. The Committee, therefore, agreed to support both statutory regulations, subject to the Examiner's report. The Examiner has since reported and has raised no issues with the regulations.

I want to make a few remarks in my role as Sinn Féin health spokesperson. It is important that we consider the reality that clusters may become all-too-frequent occurrences here. It is vital that testing, contact tracing, self-isolation and supports are in place to meet the needs of those who are tested and test positive. We saw a recent example of that in the Limavady area. It is welcome that the system was able to respond to that cluster, but we need to ensure that vigilance remains to monitor and manage such situations as and when they arise.

I am concerned at reports that some testing kits produced by Randox do not meet safety standards. I urge the Minister to come forward with information and provide answers on how that affects the North. I sincerely hope that there is no risk to citizens and it does not put anyone off or deter them from being tested. Undoubtedly, testing remains an important part of the public health response, but so does the issue of personal protective equipment (PPE). I also worry that the Randox issue could negatively impact on the capacity for testing that is required, and I would like to hear further information about that.

As restrictions are lifted, it is important that we remember that many key workers still need access to vital PPE to do their job. This week, dentists have been allowed to open up, but they are doing aerosol-generating procedures, and concerns remain about their access to vital PPE and who is expected to provide and source it. The issue should be resolved as a matter of urgency.

**Mrs Cameron:** I felt somewhat deflated as I thought about this speech. The unity of purpose that typified the response of the Assembly and Executive is now sadly so damaged. I have often referred to the importance of a united approach in dealing with COVID-19, but we now see more and more that one party and its selfish objectives trump all else. That is very disappointing. The public share my sense of disappointment, anger and disillusionment with those for whom public health and adherence to our own rules were cast aside. We still have had no apology.

I turn to the specifics of the amendments. I welcome the fact that we now have an increase in the numbers allowed at outdoor gatherings to 30. Socially, we have some way to go, whether that is to reinvigorate the community or attend family or other events.

It is also worth remembering that the figure of 30 is the total for the gathering, not an element. For some, I think, that clarity is needed.

Obviously, alongside the public health considerations, the priority in all these decisions is the economic well-being of our people. Jobs must be protected. It is good that more services, including contact industries, have reopened, but I urge the Executive to do more to signpost employers and business owners who are already stressed to relevant guidance on how to operate safely.

We will have much more to do in the journey back to normality. A walk down the high street in Northern Ireland shows us the challenges that we face. Shutters are down, some permanently, and each business gone represents jobs lost and households that have been plunged into uncertainty. As we look ahead, we must ensure that we look at the most effective ways to sustain those businesses. Sticking-plaster solutions do not work. An opportunity to do things differently is before us and we should have everything on the table to ignite our economy.

In the last day or two, we have heard much about whether it is right or wrong to travel on holiday and whether quarantine is necessary. Further clarity is needed, and I welcome the First Minister's comments that there needs to be a further tidying up of the regulations and the subject of essential travel. I urge the Executive to concentrate on actual science-based evidence and, perhaps, the junior Minister can furnish the House with the relevant R rates, not just in Northern Ireland but across England, Scotland and Wales and, indeed, those of our neighbours in the Republic of Ireland.

As an Assembly, we need to give clear guidance and the general public want to know what they can do and how they can do that with as little risk as possible.

Test, track, trace and isolate is now in place, so let us keep reminding people to be tested if any of the symptoms of COVID-19 are present. Let us keep a distance from others and wash our hands. Let us volunteer to wear face coverings in shops. Let us look after ourselves and each other.

From a health perspective, I again make a plea for the urgent reopening of services. I also highlight the plight of dental practices and urge the Minister to engage with the sector to ensure that it is protected throughout this difficult period. The wider issues have been well highlighted and the rationales are clear. Just this morning, we heard from a consultant orthopaedic surgeon, Mr Gavan McAlinden, who aired his fears and frustrations about the pace of reopening surgeries. Mr McAlinden said that their advocacy for their suffering patients was falling on deaf ears. That concerns me and I am worried that we are not even listening to our clinicians now.

Many people, including my husband, are waiting for general surgery. Many are suffering and are in great pain and that is due to the lack of our health services at this time. Waiting lists, which were already at an all-time high before the pandemic, are growing. The Department is quite rightly trying to suppress the virus and we are all eternally grateful to all the Department of Health staff and all our amazing health workers, who go far beyond the call of duty to look after others. If this is an opportunity to transform services so that they can work more efficiently and safely, then let us do that, but let us do that with haste and recognition that the people of Northern Ireland are suffering and deserve to have services resumed as a matter of urgency. Of course, that all adds to mental health issues, and I urge the Assembly to back the Minister in reopening health services with the utmost urgency. How many will lose their lives or become incapacitated because of the lack of action to resume healthcare?

In conclusion, I welcome that visitor attractions, museums, galleries and bookmaking offices have been able to resume business. I thank the public and appeal for continued compliance with the guidance and adherence to the regulations. Let us remember what this is about: it is about saving lives. I am also very proud of those who organised very safe, lawful Twelfth celebrations this year. That is something to be proud of. I support the Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (NI) 2020 and the Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (NI) 2020.

**Ms Armstrong:** I rise without a prepared speech because I am so angry that I could bite something. While the Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (NI) 2020 allow people to go and stay in overnight accommodation, even though we had a cross-party motion in the House that recognised the pressure on carers, we still cannot have overnight respite care for people with disabilities or older people. I appreciate that the rules and regulations are being laid in a specific way that adheres to legislation, but our carers' needs are falling on deaf ears.

**11.00 am**

I say to both junior Ministers this morning, "Go back to the Executive and ask the Executive to sort things out for carers". We heard, over the past few days, that some respite services may be available and that daycare centres may be open for 10% of the people with learning disabilities and older people. Honestly. We have carers who have been working 24 hours a day, seven days a week, for 16 weeks. They are at breaking point. How many times do we have to ask in this place for their needs to be recognised? Fantastic: we can all go and stay in a B & B, we can go to the bookies, but we cannot give a carer a break.

I am so angry about this. We worked so hard together as parties to recognise the needs of carers and of those with disabilities, who, to be quite honest, are sick looking at their family because they still cannot go out through the door. We are not looking after them. I reiterate what Pam Cameron said: we need to look after ourselves and one another. I ask the junior Ministers please to put carers at the front of the queue. They have been part of the rainbow of heroes throughout the pandemic; they have worked quietly in the background, and, as has been recognised in the motion, they have been scared, they have been alone, they have been isolated, and they have done all that without much thanks or any recognition.

I push for the next regulations, the ones that have not yet been written — we already know what they are; they have been talked about today — to have the needs of carers in them. We need the junior Ministers to tell the trusts that there has to be fair and equitable treatment of all people with disabilities and of older people and their carers across Northern Ireland. I make this plea: while amendments Nos 9 and 10 to the regulations are absolutely welcome, it is the people who are doing the work on the ground in looking after the most vulnerable in society who need our help now. I am asking — I am pleading with — the Assembly and the Executive please to put carers first in their next considerations.

**Mr Sheehan:** I welcome amendment Nos 9 and 10 as further relaxation of the draconian restrictions imposed since the start of the pandemic. Of course, under normal circumstances, none of us would have supported such restrictions, but, given the circumstances, they were absolutely necessary.

The amendments give effect to the previously announced indicative timings for the opening of, among other things, museums, galleries, bookies, spas, tattoo and piercing businesses, restaurants, bars and clubs. Funerals are no longer restricted to close family and friends, beer gardens can reopen, and so on. I welcome the easing of the restrictions, as it indicates that, to an extent, we are getting on top of the virus. However, the situation remains extremely dangerous, and we need to listen to the experts, particularly in the field of public health.

I heard Pam Cameron mention the R number. That was the third time that I heard it mentioned today. The leader of the Ulster Unionist Party mentioned it on the radio this morning. I also heard Gabriel Scally, who is pre-eminent in the field of public health — one of the most renowned experts in these islands on public health — saying that when the transmission rate is as low as it is, particularly here, the R rate is not in itself a useful measurement. What is more important is the number of people being infected.

We need to listen to the experts. We also need to look at the countries that have done best in suppressing the virus. Many of them have done particularly well: New Zealand, Taiwan, Hong Kong, Germany, and so on. We should listen to the advice that we are getting from people such as Gabriel Scally and Devi Sridhar, who advises the Scottish Parliament, and that advice is that, for the purpose of public health, we should treat the island of Ireland as one unit. We should coordinate, North and South, all the moves that we take in relation to the virus.

It is welcome that there was a memorandum of understanding (MOU) a few months back, but that in itself is not enough. There needs to be constant contact between the Executive, the Dublin Government and both Chief Medical Officers and Chief Scientific Advisers.

That is what we need to do. We need to continue to find, test, trace, isolate and support. That is what will keep the virus suppressed. That is the message that needs to go out.

**Mr Chambers:** It is important that we and the public recognise that the Executive are trying to do a job of work. The Executive are trying to strike a balance between getting the economy back on its feet, getting people back to work and getting basic services available, all whilst trying to protect the public's health the best they can. We have to recognise that any relaxation of the regulations is not an invitation to the public to let their guard down or to relax their personal measures to prevent the spread of the virus. Social distancing and personal hygiene are still paramount in controlling the virus. As civic leaders, in a way, we have to set an example, and we have to continue to adhere to the guidance as best as we can.

The virus has not gone away, and it has not relaxed its efforts to spread. We have heard that the guidance is confusing. Yes, there could be clarity in some elements of the guidance, but we have to recognise that they are emergency regulations and have maybe not been put together with the same scrutiny as the law would normally attract. We have to accept that clarity will be needed in certain sections of the regulations. A lot of the confusion has been created not by the wording of the regulations but by the selfish actions of parties and civic leaders in the House. We have a responsibility to adhere to the regulations. How can we expect the public to adhere to the regulations if we cannot?

I heard Gabriel Scally on the radio this morning, and I hear he is an extremely prominent professor. To me, he is just a voice with an opinion. I do not put any more weight on what he has to say than what I hear from our own experts whom we have employed to advise us. Only weeks ago, the R number was considered to be of paramount importance. We were all hanging on it, waiting for the Executive to announce the latest R figure. It became the habit that it was announced every Thursday. We all waited with bated breath to hear what it was, because it was considered to be a very important indicator of how we were controlling the disease. I do not think that we can now simply discard the R number. It is still a scientific figure to be looked at, and I hope that the Executive will continue to consider it.

We have heard that amendment (No. 9) was discussed by the Executive on 29 June. It was signed off at 9.30 that Monday evening and became law at 11.00 pm. At the Health Committee, I raised with the chief environmental officer the point that it is not good housekeeping to have

laws change in the middle of a day. They should be changed and come into law on a date, as opposed to a time. I pointed out to the chief environmental officer the sort of confusion that was caused on 29 June, when it became law at 11.00 pm, making it legal for 30 people, as opposed to 10, to gather. That was not really fair to the enforcement agency, which, in that case, was the PSNI. They might have been out on patrol and, at 10.55 pm, come across a gathering in excess of 10 and would have taken whatever they considered to be the appropriate action, be it advice or, if necessary, the issue of fixed penalty tickets. Yet the police could have come up the same road at 11.05 pm and encountered a crowd of people in excess of 10 who were not respecting social distancing or anything else, and they would have spoken to them, totally unaware that, at 11.00 pm, the law had changed and that, now, a gathering of 15, 16 or 18 was legal and complied with the regulations. That has the potential to create embarrassment for the enforcement agency.

When I asked the chief environmental officer whether they had had any conversations with the police during that Monday to give them a heads-up that the regulations in respect of gatherings were going to change at 11.00 that night or whatever was deemed to be the time, he said that, no, they had not done so. He said that the normal practice was to inform local authorities and the PSNI the following day of any regulations that had changed. I do not think that, from a housekeeping perspective, that is really satisfactory. I know that the Executive, when they decide that they can relax a regulation, have a duty to do so quickly and give the public the benefit of it, but, as I say, from a housekeeping perspective, it would be much better if the change kicked in from midnight on a date, as opposed to a time during the day. As I say, it is unfair to the enforcement agencies.

**Mr Beattie:** I will be rather brief. The slow drip-feed in the easing of COVID restrictions is welcome, and it is absolutely the right way to do things. We have to look at what is ahead of us and then change to meet that. It is important that we do that and that we try to analyse and listen to the advice when we do it.

The opening of museums and galleries is incredibly important so that people can go to view our history, understand our culture and see our art. If we do not have that, if we do not allow people to get out there and enjoy it and if we do not remember what we are doing this all for, what is the point? It is incredibly important, and I welcome that release of restrictions. In the same way, I welcome the release of restrictions on the opening of restaurants and bars, although with certain caveats, because it kick-starts the pulse of our society. Our society needs to have something to look forward to. Restrictions, restrictions, restrictions will not help us or help the mental health of our society.

I absolutely agree with the Chair of the Committee for the Executive Office: clarity is what is really important. That is about digging down to the absolute detail of everything that we put out there so that people know exactly what they can and cannot do. I guess that that is where the confusion is at the moment. People are confused because we are giving confused messages. We are giving confused messages in our guidance. We are giving confused messages in our legislation. We are giving confused messages when we make statements. It is important that we have clarity.

### 11.15 am

I also agree that the integrity and the credibility of the Executive Office have been seriously damaged. They have been seriously damaged by Sinn Féin, who seem to have selective amnesia because they never talk about their deliberate breach of the guidelines that they told everybody to adhere to. Groups of 30 being allowed to gather came out at 11 pm on 29 June, yet they managed to get their little cabal of 30 ready for a funeral the next day, not to mention the hundreds who followed behind it, who must have been organised well in advance. They certainly were not given the heads-up at 11 o'clock that night to be there.

When you talk about this selective amnesia, we now have a society that seems to have brushed that under the carpet because what that did abused our society. What they did at that funeral abused our society. There were not 30 people there, there were hundreds, and that abused our society. Many in our society are now suffering from Stockholm syndrome because they have just forgotten about it and it does not matter; they are allowed to do it. Nobody else is allowed to do it, but they can. It is absolutely shocking.

Then, to stand up and say, "Don't worry about the R number, it is not important any more because it does not fit our narrative". Yet we have just had four months of people banging on about the R number and saying that we have to get the R number down and that we have to save lives. Then, somebody says, "Ach never worry about that because we want to stop the English from coming to Northern Ireland". That is what it is all about. It is bias and bigotry, and they need to own up to it.

I will finish and say again that, in all of these amendments, clarity in everything we do and everything that we say is the most important thing.

**Mr Deputy Speaker (Mr Beggs):** I call on Junior Minister Gordon Lyons to conclude and make his winding-up speech on the motion.

**Mr Lyons (Junior Minister, The Executive Office):** As we have said previously during the debates on the amendment regulations, we all want to see a return to a more normal way of living. None of us wants to have to legislate on how people and businesses go about, what we consider to be, normal and routine activities. We all look forward to a time — hopefully soon — when we no longer have to do that. However, that time is not here yet. Yes, we are winning the fight against COVID-19 and, yes, we have come a long way and made great strides towards a return to something approaching normality, but the job is not finished.

It is very clear that managing a response to the COVID-19 pandemic, keeping people safe and supporting those who have faced real hardship as a result of the pandemic is going to be a top priority for us all for some time to come. The 'Executive Approach to Decision-Making' document remains our blueprint for the review process and the incremental structure for assessing progress, contained within the document, will continue to help decision-making in key areas in the weeks ahead, as we ease our way further on the pathway towards recovery.

We have learnt a great deal and come a long way in a short period and there is much to be optimistic about. We all look forward to moving forward, responding to

COVID and recovering from its impact. Progress has been good and we have made significant strides in easing the restrictions that have been in place. As a result, and provided that we keep our guard, we can look forward to further positive changes very soon.

I will turn to some of the points that Members made during the debate. We began, as always, with the Chair of the Committee for The Executive Office. I thank him and welcome his support for the progressive, but cautious, direction of travel set out in the regulations. He, rightly, emphasised the need for caution. The burden of the regulations on our citizens is being reduced, but the need for responsible behaviour remains. Indeed, it is even more important as we relax these restrictions.

I agree with him about clear messaging and it is a point that has been raised elsewhere. It has always been something that I have tried to do in the Chamber and when replying to individual requests from Members. Trying to get guidance out, and listening to interested parties from across Northern Ireland, has certainly been to the fore of what I have been trying to do.

I agree with him completely when he says that it is not a green or orange issue; it is definitely not. There is nothing that is less green or orange because nothing is more important than human life. I want to make it clear that that has always been my approach. Indeed, the First Minister has made it very clear that her focus, and that of the Executive, needs to be on the health, lives and livelihoods of people in Northern Ireland. That is what has directed us during the pandemic.

Another issue that he raised was sporting events. I assure the Member that that is being looked at. We understand the need for people to be able to go back to those events and that sporting organisations require the income that comes from them. Obviously, there are other issues to consider around that, but we will progress it, as we will all other measures, as soon as we can. I thank him for raising that issue.

The Chairperson of the Committee for Health set out the Committee's position. I note the points that he raised about testing kits and PPE. I will ask the Minister and the Department of Health to send a written response to the Member on those specific points.

I welcome Mrs Cameron's support for larger gatherings to facilitate social events. I certainly agree with her on the need for cautious and responsible behaviour at such gatherings. She, rightly, emphasises the importance of guidance to help businesses to operate safely. I assure her that my colleague the Minister for the Economy will continue to give that high priority. We have to recognise and understand that there has been an economic impact and that the regulations and restrictions that we have had to bring in are causing economic uncertainty. She is right to mention that.

Of course, it is not only an economic crisis but a health crisis; a non-COVID health crisis as well. She articulated that in her comments when she referred particularly to the reopening of services. I thank her for mentioning dentists in particular. I am sure that Members across the House have received representations from members of the dental profession. They should not be forgotten. They need our help and support at this time because they are there when we need them.

A strategic framework for rebuilding health and social care services has been published. Northern Ireland's trusts have published plans that set out the immediate work that is being done in their areas. That rebuilding process can secure better ways in which to deliver services, but will require innovation, sustained investment and society-wide support. However, keeping the public and staff safe is an absolute priority. I agree with the Member's comments in that regard.

She also raised another couple of issues, one of which related to the R number. The latest figures that we have show that, last week, the R number in Northern Ireland was between 0.5 and 1. The R number in the Republic of Ireland was between 1.2 and 1.8 last week, and below 1 in England, Scotland and Wales. I hope that that provides clarity for the Member. On that point, I agree with what Mr Beattie said: yes, obviously, there is lots of data and evidence that we have to take into consideration, but the R number remains an important tool for us as we move forward.

Finally, Mrs Cameron mentioned the Twelfth of July celebrations. I want to take this opportunity to commend everyone involved for the exceptionally high level of adherence to the regulations over that period. We understand how important the date is in our calendar and how people want to celebrate. Obviously, this year was different. It is important that we place on record and recognise that people found alternative ways in which to celebrate and did so in a largely safe way, with very high levels of compliance. I want to put on record our thanks to the leadership of the loyal orders, which demonstrated that leadership in its advice and encouragement. I am delighted that tens of thousands of people threw themselves into the spirit of the regulations and ensured that they were adhered to. They are to be commended for that.

I acknowledge Pat Sheehan's support for the direction of travel and the gradual restoration of normal life, with access to facilities such as museums. He mentioned the importance of following the evidence. I completely agree with him, which is why we have to recognise and follow the advice of our advisers. He mentioned Professor Scally, who is not a member of SAGE; our medical advisers are members of SAGE. In relation to travel, the Department of Health, advised by its advisers, has been clear that very few travel-associated cases have been identified, and the possibility of a traveller from England bringing the virus to Northern Ireland is very low in terms of absolute risk. It is important that we acknowledge that when we make decisions. As always, our decisions need to be based on evidence and nothing else.

I acknowledge Kellie Armstrong's comments about our carers, with which I agree wholeheartedly. Carers support the most vulnerable in society. I know how difficult it has been for people not to have had carers come in and not to have respite care in place. Nobody wants this situation to last one minute longer than necessary. We need to ensure that, as we reopen our services and our society, we do so in a safe manner that ensures that we do not overload the capacity of our health service. However, we also need to make sure that we do not put vulnerable people at risk. The regulations undergo frequent revision, and the issues that the Member raised form part of the discussions and considerations that take place at the Executive. The Member very firmly placed the matter on the record today, for which we thank her.

Mr Chambers, like other Members, rightly emphasised the ongoing threat of the virus and the balance that we need to maintain as we relax the regulations. There must be more emphasis on guidance and responsible behaviour.

*(The Temporary Speaker [Mr Wells] in the Chair)*

A number of Members referred to scientific debate in the media. Let me again reassure Members that Executive decisions are informed by advice from the CMO and the CSA, who in turn have direct access to the most comprehensive expert advice.

The Member referred to the timing of the regulations and acknowledged that they are changed as quickly as possible after the Executive's decision to do so, in keeping with the requirement that we relax restrictions as soon as we can. It has always been the case that regulations are laid before the Assembly and then brought into force very close together, normally later on the same evening. There is no conspiracy and no other reason behind that. I take the Member's point that it may seem strange that, at 11.00 pm, there is one rule in place, and, at 11.30 pm, there could be another rule. The regulations have to change at some point, and we bring them in as soon as we can. That is what guides us. I hope that that provides clarity to the Member.

I certainly agree with Doug Beattie's comments on the significance of the amendment regulations. They are not merely technical changes but make further progress towards the gradual restoration of the normal daily activities that we all hold dear and that are so important to the economy and the health and well-being of our people.

Mr Temporary Speaker, I hope that that answers most of the questions and comments that Members raised. If I have missed anything, we will of course write to Members in due course. In the meantime, I commend the amendment regulations to the Assembly.

**11.30 am**

*Question put and agreed to.*

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 be approved.*

## **Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020**

*Resolved:*

*That the Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020 be approved. — [Mr Kearney (Junior Minister, The Executive Office).]*



## Executive Committee (Functions) Bill: Consideration Stage

**The Temporary Speaker (Mr Wells):** I call the junior Minister Mr Declan Kearney to move the Consideration Stage of the Executive Committee (Functions) Bill.

*Moved.* — [Mr Kearney (Junior Minister, the Executive Office).]

**The Temporary Speaker (Mr Wells):** Mr Beattie.

**Mr Beattie:** Sorry for the late notice on this, but it is important because it will help to make decisions. I hope that the junior Minister can answer this question. Paragraphs 8 and 9 at clause 1(4) include the term “a Minister”. Can the junior Minister confirm that, where it says “a Minister”, it refers only to the Minister for Infrastructure and does not extend to any Minister in the Executive?

**The Temporary Speaker (Mr Wells):** Mr Kearney, will you reply to that question?

**Mr Kearney (Junior Minister, The Executive Office):** Thank you, Mr Temporary Speaker. It is necessary to clarify the circumstances in which a Minister is required to refer a matter to the Executive, where that matter may be cross-cutting, significant or controversial. However, I must add that that does not affect the integrity of the planning process or the nature or quality of the decisions that would be taken under it. It is about who takes the decisions.

In response to the Member’s point, clause 1(4) inserts a new provision at section 20(7) of the NI Act. That permits:

*“the Department for Infrastructure or the Minister in charge of that Department”*

to take certain decisions under the Planning Act:

*“without recourse to the Executive Committee.”*

However, there is a caveat to be entered under clause 1(8), which qualifies section 20(3) of the Act in respect of cross-cutting matters to provide that a Minister is not required to have recourse to the Executive Committee unless a matter affects the exercise of one or more other Ministers “more than incidentally”. I hope that that provides some clarification to the Member.

**The Temporary Speaker (Mr Wells):** Is Mr Beattie content with that explanation?

**Mr Beattie:** I thank the junior Minister for —.

**Mr O’Dowd:** On a point of order, Mr Temporary Speaker. Will the Temporary Speaker clarify what is happening? Is it a debate? Is it a statement? I am not sure what process I am involved in at the moment.

**The Temporary Speaker (Mr Wells):** Mr Beattie indicated in a point of order that he had concerns about the procedures. Mr Kearney has given a very full and detailed response to the point. I understand that Mr Beattie is content with that explanation. That being the case, can we move on?

Mr Kearney has formally moved the motion. There are no amendments tabled to the Bill. The Questions on stand part will be put on each clause, followed by the Question on the long title.

### Clause 1 (Amendment of section 20 of the Northern Ireland Act 1998)

*Question put, That the clause stand part of the Bill.*

**Some Members:** Aye.

**Some Members:** No.

**The Temporary Speaker (Mr Wells):** I think that the Ayes have it.

**Some Members:** No.

**The Temporary Speaker (Mr Wells):** The Question will be put again in three minutes. I remind Members that we should continue to uphold the social-distancing measures and that Members who have proxy voting arrangements in place should not come into the Chamber.

Before I put the Question again, I remind Members that, if possible, it would be preferable to avoid a Division.

*Question put a second time.*

**Some Members:** Aye.

**Mr Carroll:** No.

**The Temporary Speaker (Mr Wells):** The Ayes have it.

*Clause 1 ordered to stand part of the Bill.*

*Clause 2 ordered to stand part of the Bill.*

### Clause 3 (Short title)

*Question put, That the clause stand part of the Bill.*

**Some Members:** Aye.

**Mr Carroll:** No.

**The Temporary Speaker (Mr Wells):** I think that the Ayes have it. Mr Carroll, do you accept that? Yes. The Ayes have it.

*Clause 3 ordered to stand part of the Bill.*

### Long Title

*Question put, That the long title be agreed.*

**Some Members:** Aye.

**Mr Carroll:** No.

**The Temporary Speaker (Mr Wells):** I think that the Ayes have it.

*Long title agreed to.*

**The Temporary Speaker (Mr Wells):** That concludes the Consideration Stage of the Executive Committee (Functions) Bill. The Bill now stands referred to the Speaker. I remind Members that the deadline for tabling amendments for Further Consideration Stage is 9:30 am tomorrow.

## Committee Business

### Climate Change and the Introduction of a Climate Change Act

**The Temporary Speaker (Mr Wells):** The next item of business is a motion from the Committee for Agriculture, Environment and Rural Affairs on climate change and the introduction of a climate change Act.

I will suspend proceedings temporarily while we rearrange the top Table and give Members an opportunity to get into the Chamber.

*The House took its ease from 11.41 am to 11.42 am.*

**The Temporary Speaker (Mr Wells):** I remind Members that the next item of business is a motion from the Committee for Agriculture, Environment and Rural Affairs on climate change and the introduction of a climate change Act.

**Mr McGuigan (The Deputy Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** I beg to move

*That this Assembly acknowledges the ongoing climate and biodiversity emergency and calls by the Intergovernmental Panel on Climate Change for rapid decarbonisation; reiterates the Assembly's declaration of a climate and biodiversity emergency, the Assembly's demands for the urgent introduction of a climate change Act, the all-party New Decade, New Approach commitment to delivering a climate change Act, and the Minister of Agriculture, Environment and Rural Affairs' commitment to a green growth strategy; recognises climate change as a human rights issue that risks deepening existing inequalities; further recognises the need for a stimulus-led, just and green recovery to restart economic activity following the economic disruption arising from COVID-19; calls on the Minister of Agriculture, Environment and Rural Affairs to introduce a climate change Act with legally binding and ambitious sectoral emission reduction targets, and to ensure that any economic recovery strategy is underpinned by rapid decarbonisation and a just transition to protect jobs through upskilling people in carbon-intensive sectors; and further calls on the Minister to introduce this Act in the Assembly within three months.*

**The Temporary Speaker (Mr Wells):** The Business Committee has allowed an hour and a half for the debate. Mr McGuigan will be allowed 10 minutes to propose the motion and a Member will be allowed 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List.

**Mr McGuigan:** Climate change has been identified as an immediate strategic priority in the New Decade, New Approach (NDNA) deal. Over recent weeks and months, the Agriculture, Environment and Rural Affairs Committee has received a number of briefings, which included matters relating to climate change. Speaking today as Deputy Chair of the Committee, I will now outline its work in relation to that.

### 11.45 am

In February 2020, the Committee took oral evidence from DAERA on its proposals for the 2020-21 Budget. The Committee noted interest in the funding associated with the development of climate change legislation. Since then, the COVID crisis has had a significant impact on those plans. In June, the Committee scrutinised funding earmarked for climate change but handed back in the June monitoring round. In terms of capital, the Committee raised concerns that £1 million earmarked for ICT to help to support climate change plans was handed back. A further £500,000 for the collaborative all-Ireland hub in research and development was also handed back. In addition, the Committee was informed that a further £1.6 million on the resource side earmarked for climate change was handed back.

Departmental officials indicated that, whilst some work on climate change is ongoing, progress is now less than originally planned. In written submissions to the Committee in response to the legislative consent motion on the Environment Bill, stakeholders raised concerns about climate change, such as the need for legislation. As part of that work, Members discussed with stakeholders issues such as biodiversity.

In June, the Committee received a departmental briefing on DAERA's draft business plan. The Committee heard that it was quite different from previous plans for a number of reasons, including the pandemic; the fact that we were approaching the end of the transition period following exit from the EU; the huge growth in public awareness on the environment; and the Minister's wish to have sustainability at the heart of the Department's plans.

The Committee heard that climate change was identified as a common theme in the development of key strategic priorities for the Department. Departmental officials highlighted the importance of this opportunity to help to address many of the long-term environmental and climate change challenges that we face.

The concept of "green growth", announced by the Minister in June, whereby sustainability is at the heart of our economic recovery, was welcomed by officials. They outlined the cost and savings for the environment of people working from home.

This month, the Committee received a briefing on the draft NIEA business plan. It heard that the NIEA will play a key role in helping to deliver the DAERA plan, including the green growth strategy. The Committee discussed the links between the environment and the economy. NIEA officials indicated that they would work with Tourism NI and the Department for the Economy on the matter. The Committee was informed of prosperity agreements that promote greater resource efficiency; for example, companies changing their fuel to reduce carbon emissions.

In an evidence session on 1 July, the Minister provided more information on the green growth strategy and plans to tackle environmental and climate change challenges. Recognising the importance of tackling climate change, the Committee agreed at that meeting to have a Committee debate on the issue. A draft motion was considered, and eight amendments were proposed. Of those, five were made and three voted down. The wording of the motion that we are debating was agreed on 2 July.

The amendment calls for consultation. However, the Committee's position is that a climate change Act with legally binding and ambitious sectoral emission reduction targets is needed and that a Bill should be introduced within the next three months. I hope that the House can support the motion.

I now speak on behalf of Sinn Féin.

*"Our demands most moderate are we only want the Earth."*

So said James Connolly over 100 years ago. Those were modest demands, then and now, but I am sure that he could never have imagined that, 100 years on, we would have to add "saving the Earth" to his request. Every week, a different report or study alerts us to the real and catastrophic dangers of global warming. Yesterday, we were told that polar bears will become extinct by the end of the century if more is not done to tackle climate change. Four days ago, we were told that, in a short time from now, millions of people around the world will be exposed to dangerous levels of heat stress, with many places experiencing summers too hot to work or even live in. Last week, the World Meteorological Organization predicted that, over the next five years, global temperatures would likely break the 1.5° increase threshold compared with pre-industrial temperature levels. We know that keeping below 1.5 is vital to avoid the worst climate impacts on our planet. That was the figure agreed in 2015 in the Paris climate accord. Yet, despite the weekly warnings of dire consequences, here in the North we still do not have a climate Act or any legislation to ensure that we do our bit to fight back. That lack of urgency is, quite frankly, alarming. If we are to learn any lessons from the current health crisis it is that swift and early action based on science is key.

Perhaps there are still some climate deniers among us who think that our contribution is not needed, it will cost us too much and maybe we could care less about the polar bears of the Arctic because that is pretty far away from Ireland. Maybe some think that we will not have to face any of the consequences of climate change or that we can live with the consequences that we do face. I really hope that we are beyond all those arguments. Global warming is a startling fact. It is not something that will happen: it is something that is happening. Ten of the warmest years on record have occurred since 2005, and the decade just ended was the hottest ever. Increasing global temperatures mean rising sea levels, which affect weather patterns that cause increased flooding, droughts, storms, fires and species dying across the globe. Those things are not happening just in faraway places. Over recent years, our farms, towns, communities and infrastructure on this island have all been severely impacted on and damaged by storms, flooding and other forms of extreme weather. Our species habitats have been affected too. All of that is set to continue; in fact, all of it is set to increase at the cost of much more damage on this island and of many more lives elsewhere, if we do not address the issue.

Global warming is happening as a result of human behaviour, so we need to change human behaviour. That is the view of the majority of MLAs, and it is supported by the majority of citizens living in the North, particularly our young citizens. When the Assembly was restored in January, 'New Decade, New Approach' (NDNA) gave new promise of immediate and far-reaching climate action that

has been so absent from previous Environment Ministers. It promised commitments to a green new deal and a just transition away from an unequal society dependent on dirty, destructive and obsolete fossil fuels. Crucially, it promised a climate change Act: legislation to put in place world-leading carbon reduction targets to compel and guide decarbonisation and hold Ministers accountable in the face of the climate emergency. 'New Decade, New Approach' was seven months ago. A month later, on 3 February, in one of the first items of business in the Chamber, MLAs endorsed and reinforced the sentiments of NDNA, proclaimed a climate emergency and called for a just transition and a climate change Act. That was over six months ago, and still we wait.

When questioned about the lack of progress on the matter over the last seven months, the Minister responsible has given answers with variations of, "We cannot move too fast", "I am looking at it", "I am consulting", "I have sought advice", "We need more information", "I am committed to considering", "I am still considering" etc, etc. I hope that it is clear when today's debate is over, Minister, that the time for considering and waiting has long since passed; in fact, the time for action has long since passed. Embarrassingly, we are the only region of these islands without climate change legislation. We need leadership and ambition now, Minister.

When I tabled the motion to the AERA Committee, I did so to signal the urgency with which we in Sinn Féin view the climate emergency. We are debating a motion because Sinn Féin and the majority of parties represented on the AERA Committee feel that the same urgency has been sorely lacking from the Minister. We need legislation that puts us on a path to carbon neutrality by 2045 at the latest. We need carbon budgets to guide us and hold us all accountable on this path. By doing so, we will not only contribute to tackling climate breakdown but unlock the vast economic potential of a just transition to a thriving green economy with high-quality and well-paid employment, using the vast renewable energy sources that we have on this island and, for all of us, lower costs, warmer homes, better transport, cleaner air and healthier lives. For that reason, Sinn Féin has also repeatedly called for the establishment of a just transition commission to bring together all the stakeholders in society to map out and agree on the future.

Legislation must have substance and must be based on science. We have 10 to 20 years to make a far-reaching impact. I am sure that most of us got involved in politics to effect positive change. The most important change and legacy that politicians in this mandate can leave is one that helps to shape the future for our children and our grandchildren by taking positive steps to save and protect our environment and their future prosperity.

**The Temporary Speaker (Mr Wells):** Thank you, Mr McGuigan. We have nine Members who wish to contribute plus the summation. I understand that there was a significant debate on the issue in the AERA Committee. Therefore, I intend to give priority to members of that Committee, including Ms Clare Bailey. Ms Bailey, you will be called to speak after the main parties have had a chance to contribute. There is an amendment in the name of Mrs Barton and Mr Stewart. I call Mrs Barton to move the amendment: you have 10 minutes.

**Mrs Barton:** I beg to move the following amendment:

*Leave out all after “delivering a climate change Act” and insert:*

*“; recognises the all-party commitment to a green growth strategy and the calls for this to be at the centre of the Northern Ireland COVID-19 recovery plan; and calls on the Minister of Agriculture, Environment and Rural Affairs to introduce a consultation on plans for a climate change Act.”*

I welcome the opportunity to reiterate support for a renewed commitment to deliver a climate change Act. With the recovery from COVID-19 and the introduction of the green growth strategy, this is an ideal time for all Departments to take the opportunity, through a consultation, to work together to bring forward plans for a climate change Act.

Climate change is nothing new. Fifty million years ago, there was no ice at either the North or South Poles. Eighteen thousand years ago, most of Britain was covered in ice and glaciers. The Earth’s climate has seen many changes in its 4.5 billion years. Today, however, meteorologists, through the data collected, suggest that the current changes are the result of increasing human populations and activities that cause a build-up of man-made gases in the atmosphere that trap the sun’s heat and cause changes in weather patterns around the world. That is the concern that we are addressing.

We all value the environment, and that has been particularly evident in recent months, when so many people longed to get a walk in the countryside to escape the confines imposed by the COVID lockdown. In these most challenging times, a sustainable and affordable way forward must be explored to curb and reduce our unnecessary emissions for the benefit of the generations to come and to preserve the environment that we enjoy so much. At no time has it been more important for all Departments to work together in a combined effort to reduce emissions and move towards a zero-carbon society for the benefit of our climate and biodiversity and, ultimately, our environment.

While a mix of European, United Kingdom and Northern Ireland Executive legislation currently governs greenhouse gas emissions, including the Climate Change Act 2008 in England, which has set targets to cut emissions by 80% by 2050, it is clear that Northern Ireland needs its own climate change Act, through the green growth strategy, to work towards a number of Northern Ireland-set targets. While we have broad national climate change legislation, Northern Ireland-specific climate change concerns need to be addressed. We need a consultation period to establish what best meets the requirements of made-in-Northern-Ireland legislation, which will include its own unique local circumstances.

The consultation should cover areas like what is good in other climate change Acts, whether it is the UK Act or others, and whether we can put it into our Act. It should also identify gaps and ensure that they are addressed in any new Northern Ireland legislation. That would allow the Northern Ireland Executive to undertake the appropriate degree of research, have greater autonomy over planning for home-grown climate change initiatives and set appropriate targets. For example, the UK legislation and the action towards 2050 means that reduction in emissions is regularised and controlled and ensures that there is not an overly rapid

movement towards, for example, the scrapping of vehicles before their time, which could lead to expensive and more costly solutions that may be less expensive as time progresses towards 2050. A common strategic approach is a necessity in reducing emissions, but it must be informed by data and consultation to enable the right decisions to be taken and to allow the proper strategic approach to be implemented with the use of evidence.

Look at the situation at present. Our grid cannot cope with the amount of wind energy that is being supplied, yet our electricity prices increase, as producers have to receive fair payment for their investment. There is no joined-up strategic approach to that attempt at supporting green energy.

#### 12.00 noon

The DOE discussion paper from 2015-16 is a good base for preparing the consultation. That was more of an overview, but we require more specific targets that are backed by proper research and analysis to enable a planned way forward for our Act in Northern Ireland.

I appeal for people to stop knocking the agricultural and farming industry over climate change. There is a much bigger picture that needs to be considered with regard to making a difference to climate change issues. Those are the issues that need detailed consideration in this consultation.

In his statement to the House last month on the green growth approach and strategy, Minister Poots said that he had set out a road map and would consult across the entire waste, agriculture, energy, environment and public and private sectors to get a well-rounded view as soon as possible. That is similar to what should happen in the development of a climate change Act. Some groundwork has been done with the 2015 discussion paper, and now we need to put some details and specifics behind it.

I do not want the consultation to act as a barrier to further progress; I want it to better inform the creation of legislation and produce an Act that will serve the people of Northern Ireland for this and future generations.

**Mr Irwin:** I welcome the opportunity to contribute to the debate. As a farmer, I am keenly interested in the protection of the environment. As I have said many times in the House, farmers play one of the most active roles in protecting and enhancing the environment by farming the land. It is also a fact that farmers are acutely impacted by climate change, given their reliance on the land and their vulnerability to extreme weather events.

The motion is laden with an unquantifiable level of commitment that is matched by a unquantifiable associated cost. Those are two very important issues that must be measured if we are to realistically address concerns around climate change whilst ensuring that we have sustainable and profitable industries in Northern Ireland.

While the COVID-19 pandemic has taken a harsh and regrettable toll on the health of the UK population, and indeed that of many other countries across the world, it has also taken a very harsh toll on the economic health of the United Kingdom. The predictions make for sobering reading, and when the impacts of the pandemic are taken into account along with the changes in consumer habits over a period of months, there are justifiable and serious

concerns over the length of time that the economic recovery will take.

I note with interest that the renowned firm KPMG believes that it is possible that Northern Ireland will be the most sheltered in that regard, due in no small part to the strong food manufacturing base here, which has continued at speed throughout the pandemic. Again, that shows the importance of our agri-food sector to our Northern Ireland economy. Indeed, agri-food accounts for somewhere in the region of 100,000 jobs, and the food manufacturing sector accounts for 32% of manufacturing sales in Northern Ireland. This is an important industry, and it must be protected, especially in these most challenging and unprecedented times.

There is a new focus for the Assembly and its associated Departments. That focus is, and must continue to be, the recovery of Northern Ireland's people and its economy in line with the current health and scientific advice. With the recovery will come opportunities to do things differently, and in line with the focus today on climate change and the environment, there are opportunities that should be taken to make preparations and allow Northern Ireland to continue on the right track.

I have listened intently in the AERA Committee to our Minister, the departmental officials and industry representatives on the importance of us playing our part in addressing climate change. Indeed, I welcome Minister Poots's very pragmatic and common-sense approach to these issues. One only has to read his contributions in the Chamber to see that he has a strong affiliation with the agri-food industry and, critically, an understanding of the environment. The green growth strategy is a case in point, and the opportunities for improvement in meeting our targets are many. It was enlightening to learn at a recent AERA Committee meeting that DAERA, a Department with hundreds of employees, has saved around 55,000 miles per day due to staff working from home in these new circumstances. In an era when carbon footprints are a concern, that is a staggering amount of mileage. When it is considered that that happened in the first 35 days of lockdown, one sees that it equates to 2 million miles saved, which is a very significant way of working. The positive impact of that on the environment is obvious. However, huge importance is attached to ensuring that all elements of government continue to function as required to aid our recovery whilst pursuing new ways of working.

That is only a single example, but it shows what is possible in our own government structures. Whilst those types of savings are more straightforward to make in the Civil Service, in the world of industry, efficiencies are made as a matter of course simply to ensure that businesses can remain operational and survive. There is no money to waste in wider industry, especially at this most difficult time. That is why I believe that in the green growth strategy and many of the other actions and programmes that we may seek to roll out, the onus that is placed on industry must be workable.

**The Temporary Speaker (Mr Wells):** Will the Member bring his remarks to a close, please?

**Mr Irwin:** Pardon?

**The Temporary Speaker (Mr Wells):** Will you bring your remarks to a close, please?

**Mr Irwin:** OK. Take, for instance, our dairy industry, which has worked extremely hard to reduce its carbon intensity by 34% between 1990 and 2017. That is a commendable achievement that must be recognised and built upon. The sustainability of our industry in Northern Ireland is vital.

**The Temporary Speaker (Mr Wells):** Will the Member please finish?

**Mr Irwin:** I do not support the motion, but I will support the amendment.

**Ms Hunter:** I am delighted to speak here today on a very important topic. Climate change is a real and unprecedented challenge for us all. We hold in our hands the responsibility for the future of the planet. The culture of how we view and care for our land must change. The SDLP will support the motion, and I welcome that the Committee tabled it. Unfortunately, we will not support the amendment because although we have no doubt that it is well-intentioned, we feel that it removes the urgency of the motion. We cannot wait any longer. We must act now.

Climate change is the biggest threat that we face not only to the environment but to our health, economic prosperity and global security. The overwhelming scientific consensus is that the impacts of climate change are accelerating and are largely driven by greenhouse gas emissions as a result of human activity. If we are to combat the devastating environmental, health, economic and societal impact of climate change, we have a responsibility to act responsibly as individuals. From beach clean-ups to climate strikes, we have seen the peace, positivity and passion shown by young people right across this island, who have taught us that it is time to listen, stand up and be the change. We can no longer go on with business as usual. We must act now.

Climate change is no longer a theory but an irrefutable fact. Young people across the world are leading the fight for action, and I stand with them. They will be here long after us, and they have a real opportunity to do something that no other generation in history has done, which is to leave the world in a better condition than that in which they got it. Having spoken with young activists directly, it is evident that our education on environmentalism must change to reflect the crisis that we are in. Climate education must be included more often in our curriculum. Given the right leadership and supported by the right legislation, we, too, can deliver change in a manner that will not just help to address the environmental challenges but that has the potential to bring about significant economic and societal benefit for all.

Climate breakdown is the seismic global challenge facing this generation. Failure to take action now will result in significant changes to our global climate and weather patterns. That will devastate developed and developing economies right across the world, leaving millions destitute and poverty-stricken. Global warming is happening at a much faster rate than anticipated. Extraordinary action is required now to keep global temperature increases below 1.5°C and to avert irreversible damage to our climate.

Over the past few years, millions of citizens right across Europe and the world have called on governments and the political establishment to take action on the climate emergency, for this generation and the next. The expressions of this crisis through protests in European capitals and school strikes on the streets across the

North have their roots in social, economic, ecological and political upheaval. We know that this crisis will disproportionately affect those least able to bear the burden. Interventions designed to tackle the climate emergency must be robust, equitable and contribute to social justice more broadly. We cannot create a society that offers tax cuts to the wealthy while introducing new levies that disproportionately target the poor. We cannot decarbonise our economy without ensuring that clean energy is more affordable. We cannot deliver income equality without a green economy that creates high-quality jobs. We know that the ecological transition and economic equality must go hand in hand. Accepting and addressing the causes of the climate crisis is critical to avoid irreversible damage to ecosystems and economies.

The SDLP believes that protecting the environment is not an expensive political hobby horse. It is a moral, economic and health imperative that, if planned and implemented correctly, can benefit us all: people, communities and businesses. The future is in our hands. We owe it to our children and future generations, and we must act now.

**The Temporary Speaker (Mr Weir):** I call Mr John Blair, and following that, Ms Bailey.

**Mr Blair:** On behalf of the Alliance Party, I support the need for a specific climate change Act for Northern Ireland. I stress the urgency of that commitment, a commitment that was made in the New Decade, New Approach agreement six months ago. I therefore support the motion as tabled by the Committee.

The urgency and importance of the issue and the required commitment mean that I am not in a position where I can support the amendment, and neither can my colleagues. The amendment, for those of us in Alliance at least, falls short on detailing the desired outcome and, whether intentional or not, dilutes the motion's intention of urgent action. The world is facing a climate emergency, with potentially disastrous consequences. The impacts of climate change are already being felt by some of the most vulnerable regions in our world. Locally, we are experiencing changing and variable weather and climate patterns, increases in flooding and changes in the natural environment, habitats and biodiversity in these islands, and these will only increase in magnitude if action is not taken urgently to reduce carbon emissions.

As the only region in the UK and Ireland without a specific net-zero emissions target, and despite laudable attempts, we have not reduced our greenhouse gas emissions in line with scientific advice. Since the introduction of the UK Climate Change Act 2008, greenhouse gas emissions have fallen across the UK by 27%, but, in Northern Ireland, by only 9%. If we have not reduced the UK's net greenhouse gas emissions to zero by 2030 — the position of the Alliance Party — we will not be able to pay our full part in avoiding devastating tipping points that would shatter the global economy and pose existential human threats.

This is the most critical decade for Northern Ireland. There is urgent need for new policies that will protect the environment. We must embrace the challenge and legislate for ambitious net-zero outcomes, with interim and sectoral targets, and we must invest in zero-carbon infrastructure and technologies.

The climate change Act, which is, as I said, incredibly delayed, must deliver meaningful improvement and

implement mechanisms for ensuring that future environmental improvement plans are sufficiently ambitious and are relevant specifically to Northern Ireland. I have today, quite deliberately, levelled no criticism directly at the Department. There have been, as we all know, competing demands and periods without devolution, and there is remaining uncertainty about post-EU arrangements. It must be recognised as well, though, that the recent green growth strategy from the Department was a welcome step forward in environmental awareness and protection.

The motion is in the spirit of such protection, addressing our climate challenge and safeguarding our future. This is an interdepartmental issue requiring interdepartmental and cross-cutting solutions. I am pleased that the Committee tabled the motion and I am pleased to support it.

**The Temporary Speaker (Mr Wells):** Thank you, Mr Blair, for such a succinct putting of your case. I also thank Ms Hunter and Mrs Barton for taking a similar approach.

## 12.15 pm

**Ms Bailey:** I am happy to support the motion, which, my party and I believe, is long overdue. I thank my Committee colleague Mr McGuigan for moving it.

I am pleased to see the acknowledgement of climate change as a human rights issue in the motion. For many, climate change may seem like a distant possibility — something far into the future — but that misconception is destructive. It is a falsehood, and it is our responsibility to face it head-on. Communities in the global south already experience the effects of climate change in the form of floods, droughts, hurricanes and other extreme weather events. Climate change causes death and destruction, threatens peace and security, increases social inequality on a global scale and threatens economic stability and our way of life. Climate change exacerbates chronic and contagious diseases, worsens food and water shortages, increases the risk of pandemics and aggravates mass displacement. The UN forecasts that there could be anywhere between 25 million and one billion environmental migrants by 2050. Think about that.

We see the social implications of climate change in Northern Ireland. In agriculture, for example, more and more small farmers are unable to withstand the extreme weather events that we now see occurring year-on-year, forcing them to leave the land. If we look at projected levels of flooding by 2050, we will know that we are likely looking at a housing crisis of epic proportions, as much of Belfast, among other areas, will end up under water.

The reality of climate change is that those who are least responsible for causing the problem are those who will feel its effects most acutely and are least well equipped to respond to it. Climate change will not be a great leveller. It will not affect us all equally. For all our declarations of a climate breakdown and an ecological and biodiversity crisis, the COVID-19 pandemic has shown us what an emergency looks like and how to respond to it. Climate change, like COVID-19, requires a global to local response and long-term thinking guided by science and the need to protect the most vulnerable. It requires the political will to make that fundamental change to the way in which we live our lives in order to respond to what is an existential threat to humanity and all life on Earth.

We need to start thinking about what a post-pandemic economy looks like. We all want to get back to normal, but normal is not working. As professor of green political economy John Barry has said:

*“The coronavirus has cancelled the future. But that’s OK. It wasn’t a very good one to begin with.”*

We have a unique chance here to change the course that we are on to irreversible climate catastrophe and to build back better. We need to rebuild with a transformative green new deal. Our COVID-19 recovery plan must decarbonise the economy in a way that tackles inequality and enhances the lives of ordinary people, our workers and our communities. The transition to a green economy must be underpinned by values of social justice and the principle that no one gets left behind.

Legislation is long overdue. Scotland and Wales have their own legislation, and both countries are set to meet and outperform their climate targets by 2020. In Northern Ireland, our emissions are not falling at anywhere near the same rate. We have increased our share of the total UK emissions. The New Decade, New Approach agreement includes new commitments to introduce legislation and targets for reducing emissions that are in line with the Paris agreement. We have seen little to no movement so far, however. We are already behind the rest of the UK. Work on the legislation needs to begin immediately, and it must be underpinned by ambitious, time-bound and legally binding sectoral targets. While there will be huge wins from the decarbonisation of the energy sector, that must be accompanied by reductions in others sectors, such as transport and agriculture, in order to meet long-term emissions reduction targets. We need to front-load those interim targets to ensure that we reach 80% reduction in emissions by 2030 and net zero by 2045 at least.

We must also recognise that solutions will not always be technological. While innovation has a part to play, nature-based solutions are best placed to tackle both the climate and biodiversity crises by restoring, protecting and managing carbon sinks and restoring native woodlands.

**The Temporary Speaker (Mr Wells):** Will the Member bring her remarks to a close, please?

**Ms Bailey:** Certainly. A climate change Act is well overdue. We are on the brink of disaster. The predicted temperature rise of 4° will be catastrophic for Northern Ireland. We have been given a rare opportunity: let us not lose it.

**Dr Archibald:** I support the motion; I do not support the amendment.

On 3 February, the Assembly declared a climate emergency. We also called for the Executive to fulfil the climate action and environmental commitments agreed in ‘New Decade, New Approach’ and for the commencement, as a matter of urgency, of a review of the Executive’s strategies to reduce carbon emissions in respect of the Paris Accord and the climate crisis. On 17 June, in response to my question for written answer that asked for an update on the New Decade, New Approach commitment to reviewing the Executive’s strategies to reduce carbon emissions, the Minister of Agriculture, Environment and Rural Affairs said:

*“I am still considering plans to meet climate change commitments and approaches outlined in ‘New*

*Decade, New Approach’.* I believe it is imperative that we build the evidence base and ensure government policy making has climate and environment at its core and that future policies and strategies can demonstrably deliver the outcomes people expect. The introduction of any new cross cutting approaches on climate change will of course require the support of the NI Executive.”

It is fair to say that the evidence base clearly exists already. It has done so for the past three decades; in fact, the evidence simply grows on the scale of the disaster of not acting. Frankly, I do not really know what “the outcomes people expect” means. Certainly, the Paris Accord commits to limiting global warming to 1.5° by the end of this century, and in NDNA, in January, parties here committed to implementing policies to meet that target. The Assembly has declared a climate emergency and called for the implementation of those commitments, so it is fair to say that people expect action that will achieve that and not simply rhetoric and can-kicking. People expect a climate change Act with the type of binding sectoral targets and strategies to achieve them that will meet our obligations on limiting global warming and preventing the catastrophic consequences of missing those targets.

On 1 June, the Assembly called for a fair, just and green economic recovery that demonstrates that we value our key workers, protects the most vulnerable, protects workers’ rights and our public services and commits to tackling economic challenges by a just transition to a more high-skilled, regionally balanced and sustainable economy. In planning for an economic and societal recovery from COVID-19 that will also be able to deal with the challenges of the climate crisis now and into the future, a recovery that is jobs-led and is fair and just would be hugely benefited by the introduction of a climate change Act with legally binding and ambitious sectoral targets.

I pick up on Mrs Barton’s point when I say that the reports are there, including the Committee on Climate Change’s report from last year. The evidence is there. There will of course be a consultation on any legislation that is brought forward, and that will be shaped by best practice. Certainly, when I talk to stakeholders and delivery partners, including those from business, energy, industry and academia, they are keen to make progress on decarbonisation but, to some extent, are working without a guide. They are planning loosely on the basis of the British targets, and that is not the localised, all-island approach that we need to protect our local economy and to ensure a just transition for our citizens.

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

**Dr Archibald:** No, I have quite a lot to get through, sorry.

It is vital that we have a genuine partnership approach that brings together representatives of all those who will be impacted; in reality, who is not? Here we mean representatives of workers, business, academia and, of course, agriculture and the agri-food industry, energy, the community and voluntary sector and government to plan for the just transition and economic recovery that will deliver jobs, prosperity and a better quality of life and outcomes for people that cannot simply be measured by GDP. Climate action must be based on social justice and must not disadvantage those who are least able to pay. That is why I have called for the setting up of a just

transition commission to plan for the decarbonisation of our economy and society. We need to see real investment in skills development and infrastructure and in the sectors that will deliver this: the green economy, the creative economy, the digital economy, research and innovation and academia. We have huge potential on this island and should seek to build on that in a real, joined-up way through an all-island approach, because climate recognises no borders. The resilient economy and society that we want to create will be better enabled by supporting the development of secure local supply chains.

This is too crucial a time to dither and delay. The evidence for action is overwhelming, and there is a real need for the regulatory framework, through climate change legislation, to ensure our strategies on building a better and fairer economy and society work for all citizens and protect and enhance the environment and the planet for generations to come.

**Mr Harvey:** The issues addressed by the motion affect us all: the environment around us, the economy within which we do business and the energy that we all consume. The experience of lockdown afforded many of us the opportunity to enjoy Creation and benefit from an altogether less polluted environment. Northern Ireland has an incredibly natural and diverse environment. A recent research paper from academics at Queen's and Napier universities noted that there are 308 different soil types across Northern Ireland, compared with around 700 in the whole of England and Wales. That statistic alone testifies to the wealth of our natural resources.

I do not believe that any benefit is to be had from whipping up a frenzy of panic on climate change. Rather, we must approach the issues with positive action to ensure a cleaner environment and a sustainable future in the years ahead. For such a goal to be achieved, it will require the collective will not just of the House but of society as a whole. I am glad that positive action has already been taken by my party colleagues in the Executive to formulate a coordinated and strategic approach to tackling the challenge of climate change. It is incumbent on us all that we take our responsibilities seriously. It is worth reflecting on the achievements that have already been made in tackling carbon emissions and waste outputs. For instance, 47% of our electricity mix already comes from renewable energy forms, and that is a solid statistic on which to build.

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

**Mr Harvey:** Yes, I will.

**Mr McGuigan:** The Member talks about the reduction. Will he express disappointment, as I do, that, in the North, since 2008, our emissions have reduced by only 8%, when, on the island of Britain, they have fallen by 27%?

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

**Mr Harvey:** I thank the Member for his comment.

I commend the Department of Agriculture, Environment and Rural Affairs (DAERA) for the work currently under way, particularly in relation to the green growth strategy within the delivery framework and the Forests for our Future initiative, which aims to plant 18 million trees by 2030. That is the sort of positive action that is required. Similarly, the efforts to tackle plastic pollution, through

the deposit return scheme, thereby ensuring that the plastic remains in the economy, will be of great benefit and quality to our environment. Prosperity agreements already encourage business to rethink how they can do business, creating greener and more sustainable solutions. As the Agriculture Minister has stated, sustainability must be our guiding light in all that we do.

Sadly, the effects of COVID-19 are already being felt, with job losses and economic uncertainty. We must ensure that our efforts around climate issues benefit people on the ground. Exciting opportunities lie ahead, as we work to transform the economy from high- to low-carbon, with the potential for sustainable job creation as a result. As we focus on emerging technologies, it is great to know that we can build on firm foundations such as our manufacturing sector, as we look forward towards carbon alternatives, such as hydrogen, in the energy strategy.

**Mr Givan:** I appreciate that the Member gives way and note that he does while others choose not to. That is their prerogative.

Does the Member agree that, in having a sustainable way forward on the issue, we should not take the lead of the Republic of Ireland, which has spent in excess of €100 million buying credits to farm out its responsibilities to others while continuing to fail to meet its international obligations? We are best placed to tackle the issue, and we should not engage in virtue signalling, which is what we hear from quite a number of Members. We need real, tangible, sustainable ways forward to make sure that we have a green and pleasant land in this country.

**Mr Harvey:** I thank the Member for his comments.

Northern Ireland undoubtedly has the innovation, skills and motivation across all sectors and industries to play a leading role in the development of green energy for the benefit not only of our environment but of our economy for the future.

The new energy strategy will likely set ambitious targets and actions for a fair and just transition to a zero-carbon society as we move towards the UK's 2050 commitment date.

There is much to be done, but the work has already commenced. Sustainability will lead to economic growth and, hopefully, future prosperity for everyone. We must use the resources that we have been blessed with wisely.

### 12.30 pm

**Mr Durkan:** Climate change is one of the most serious threats that we face, not just to the environment but to our health, economic prosperity and global security. As has been said, the overwhelming scientific consensus is that the impacts of climate change are accelerating and that they are largely driven by greenhouse gas emissions as a result of human activity. If we are to combat the devastating environmental, health, economic and societal impacts of climate change, we have a responsibility to act globally, locally and as individuals.

Given the right leadership and supported by the right legislation, we can deliver change in a manner that will not just help address the environmental challenges but that has the potential to bring about significant economic and societal benefits. That is not the first time that I have said those words. That is almost verbatim what I said in 2015, when, as the Environment Minister, I issued a discussion document that clearly set out the rationale for climate



change legislation. At that time, there was a clear idea of how that legislation should look. It was our view that the Northern Ireland climate change Bill should:

*“Make provisions for a long term target to reduce greenhouse gas emissions ... Make provisions for interim targets to reduce greenhouse gas emissions ... Place a duty to set limits in carbon budgets on the total amount of greenhouse gas emissions that can be emitted ... Provide powers to request specified public bodies to report on their transition towards a low carbon economy and their plans to adapt to the effects of climate change [and] Contain provisions to establish a Northern Ireland Committee on Climate Change or to designate an existing body to exercise advisory functions should it be decided that this is appropriate”.*

Finally, our climate change Bill must:

*“Contain a requirement for Northern Ireland to obtain an independent assessment for progress made towards implementing the objectives, proposals and policies set out in the Northern Ireland Climate Change Adaptation Programme.”*

That needed to be done as a matter of urgency five years ago. It needs to be done as a matter of emergency now.

The vast majority of responses to that discussion document were positive, with people and groups recognising the need for us to act. Support was not unanimous, though, with reservations and, in some cases, outright opposition, coming, not unexpectedly, from certain quarters in industry and agriculture. The commercial concerns expressed have perennially been reflected in political opposition or, in today's case, resistance to a climate change Act from some quarters in the House. That is OK. It is natural to have different views and healthy to hear those views.

As Mr Hamilton said, some good work has been done with industry, through prosperity agreements as one vehicle, to demonstrate the economic benefits and opportunities that going green can create. We have moved, or at least are moving, beyond the old-world view that environmental regulation must constrain economic performance and productivity. It is possible to create a better environment and a stronger economy. Standing still will deliver neither. We certainly stood still with no Government here for three years. It is time that we got moving.

I was going to say that things here happen at a glacial pace, but thanks to global warming the glaciers are probably moving quicker than we are. Having said that, I must acknowledge Minister Poots's green growth plans, the visionary work of Nichola Mallon as Minister for Infrastructure and the great work that has been done by many of our councils, including Derry City and Strabane District Council.

**Mr Stewart:** Will the Member support our amendment?

**Mr Durkan:** We will not support the amendment. We believe that it kicks the can further down the road.

The Department has, I believe, done enough work to know what needs to be done. As a Bill makes its way through a robust legislative process, there will be ample opportunity for engagement, evidence gathering, amendments and improvement.

Commitment to advancing this legislation is a cornerstone of the New Decade, New Approach agreement —

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

**Mr Durkan:** — an agreement that has brought us all back here. Let us honour that commitment. We need an Act, and we need to act.

**Mr Muir:** In my maiden speech I fully supported the Assembly's declaration of a climate emergency and of the climate commitments in the 'New Decade, New Approach' document and said that they should be acted upon as the bare minimum. In some respects, everything has changed six months later as a result of COVID-19. The need for us to act urgently in response to the climate emergency has not, however, changed one bit. I fully support the motion, including the timetable for the Minister to introduce a climate change Act.

I will focus my comments today in my role as the Alliance Party's finance and infrastructure spokesperson. At this point, I should declare that I was previously an employee of Translink and a councillor on Ards and North Down Borough Council.

Rapid decarbonisation, green growth and a green recovery will not happen unless we significantly increase our investment in the relevant infrastructure. It is of real importance that we have a fit-for-purpose planning system that enables plans such as the North/South interconnector to proceed and to avoid having wind farms being stuck in the planning system for years awaiting approval, as that will enable more renewable electricity to flow into our grid. Investing in our broadband network, particularly in rural areas, is essential to enable more people to work remotely and to avoid lengthy commutes. Bringing forward a scheme to incentivise home insulation, as the Chancellor announced for England and Wales two weeks ago, could play a significant role in reducing household energy consumption. Those are just a few steps that we could take immediately to deliver the green infrastructure and investment that we need.

First, however, we must better utilise our existing borrowing powers. This year, we have not drawn down a penny of the available borrowing from the National Loans Fund, and we have handed back millions of pounds in financial transactions capital. That is inexcusable at a time when we should be investing in our future. It only serves to make the case for a national infrastructure commission even stronger. Such a body could advise the Executive on, and oversee the delivery of, a green infrastructure strategy and could identify the projects best suited to deliver green growth — projects that are shovel-worthy as well as shovel-ready.

The second aspect of our response to the climate emergency that I want to touch on today is how we travel. Transport accounts for 20% of Northern Ireland's CO<sub>2</sub> emissions. It will be key to achieving future targets in any climate change Act, should one ever be brought before the Assembly. Translink's current financial predicament as a result of the slump in passenger numbers is no reason to give up on public transport. We should, instead, be seeking to build back better, rivalling other parts of Europe in their investment in sustainable transport, rather than continuing the chronic underinvestment that has bedevilled Northern Ireland for years.

The new Government in the South have committed to investing in new public transport in a ratio of two to one to new roads. We in Northern Ireland must adopt something similar in our response to the climate emergency. We have the tools right here to make our public transport system as green as anywhere in the world. Wrightbus is already delivering cutting-edge hydrogen and electric buses that, with the right support, could be as cheap as their fossil-fuel counterparts in the very near future. By working with firms such as Wrightbus we can tackle the climate emergency, ensure better air quality, and support economic recovery all at the same time.

As well as investing in public transport, we must also rapidly increase our commitment to active travel. The increased provision for pedestrians and cyclists that was brought in during COVID-19 should be made permanent. It should also be built upon to catalyse the shift in how we travel.

In closing, I fully endorse the motion and the onus that it places upon the Minister of Agriculture, Environment and Rural Affairs to act quickly. However, responding to climate emergency is the obligation of every Minister and every Member. Financing green infrastructure investment and decarbonising how we travel must be essential components of our collective response.

**Mr Deputy Speaker (Mr Beggs):** I call Matthew O'Toole. The Member will have the remaining three minutes of the debate.

**Mr O'Toole:** Thank you, Mr Deputy Speaker. I will try to be concise. I echo the sentiments of my colleagues Cara Hunter and Mark Durkan and those of the many others who have supported the motion.

A few weeks ago, in the Assembly, the Minister for Agriculture set out his vision for a green growth strategy. The Minister told us that the data and evidence for the increase in carbon emissions is irrefutable and that Northern Ireland needs to do much more to meet the UK Government's target of reaching zero net carbon by 2050. Who could refute that data?

Going back to some of the points that have been made, the Member for Strangford said that Northern Ireland had done well. Philip McGuigan gave a bit of the context relating to the reduction in our emissions since 2008. Between 1990 and 2017, in comparison with other parts of the UK, Northern Ireland emissions fell by 18%, Wales by 25%, England by 45% and Scotland fell by 48%. Paul Givan was drawing contrasts with the Republic of Ireland. It may well be the case that they need to be more ambitious in their climate reduction targets, but, as others have said; they are doing that and have an ambitious series of targets in their Programme for Government.

I welcome the sentiments expressed by the Minister a few weeks ago. We do have much more work to do, and that needs to start now. The sentiments were strongly backed up by the Committee on Climate Change progress report to the UK Parliament that said that the devolved Administrations need to step up to the plate. We know that this proposed legislation was specifically mentioned within the 'New Decade, New Approach' document, and it is right that we need to step up to the plate. The Assembly has recognised the gravity of the climate emergency. In one of our first sittings this year, we passed a motion describing the situation as a "climate emergency". That puts an onus on us to deliver this legislation.

It is critical that we now move on from those declarations, to the specific action of delivering a climate change Act. The impact of having no binding climate change legislation in Northern Ireland is already apparent. There is considerable disparity in emissions reductions progress between Northern Ireland and other parts of the UK. Legally binding targets will move us beyond the status quo of vague aspirations with minimal practical implementation, and towards serious long-term and interim targets. We are the worst performing UK region for emissions reductions and we cannot wait any longer.

I am coming to the end of my three minutes. In closing, and to keep my remarks brief, we have been a backwater on climate action for far too long. If six months is a short enough deadline to crash out of the EU without preparing our businesses for it, then I am afraid that three months is more than long enough for the Minister to bring —

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

**Mr O'Toole:** — forth climate change legislation. As my colleague has said, we do support the motion. We do not support the amendment because —

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

**Mr O'Toole:** — we have waited long enough for specific legislation. I commend this motion, and those colleagues who have brought this to the House.

**Mr Deputy Speaker (Mr Beggs):** I now call the Minister of Agriculture, Environment and Rural Affairs, Edwin Poots, to respond to the debate.

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** Thank you, Mr Deputy Speaker. I appreciate the opportunity to respond.

A three-month time frame is impossible to achieve, and it is ridiculous to ask for it. The Member who has just spoken says that it is adequate time, yet his Party had five years in this office to bring forward a climate change Act and did not do it. It is quite ridiculous, Mr O'Toole, that the party of which you are a member, want me to do that in three months.

Northern Ireland has reduced its carbon footprint by 20% since 1990. Do we believe that more needs to be done? Of course more needs to be done. Transport, energy and agriculture are the big players and account for 65% of greenhouse gasses. What are we going to do? Are we going to pass motions which basically replicate what others have done and have not successfully challenged the greenhouse gas problem, or are we going to take actions? I am not a politician who gets too hung up on motions and regulations. I want to see actions and things that will make tangible differences in Northern Ireland and beyond.

When I was previously Minister —

**Mr Carroll:** I thank the Minister for giving way. I agree with him that motions are important, but that actions are essential.

He may or may not be aware, that there is an application on the Minister for the Economy's desk to allow for the extraction of petroleum across the North. Would he agree with me that rejecting that application would put those actions into words?

**12.45 pm**

**Mr Poots:** That is entirely a matter for the people who are looking at it. Importing gas from Russia or importing oil from the Middle East does not necessarily strike me as being more environmentally friendly than doing it here. Nonetheless, that is for those people. I have no idea whatsoever about that application, and I will not comment on it. It may come across my desk, with factual information that I can analyse then.

We need to do more when it comes to these issues. The last time that I was Environment Minister, the issue of recycling and waste was brought to me. At that point, our recycling rate was around 25%; it was in the low 20s, actually. They said, "We could aim for a target of 40% by 2020", but I said, "No. We're not doing that. We're going for 50%". They said, "It won't be achieved". It was achieved. When I became Minister, we were getting nowhere on renewable energy because of the planning legislation that existed, so we brought in the appropriate planning legislation. As a consequence of that, Northern Ireland is now producing over 40% of its energy from renewable sources. Mrs Barton quite rightly raised the issue of the utilisation of that, and a course of work needs to be done to address that. Nonetheless, we believe in actions, not words. What I hear from a lot of the Members who have come forward today are words. Having delayed the Assembly doing anything for three years, they want me to do something in three months. I want to ensure that we get those actions.

**Mr McGuigan:** Will the Minister give way?

**Mr Poots:** Your colleague will have an opportunity to speak later, and you had 10 minutes.

Lord Deben produced a report for Westminster in which he set out a series of actions. He is looking for the following: investments in low-carbon and climate-resilient infrastructure; support for reskilling, retraining, innovation and research for a net-zero, well-adapted economy; upgrades to our homes and the building of new homes, ensuring that they are fit for the future; action to make it easy for people to walk, cycle and work remotely; tree planting, peatland restoration, green spaces and other green infrastructure. That cuts across not just my Department but all Departments. I want to know what the ministerial colleagues of the individuals who have been speaking in this debate are doing in their Departments, because this issue is not solely for DAERA. Every Department has a role. Every Department has a responsibility.

Already in DAERA, in spite of COVID and in spite of all the problems, delays and distractions as a consequence, in the first six months, we have been able to bring forward the Forests for our Future strategy. We have also been able to bring forward our green growth strategy. I can tell you that we are working on programmes that will make real, significant change. Members of my staff are working extremely hard on developing ideas that will drive real reductions in greenhouse gases in my Department and, I trust, elsewhere.

**Ms Bailey:** Will the Minister give way?

**Mr Poots:** We will see how time goes.

You will not find this Minister wanting when it comes to dealing with these issues. We will see who steps up to the

plate. We will see what other Ministers will do in support of what I want to achieve when it comes to environmental issues. It will be extremely challenging. I will not go forward with a very limited proposal. I want to see a programme that will deliver real, tangible changes to the environment.

I have to say that the quality of scientific work has been challenged on the back of COVID-19. We have been told for years that cows make a dreadful contribution to greenhouse gases. Interestingly enough, during the COVID period, the number of cows did not go down, but greenhouse gases certainly did so. Subsequently, other scientists are indicating that the methane produced by cows has had relatively little impact on the environment. So, on that, we need qualitative science. I am thankful that organisations like Agri-Food and Biosciences Institute (AFBI) exist in Northern Ireland. We need qualitative science to demonstrate, in a very unequivocal way, the real contribution of agriculture. It is very easy to say that a cow produces so much methane but no one is saying what a cow does with regard to sequestration of carbon. She eats that lovely green grass; that green grass has roots that goes down into the soil and that green grass captures carbon and takes it down into the soil. The cow actually tramples grass down into the soil along with it, particularly cows that are grazed in the extensive systems in Northern Ireland.

I am conscious that Sinn Féin are bringing forward motions that would introduce legislation in a rushed way, and that would, inevitably, damage farming and make hill farming unsustainable in Northern Ireland. Mr McAleer and Mr McGuigan are talking out of both sides of their mouths. Mr McAleer is constantly protesting for hill farmers and Mr McGuigan is constantly protesting on something that would damage hill farmers. We need to be very clear about it; the legislation that has been introduced in other places would be damaging to Northern Ireland's agriculture and, consequently, damaging to the hill farmers who Mr McAleer likes to talk about a lot. I will not be having it; it will not happen on my watch that we damage the people who are trying to make a living on the hills, because those people are making a positive contribution. I want to ensure that we have the scientific evidence to demonstrate that they are making a positive contribution. Carbon capture exists in our trees, our hedges and our grasslands. The sequestration that takes place is significant, and we need the science to back us up and to demonstrate that we are doing some things that are real and are truly beneficial.

Mr Muir mentioned the North/South interconnector. The parties that he is going to go through the Lobbies with are the parties that have been most opposed to the North/South interconnector. I agree that we need to have an electricity system that is fit for purpose. People need energy and there needs to be a greater utilisation of that green energy, through the North/South interconnector, than is currently the case, but the parties that he will vote with are opposed to it.

I welcome Translink's recent recognition that there are quality buses available in Northern Ireland. It took them a long time to identify that there are buses manufactured here, and I welcome the fact that they are now acquiring them. Translink have their own pieces of work to step up to. Running empty buses or trains is not good for the environment. I recognise that public transport is critical, going forward, but it is critical that they make the right

decisions with the limited funding that is available to all Departments, including Health and Education, to provide for the needs of the people of Northern Ireland.

Speaking of education, Ms Hunter raised an issue around the environment. If she checks the facts, she will find that Northern Ireland is leading when it comes to education on environmental issues. All our Eco-Schools are registered and have innovative programmes and activities delivering on issues, such as Rethink Waste, which I introduced. There are strong conditions for the Government to reinforce climate positive behaviours that have emerged during the lockdown, including increased remote working, cycling and walking. I believe that our leadership will play a key role in forming new social norms and expectations. I assure Members that my focus, as AERA Minister, is to find ways where we can all work together and achieve those positive outcomes, for nature and for business, and tackle the challenges of climate change.

Therefore, I do not support the motion. I cannot support it. We should not use language such as “emergency” or “crisis”. Northern Ireland climate change legislation should not be rushed through and forced upon the Assembly without its being properly informed and considered. We need greater clarity and evidence on what should go into legislation and what that can deliver for Northern Ireland. Without that, there is a real risk of rushing through something that we would later find out has a detrimental effect and puts up barriers for businesses and industry, debilitating Northern Ireland’s realisation of a just transition to a low-carbon, green economy.

I should say that we are leaving the European Union. Over the period in which we were in the European Union, it produced 2,800 regulations and laws for agriculture alone. What I hear from people on the other side of the Chamber is that there should be more regulation. I do not want more regulation; I want more action. One achieves much more by giving people leadership than by bullying them. We can give them that leadership. We can demonstrate to the public, unequivocally, that the actions that we take will actually be of real benefit to the environment. Bringing in regulations such as that which requires a farmer to request permission from DAERA to clean out what we refer to in the country as a “sheugh” did not do one bit of good for the environment — not one bit of good. It was just another regulation. I am not interested in waste-of-time regulations, which are a burden to individuals and to the Government to have to implement. I am interested in taking real action and actually reducing the greenhouse gases and carbon that we produce, looking at how we can sequester it better, looking at how we can do things better with regard to working from home, and all those issues. That is something that all Ministers, in all our Departments, need to work on together. I am happy to give leadership on that.

**Mr Deputy Speaker (Mr Beggs):** I call John Stewart to make a winding-up speech on the amendment. You will have up to five minutes.

**Mr Stewart:** Thank you, Mr Deputy Speaker, for allowing me to make a winding-up speech on the amendment. I want to say at the outset that I certainly acknowledge the spirit and intent of the motion. Our amendment was not designed to impede its intentions in any way but rather to inform what would, ultimately, form the climate change Act, which we, as a party, support.

Having watched the Committee, I believe that there was no real insight or justification for what seems like an arbitrary figure of three months. It is a figure that was plucked from the air. Equally, it could be asked, then, why it was not three weeks. I do not see where that figure has come from. Many of those who argue most adamantly that it needs to be done quickly seem to forget the fact that they prevented the House from sitting for three years, during which time the emergency has moved on.

**Mr O’Toole:** Will the Member give way?

**Mr Stewart:** I am happy to if I will get an extra minute.

**Mr O’Toole:** I will be brief. I appreciate what the Member is saying about the three months, and what the Minister said, too. I have two issues, however. One is whether he has a different timescale in mind, and, two, whether he accepts that a consultation process could be brought forward on the legislation, draft legislation could be brought forward that would be debated in the House, and stakeholders could give their views on that?

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

**Mr Stewart:** I thank the Member for his intervention. Yes, I do have a time frame in mind. Given the conditions that we are in — in the middle the biggest health crisis that we have ever seen — and that the Executive have a lot of work going on, a consultation could be launched right now to be finished by the end of the year, and a climate change Act enacted in 2021 to celebrate and mark the centenary of Northern Ireland and acknowledge the work that we need to do to cherish and promote our green and pleasant land. Therefore, yes, while I do support that, I do not think that an arbitrary figure of three months, which has been plucked from the air, is one that should, in any way, be binding at this stage.

Climate change is a global crisis. Record-breaking temperatures across the globe, including 38°C in Siberia this year, with high temperatures and drought affecting food production, have impacts everywhere. Northern Ireland is not exempt. We have seen rising emissions here and poorer air quality, with higher pollution levels in Belfast than in other cities around the UK. Thankfully, those levels have gone down with the reduction in traffic during the COVID-19 lockdown. It would, however, be worrying to see them go back up again. We also have the impact of coastal erosion and rising tides here. Northern Ireland will be affected by climate change.

Equally, changes that will be brought about by Brexit mean that Northern Ireland will also be in a unique situation when it comes to the repatriation of EU powers on climate change and the environment.

Regardless of legislation in London or Brussels, we need to act. We have the opportunity to bring about real change in transforming our economy and our environment to help to mitigate many of the worst aspects of increasing greenhouse gas emissions and make a valid contribution to dealing with climate change.

#### 1.00 pm

As the party’s spokesperson on climate change, I support Northern Ireland-specific legislation in the form of an all-encompassing climate change Act on Northern Ireland targets and emissions, on the need for an independent

environmental protection agency, and the inclusion of our party commitment to see and deliver zero net carbon by 2035.

As a result of the previous Stormont Executive, we are the only Administration in the UK and Ireland not to produce its own laws to cut carbon and to improve and protect our environment. As a result of the hiatus of three years of absolutely nothing here, we are even further down the line. I find it somewhat ironic that some people bang a drum about the emergency when we could have been dealing with the issue in 2017, 2018 and 2019.

I am not saying, Mr Deputy Speaker, that legislation is the panacea to all problems. There is undoubtedly an awful lot of virtue signalling on the issue. The impression, sadly, for too long has been given that Northern Ireland does not take the issue seriously, which is unfortunate, to say the least.

In my maiden speech two or three months ago, I said that what we can do here can be summed up in two words: mitigation and adaptation. We need to mitigate and address the causes of climate change, and adapt, making the necessary changes to reduce and negate the effects of climate change, such as protecting our sea walls and improving our coastal communities against the vulnerable impacts of climate change. Neither of those can be done in a silo mentality in one Department in our Executive or without a link to local government, numerous NGOs, our businesses and every level of society. That sort of work will require a full, in-depth, up-to-date public consultation, which could be carried out now, ahead of getting this work done, and a climate change Act implemented in 2021 to mark the centenary of Northern Ireland and to preserve our green and pleasant land for many years to come.

The time has come to act. As I said, the amendment is not intended in any way, shape or form to take away from the intent of the motion. I agree with many Members' comments. We are all on the same page about identifying the importance of the issue. However, the introduction of an Act within three months, as the Minister said, is far too obtuse. That does not give us an opportunity to consult fully. Consultation could be done this year, with legislation enacted next year.

**Mr Deputy Speaker (Mr Beggs):** I call on the Chairperson of the Committee for Agriculture, Environment and Rural Affairs, Declan McAleer, to conclude and make a winding-up speech on the motion.

**Mr McAleer (The Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** I welcome the wide-ranging and robust debate. Before I go to some of the contributions, I want to pick up on a couple of things. I am glad to hear that the Minister has noted that I have been pushing the case for hill farmers, because he certainly has not been doing that. Since he became Minister, some of his decisions have been to the detriment of hill farmers: he did not return the ANC payments; he blocked the transition towards the flat rate; and not a penny of the £25 million that he allocated recently will go to the hills. At least my party and I are here to advocate for hill farmers because it is becoming increasingly clear that the Minister of Agriculture is certainly not the Minister of hill farmers. I am glad that he is reading the farming press, where he will read that I am advocating the case for hill farmers.

**Mr McGuigan:** I thank the Member for giving way. I congratulate him for sticking up for hill farmers. The Minister made a number of accusations and assertions on issues that were not even included in my contribution. He does not need to take my word for it. He can take the word of the Ulster Farmers' Union, which, in a briefing paper, said that climate change is "impacting" on farmers and needs to be addressed. It has also said that farmers in the North need to be part of the solution, they have signed up to tackling emissions within the greenhouse gas implementation partnership, and they are impacted by climate change and are therefore directly aware of the challenges. Research and new technologies are needed to help industry towards zero net carbon.

**Mr McAleer:** Thank you for that intervention. I agree with one thing that the Minister said: farmers play a huge role. They are environmental custodians. I agree with what he said about the sequestration of cattle and the important role that they have for the environment and the climate. They are not separate; they are the same.

Climate has a huge impact. As a representative of the Sperrins, I know of the impact suffered in the Glenelly area, three years ago, when a huge landslide devastated farming in that area. Farmers are still dealing with that loss, and the Minister has yet to deal with it by way of compensation or support for those farmers. I have seen how the climate has impacted on those farmers who suffered that devastation. On top of that has come the COVID crisis, the loss of the ANC payment, and the fact that many of them will be getting nothing out of the £25 million COVID scheme for which the Minister recently set the criteria. I hope that he will consider hill farmers in a tranche of the £7 million that he has retained.

I turn now to the debate. Philip McGuigan highlighted concerns regarding the dangers of global warming and said that the lack of action was alarming. He called for leadership and ambition and said that action needed to be taken now.

Rosemary Barton welcomed the opportunity for renewed support for a climate change Act. She called for a sustainable way of moving forward and said that there must be a combined effort to reduce emissions in an effort to move towards a zero carbon society. She also said that we need to have a consultation period for our legislation to identify the needs and the gaps that exist.

William Irwin said that this was an unquantifiable issue and that there was an unquantifiable cost. He referred to the important role of farming in relation to the motion. He does not support the motion. He also spoke of the need to ensure that the agri-industry remains profitable.

The SDLP's Cara Hunter said that we cannot wait any longer and that we must act now. She talked of the growing evidence of the impact of climate change and of the important role of young people in the area. She said that issues relating to climate change should be incorporated into the curriculum and that young people were leading campaigns on climate change. She said that failure to take action now will have a devastating impact and that that impact is felt across the world. She also stated that we must ensure that disadvantaged people are not disadvantaged even more so.

John Blair talked about the importance of the motion and its spirit of protection. He asked for support for the motion

and said that we now needed to act here. He supports the motion and welcomes the green growth strategy.

Claire Bailey said that this was long overdue and that it was a human rights and health issue which threatens our way of life. She said that all people would not be affected equally. She also said that this was a rare opportunity and that we must not lose it. She spoke of the need to think about how things will look, post-pandemic, and of the need to be guided by science and political will. She said that this is a unique chance.

Caoimhe Archibald said that climate is at the core of new policies. She said that evidence exists, and is growing, and that we need an Act that contains targets. The House calls for a fair, just and green economic recovery, and Caoimhe Archibald stressed that the evidence exists to achieve that. She also made the point that there would be a consultation period before any new legislation came in. It would help shape the final Act that is agreed. She said that climate action must be based on social justice. She also said that there was overwhelming evidence that action is required. She spoke of the huge potential that exists on the island and said that climate change does not recognise boundaries or borders.

Harry Harvey made reference to the diverse environment and said that we have a wealth of natural resources. He does not see the need to whip ourselves up into a frenzy over the environment but called for positive actions on climate change. He commended DAERA and made reference to prosperity agreements which encourage business sustainability. He said that the North has innovative skills for green energy and new energy strategy and targets, and that much more must be done.

Mark Durkan said that we have a responsibility to act to combat the impact of climate change. He said that, in 2015, when he was Minister, there was a clear idea of how legislation should look. He said that we have a responsibility to act and that, if we did, it would bring benefit to all. He also made reference to the green growth strategy. Furthermore, he said that there is ample opportunity to engage and plenty of evidence to move ahead with a climate change Act.

Andrew Muir said that rapid decarbonisation and green growth would not happen without investment in infrastructure. He also mentioned the importance of broadband and the funding of it. He spoke of the importance of investing in sustainable transport and active travel.

Matthew O'Toole of the SDLP said that, between 1990 and 2007, emissions here fell by 18% but that there was a greater drop in other regions. He said that the South of Ireland's Programme for Government contains ambitious targets and legally binding targets to move them in the right direction. He said that we cannot wait any longer and that this has been a backwater for too long. He supports the motion, but not the amendment.

Mr Poots said that the time frame is impossible to achieve and that it was a ridiculous time frame. He said that we have a reduced carbon footprint but more needs to be done, and he wants to see things that will make a tangible difference. He said that he is a person of actions and he wants to do things that will make a change.

**Ms Bailey:** I thank the Member for giving way. It is interesting that you focus on that and it was good to

hear the Minister point out that the time frame was unachievable. He went on to explain that, when we set deadlines, come up with strategies and put them out, we actually exceed the targets that are set in them.

**Mr McAleer:** Thank you for the intervention, Clare. He questioned the science regarding the impact of farming on greenhouse gas emissions, and he said that rushed legislation could damage farming so we should not be rushed. He does not want to get tangled up in a whole web of EU regulations.

**Mr Givan:** I thank the Member for giving way. Does he recognise the tangible effort that could be made with regard to procurement, for example, which his party has responsibility for in the Department of Finance, by reducing transportation costs by sourcing things locally and by not sourcing things from countries that are some of the biggest emitters of carbon? Is that not an action that his party could take now?

**Mr McAleer:** Yes. The Minister said that any actions with regard to climate change would be cross-cutting across Departments, so absolutely. Again, in going back to the Minister, he drew it across all of the Departments — which is quite right — but it is his Department that must take the initiative of bringing in a climate Act in the first place.

There are a few more points. With regard to the — where was I now? You have knocked me off course, Mr Givan. *[Laughter.]* Was it was a plan?

Mr Stewart wound on the amendment and he questioned why the three-month time frame was picked. He supports an Act for here —

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

**Mr McAleer:** — and the intentions of the motion, but he queried the time frame.

In conclusion, I thank you all and I commend the motion.

*Question put, That the amendment be made.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** Clear the Lobbies. The Question will be put again in three minutes. I remind Members that they should continue to uphold social distancing and that Members who have proxy voting arrangements in place should not come into the Chamber.

**1.15 pm**

Before I put the Question again, I remind Members that, if possible, it would be preferable if we could avoid a Division.

*Question put a second time.*

**Mr Deputy Speaker (Mr Beggs):** Before the Assembly divides I remind Members that, as per Standing Order 112, the Assembly currently has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that social distancing continues to be observed in the Chamber during any Division. In order to facilitate that, I ask that any Members in the Chamber who are not due to vote

in person should consider leaving the Chamber until the Division has concluded. Members who wish to vote in the Lobby on the opposite side of the Chamber from where they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. The remaining Members who are sitting closest to the Lobby Door should enter the Lobby first. Any Member who has voted may then wish to leave the Chamber until the Division has concluded. However, any Member who needs to vote in both Lobbies should not leave the Chamber. I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing while voting.

*The Assembly divided:*

*Ayes 36; Noes 47.*

#### **AYES**

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

*Tellers for the Ayes: Mrs Barton and Mr Stewart.*

#### **NOES**

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

*Tellers for the Noes: Mr McAleer and Mr McGuigan.*

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Allen and Mr Swann.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer [Teller, Noes], Mr McCann, Mr McGuigan [Teller, Noes],*

*Mr McHugh, Ms Mullan, Mr Murphy, Ms Ni Chuilin, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly negatived.*

**Mr Deputy Speaker (Mr Beggs):** We will take a brief pause because other Members may wish to come into the Chamber again.

*Main Question put and agreed to.*

**Resolved:**

*That this Assembly acknowledges the ongoing climate and biodiversity emergency and calls by the Intergovernmental Panel on Climate Change for rapid decarbonisation; reiterates the Assembly's declaration of a climate and biodiversity emergency, the Assembly's demands for the urgent introduction of a climate change Act, the all-party New Decade, New Approach commitment to delivering a climate change Act, and the Minister of Agriculture, Environment and Rural Affairs' commitment to a green growth strategy; recognises climate change as a human rights issue that risks deepening existing inequalities; further recognises the need for a stimulus-led, just and green recovery to restart economic activity following the economic disruption arising from COVID-19; calls on the Minister of Agriculture, Environment and Rural Affairs to introduce a climate change Act with legally binding and ambitious sectoral emission reduction targets, and to ensure that any economic recovery strategy is underpinned by rapid decarbonisation and a just transition to protect jobs through upskilling people in carbon-intensive sectors; and further calls on the Minister to introduce this Act in the Assembly within three months.*

**Mr Deputy Speaker (Mr Beggs):** An urgent oral question has been accepted by the Speaker. I propose, by leave of the Assembly, to suspend the sitting for about 15 minutes in order for the Minister to take a break. The sitting will resume at 1.50 pm, when the next item of business will be an urgent oral question to the Minister of Agriculture, Environment and Rural Affairs on waste storage at the Edenderry Industrial Estate.

*The sitting was suspended at 1.35 pm and resumed at 1.50 pm.*

# Question for Urgent Oral Answer

## Agriculture, Environment and Rural Affairs

### Waste Storage at Edenderry Industrial Estate

**Mr Deputy Speaker (Mr Beggs):** William Humphrey has given notice of a question for urgent oral answer to the Minister of Agriculture, Environment and Rural Affairs. 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 question.

**Mr Humphrey** asked the Minister of Agriculture, Environment and Rural Affairs, given the health and safety issues arising from waste storage at Edenderry Industrial Estate, what action his Department and the Northern Ireland Environment Agency (NIEA) are taking to ensure that the offending material is removed urgently.

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** My Department has actively engaged with the site operator and representatives of the landowners and directed that the waste materials deposited at the site be removed as a matter of urgency. Subsequently, the landowner has engaged a legitimate waste management company, and works to remove waste from the Edenderry site have commenced today. My Department is present at the site and will continue to monitor progress daily. A full and thorough investigation is under way, and my Department will ensure that those responsible for the activity are vigorously pursued and face the maximum criminal sanction.

**Mr Humphrey:** I thank the House for allowing the question to be asked today.

Minister, the communities in Woodvale and mid-Shankill have been plagued by rats and infested with flies and have had to endure dreadful smells over the past number of weeks. Belfast City Council and the Northern Environment Agency were far too slow to react. Assurances were given that clearance would start before the Twelfth holidays, yet attempts were made on Saturday to dump more material in the area. I ask the Minister whether his investigation will be robust and provide reassurance to the people living in the area.

**Mr Poots:** I thank the Member for the question and for alerting me to the situation on Saturday afternoon. I can assure him that there will be a robust response. What has happened is unacceptable. It is not a registered site. Consequently, it is an illegal site, so NIEA's enforcement branch will be tasked with carrying out all the investigations and, on the basis of the information that it finds, with bringing forward a recommendation to the Public Prosecution Service (PPS) to take the matter to court. It is a matter for NIEA enforcement branch, but I assure the Member that it will be robustly investigated. If the appropriate information comes forward, the matter will be taken further.

**Ms P Bradley:** I praise my colleagues William Humphrey, Councillor Kingston and Councillor Verner for the proactive and timely work that they have done.

To follow on from your answer to Mr Humphrey, Minister, do we need to look at having stricter laws and higher fines throughout Northern Ireland when it comes to illegal dumping, which has been extremely prevalent during the COVID-19 period?

**Mr Poots:** Fines are a matter for the courts. Those fines can be high if the courts decide to make them high, and we encourage the courts to fine heavily. We have a principle that "the polluter pays", and, consequently, NIEA will always seek to get back all the expenditure that it has involved in a case so that there is no public expenditure as a result of someone's criminal activity. It is for the courts to identify the level of fine over and above that, and we will encourage them to fine quite heavily individuals who engage in illegal activity.

There are people who engage in waste activity who are registered and carry out those activities legally; there are others who appear to be doing it who are not registered and consequently are doing it illegally. I am happy to look again at the work that was done in developing the regulation and the legislation around this to see whether it needs to be refreshed or whether there are inadequacies. I do not believe that this will be a one-off case. I believe there to be other cases. Therefore, if we need to, we will have to take further steps to ensure that we clamp down heavily on this activity.

**Mr McGuigan:** I concur with the Minister and the Members who spoke about the absolute disgrace of illegal waste being dumped on that site. What engagement has the Minister had with the local authorities, businesses and residents to urgently address the vermin problem associated with the illegal waste?

**Mr Poots:** The vermin problem is one for Belfast City Council. As I understand it, Belfast City Council is putting down full baiting for the vermin problem. I say to the people who resisted the opening of household waste recycling centres that a lot of this waste is waste that would normally have ended up there. That is why I pressed, some time ago, for household waste recycling centres to open. It was evident that waste that was being collected in people's backyards and gardens was causing problems, and some people have turned to an illegal sector that has gained financially from that. I believe that, in various council areas, there are household waste recycling centres that have still not opened. I say this to councils where that is the case: "Would you please get your act together, get those recycling centres opened and provide the service that you are being paid to provide?"

**Mr O'Toole:** I thank the Member for tabling the question. As has been said, it is completely unacceptable that residents in that part of north Belfast have had to put up with this appalling spectacle and illegal dumping.

In his previous answer, the Minister said that he suspected that this was illegal dumping by people who had paid to dump that stuff there. Is he aware of that happening on a more widespread basis across Northern Ireland? Have there been reports to his Department of it happening in a systematic way? He seems to have an indication that this has been paid for by a specific organisation. Is he aware of it happening on a more widespread basis?



**Mr Poots:** The evidence is anecdotal as opposed to empirical at this stage. There is a bit of the “white van man” scenario, where he has been doing a bit of tidying up round people’s homes, and they have asked, “Could you get rid of that for us?”. Bits and pieces of that have been involved with fly-tipping, and we are aware of that. Some people may have set themselves up to handle waste when they are not registered waste-handlers. That may be going on. We need to be cautious in all of this to identify exactly what the situation is in this and any other case that is brought forward and to follow due process. Due process will bring results in taking those people to court and having them appropriately fined and the costs charged to them for the disposal of any materials.

**Mr Blair:** I thank Mr Humphrey for asking the original question.

Given that we know that one of the sites is on the same piece of ground as a block of private apartments and immediately abuts other properties, is it clear whether costs incurred by residents thus far can be refunded to them through action taken against the illegal operator?

**Mr Poots:** I am not sure whether that is or can be the case. Certainly, we are happy to look at that. Our primary focus, since I became aware of this on Saturday afternoon and worked with NIEA over the weekend and on Monday morning, was to get the material removed pronto.

Yesterday afternoon, we got agreement from the owners of the Edenderry site that they would pick up the bill for removing it. That agreement was signed off later in the evening, and operators are clearing it as we speak. That was our initial target. We can look at the issue raised by Mr Blair.

## 2.00 pm

**Miss Woods:** Given the track record of illegal dumping in Northern Ireland, not to mention Mobuoy and now this ongoing in Belfast city centre, will the Minister commit to strengthening laws on illegal dumping and practices across the region?

**Mr Poots:** I am certainly happy to look at how we can strengthen laws and ensure that we can have the appropriate responses. For example, we still have waste that was dumped here that needs to be repatriated to the Republic of Ireland. When I was previously Minister, we got an agreement from the then Republic of Ireland Minister that waste would be removed from 20 sites. I was somewhat surprised, when I came back into office, to discover that waste from only nine or 10 of those sites had been repatriated. That is a matter that I will raise with the new Minister, now that I finally have a Minister to deal with in the Republic of Ireland. There was an absence of that for a period of time. They had a Government who were carrying on but, clearly, were not going to be the eventual Government. I will raise the issue of having that repatriation completed with my ministerial colleague.

There are issues around waste. Money can be made from it. Individuals engage in the waste business inappropriately because of that. A lot of good operators out there want to see the laws strengthened, because they are doing the job right. On a regular basis, NIEA calls with them to check that they are doing the thing right, and then these other people pop up and do things entirely illegally. We need

to ensure that we can clamp down on illegal operators quickly, effectively and efficiently.

**Mr Muir:** I thank the Member for his question, and the Minister for his responses. Most Members are very concerned to hear, yet again, about another illegal dump in Northern Ireland and the environmental consequences arising from that. I have concerns about whether the lessons have been learnt from the Mobuoy dump and the Mills report recommendations fully implemented. I do not feel that they have. I would be interested to understand from the Minister what his view is. Have the lessons been learnt and the recommendations implemented?

**Mr Poots:** It appears that, in this particular instance, the material first gathered was cardboard, mattresses, pallets and things like that, but it then developed into other materials more associated with landfill. That got out of control very quickly. Once that material is dumped inappropriately, particularly with mattresses and so forth, rats and flies very quickly take up residence and cause all sorts of problems.

We need to be on the ball with illegal activity. I will be looking at this further, on the back of what has happened. Ultimately, it is absolutely essential that waste is dealt with appropriately. In Northern Ireland, we have reached our 50% target for recycling and we are going to push that up further. It is critically important that we ensure that the problem we create is managed appropriately. Consequently, we cannot have this fly-tipping, illegal dumping and all that taking place. The result of that is damage to the environment and other people’s lives. We are considerably better than we used to be. However, there are still gaps. How best we fill them needs to be addressed.

**Mr Deputy Speaker (Mr Beggs):** Are there any further questions? I call William Humphrey.

**Mr Humphrey:** I thank the Minister for his answers. Some folk have had to leave their homes, and people are complaining of being ill. This has caused major anxiety and stress in the local community, all in the middle of the COVID-19 pandemic. Therefore, I thank the Minister for his intervention. Can he assure me, and more importantly, assure the House and my constituents, that the nightmare that they have had to endure over the last number of weeks will end this week? Work has started today, and we welcome that, but will the matter be put to bed this week?

**Mr Poots:** I believe and have been given assurances that all the material that is attracting rats and flies will be removed by the end of the week. Some of the material, which is not of that type, may take a bit longer to be removed, but all the residual waste will be removed by the end of the week. In fact, I hope that it will be removed a lot quicker. I know that the companies that have been brought in are very professional and are good at handling that sort of thing. I believe that they will respond very quickly to the problem that exists. Hopefully, it will be done well before the end of the week.

**Mr Deputy Speaker (Mr Beggs):** That concludes that item of business.

Before I put the Question, I remind Members that the next sitting of the Assembly is currently scheduled for Tuesday 28 July. However, if it becomes apparent that an additional sitting may be required on Monday 27 July,

the Business Committee will meet remotely tomorrow to agree an Order Paper, and Members will be duly notified. The Ad Hoc Committee on the COVID-19 Response will continue to be available to meet and to allow Ministers to make statements to the Assembly during the summer. There is no meeting scheduled at present. As soon as the Speaker's Office receives details from Ministers that they wish to provide an update, Members will be notified in the usual way.

*Adjourned at 2.06 pm.*

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# Northern Ireland Assembly

Monday 27 July 2020

*The Assembly met at 12.00 noon (Mr Deputy Speaker [Mr Beggs] in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### Standing Order 20(1): Suspension

**Mr O'Dowd:** I beg to move

*That Standing Order 20(1) be suspended for 27 July 2020.*

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20(1) be suspended for 27 July 2020.*

## Executive Committee Business

### Executive Committee (Functions) Bill: Further Consideration Stage

**Mr Deputy Speaker (Mr Beggs):** I call the junior Minister Gordon Lyons to formally move the Bill.

*Moved. — [Mr Lyons (Junior Minister, The Executive Office).]*

**Mr Deputy Speaker (Mr Beggs):** Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There is a single group of amendments, amendment Nos 1 to 3, which deal with ministerial decisions, and we will debate the amendments in that group. Once the debate on the group is completed, any further amendments will be formally moved. If that is clear, we will proceed.

#### **Clause 1 (Amendment of section 20 of the Northern Ireland Act 1998)**

**Mr Deputy Speaker (Mr Beggs):** We now come to the single group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 and 3. Members should note that amendment No 1 is a paving amendment to amendment Nos 2 and 3. In the interests of clarity, as this type of amendment is not often encountered, I remind Members that this means that amendment No 1 is consequential to the other two amendments, but the Question on it will be put before we consider the other two amendments. Members will wish to take that into consideration when deciding on whether amendment No 1 is made or not. Members will note that amendment No 3 is consequential to amendment No 2.

**Mr Beattie:** I beg to move amendment No 1: In page 1, line 11, leave out "subsections (6) to (9)" and insert "subsections (6) and (7)".

The following amendments stood on the Marshalled List:  
No 2: In page 1, leave out lines 20 to line 2 on page 2.—  
*[Mr Beattie.]*

No 3: In page 2, leave out lines 3 to 5.—  
*[Mr Beattie.]*

**Mr Beattie:** The Executive Committee (Functions) Bill is a very short but extremely complex Bill. Its main aim and tenet is to address what came out of the Buick judgement in regards to the Department for Infrastructure, yet the Bill also covers far-reaching issues. I am no lawyer and I do not have a team of lawyers standing behind me to give me

advice. In fact, I left school at 16 and have no educational qualifications whatsoever. The reality is that the Bill needs more scrutiny because it so complex and so far-reaching and delves into how we govern Northern Ireland. If, at the end of the debate, we are thinking, "Well, that is wrong. I believe in this bit but not in that. Maybe this works", there is confusion in the Assembly and, therefore, it is fair to ask for that scrutiny.

I say this: we, as an Assembly, got it wrong when we gave the Bill accelerated passage. It could well be that the Bill is fine and that it would go through all the scrutiny mechanisms and come out with us all satisfied. However, because it has accelerated passage, we do not have the ability to do that. It is important that we scrutinise major changes to how we govern in Northern Ireland.

At the time of the Bill's introduction, we were all focused elsewhere. It was brought before the Committee for the Executive Office on 1 July. I was not there. I was laying a wreath at Belfast City Council's Somme remembrance. I was not there to question. However, I am not even sure whether I would have seen the issues that were in front of me then, because our eyes were turned elsewhere. On 1 July, our eyes were turned to Bobby Storey's funeral; an issue that we are still dealing with. We were focused on COVID-19. I genuinely believe that, because of that, many of us, including me, missed this. I admit fault. I made a mistake. I will be absolutely clear: there are others who did not make mistakes. The Green Party certainly raised the issue, as did People Before Profit.

**Mr Deputy Speaker (Mr Beggs):** I remind the Member that the debate is not about accelerated passage. It is about his amendments.

**Mr Beattie:** Absolutely, Mr Deputy Speaker. I am just trying to give the context. I stood there and did not vote against accelerated passage. I am laying out where we are in regards to that.

Let me be clear: to be really honest with you all and with the Assembly now, I think that the Bill should have been paused. I think that it should be paused, and we should put it back into the system and go through the full scrutiny process. That is what, I think, we should do. However, it has been moved, and we are moving forward. I do not want to see my amendments as being a wrecker to the Bill, because I think that there are things in the Bill that we need to deal with. The issues around the Department for Infrastructure are fair wind. I think that there is enough within the planning system that will give us scrutiny of the Department for Infrastructure. My proposed amendments therefore do not touch on those issues in any shape or form. They would allow the particular issues that address the Buick judgement for the Department for Infrastructure to go through, and that would then give MLAs time and space to look at the other aspects of the Bill: the other aspects that I am attempting to amend.

There are three amendments in total. The first amendment is a paving amendment. I am not going to address that, because it is purely about numbering in the Bill. Amendment No 3, which is about subsection (9), is consequential to amendment No 2, which is about subsection (8). I will read out subsection (8) to you:

*"Nothing in subsection (3) requires a Minister to have recourse to the Executive Committee in relation to any*

*matter unless that matter affects the exercise of the statutory responsibilities of one or more other Ministers more than incidentally."*

"Subsection (3)" is a reference to section 20(3) of the Northern Ireland Act 1998.

Paragraph 19 of strand one of the Belfast Agreement clearly states, however:

*"The Executive Committee will provide a forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers, for prioritising executive and legislative proposals and for recommending a common position where necessary".*

This is about cross-cutting issues, not necessarily immediately but that may arise in future: six months on, a year on, two years on, five years on. In my mind, subsection (8) is therefore absolutely in conflict with sections 19 and 20 of strand one of the Belfast Agreement and subsection (3) of section 20 of the Northern Ireland Act 1998. You need only read the explanatory and financial memorandum to see that. I apologise to Members for shuffling papers, but there is an awful lot of complexity in the Bill. The tenet of what I am saying here today is that the Bill is so complex that we need time to scrutinise it.

Paragraph 10(i) of the explanatory and financial memorandum states:

*"referral to the Executive Committee must take place where a matter is significant and controversial and (i) outside the scope of the Programme for Government approved by the Assembly and in force; and (ii) where no such Programme has been approved by the Assembly and in force."*

Paragraph 10(iii) then states:

*"a Minister is not required to have recourse to the Executive Committee in relation to any matter unless the matter affects the statutory responsibilities of one or more than one Ministers more than incidentally."*

That is straight from the Bill itself.

If subsection (8) conflicts with the Belfast Agreement and the Northern Ireland Act, it certainly conflicts with the ministerial code. As I said, subsection (8) states:

*"Nothing in subsection (3) requires a Minister to have recourse to the Executive Committee in relation to any matter unless that matter affects the exercise of the statutory responsibilities of one or more other Ministers more than incidentally",*

yet the ministerial code sets out a whole list of things that must be looked at. Some of them are not cross-cutting. Some of them are pretty bland:

*"(ii) requires agreement on prioritisation;*

*(iii) requires the adoption of a common position;*

*(iv) has implications for the Programme for Government;*

*(v) is significant or controversial and is clearly outside the scope of the agreed programme referred to in paragraph 20 of Strand One" —.*

**Mr Stalford:** I am grateful to the Member for giving way. He mentioned the ministerial code, which obviously apply to Ministers. Given that this is Executive business, how does he feel that he is supporting his own Minister on the Executive by moving these amendments today, because his Minister would have had to give his assent in order for this business to be in front of us?

**Mr Beattie:** I thank the Member for his intervention. If he wants to play the man instead of the ball, he is more than welcome to do so, and I am happy to accept it. The reality is this, however: did he agree it? Did he agree to this legislation or did he agree that there should be legislation? That is a question for you, and you can raise it up the line. Did Ministers agree that there should be legislation or did they agree that it was to be this legislation?

We can contend one way or another, but it still takes me back to the start of what I said: if we, as an Assembly, cannot stop and reanalyse a decision that we have made, we are lame ducks.

12.15 pm

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

**Mr Beattie:** Just a minute.

I have gone through my life looking at decisions that I have made, and, as the situation changed, I have had to change my decisions. It is the right thing to do. It is the morally courageous thing to do. It is what I am having to do here today.

**Mr Storey:** I thank the Member for giving way. I accept the point that he made with regard to his colleague, the Minister of Health. Are we to take it that his comments in the Chamber today are the stated and agreed comments of the Ulster Unionist Party and that they have been discussed with the Health Minister? Therefore, the Health Minister and the Ulster Unionist Party are in agreement with the comments that you are making?

**Mr Beattie:** I thank the Member for his intervention. It is a pointed question in the way that you have put it across. The answer is, very pointedly, yes. We are in agreement, because we have analysed it and have decided that we have gone in the wrong direction with regard to subsections (8) and (9). As a member of the Committee for the Executive Office, the fault lies with me for not making sure that my Members understood what is going on. To me, subsection (8) conflicts with section 28A of the Northern Ireland Act 1998, which outlines what the ministerial code should be. At the end of this, the ministerial code will have to be changed to meet this Bill, because they conflict. Some of the issues that have to be discussed at the Executive may not be cross-cutting today but might be in a year. They may not be controversial now but may be a little while down the road.

I am opening myself up to criticism. I do not mind, because we did not support all elements of the St Andrews Agreement, but this is a good element that we are now about to overturn. It is the main plank of the St Andrews Agreement, which was to stop Ministers, deliberately or not, going on solo runs and deciding for themselves what they would do. It has been well documented that the late Martin McGuinness got rid of the 11-plus, pretty much on the last day before the Assembly collapsed: that could be viewed as going on a solo run. This part of the St Andrews

Agreement brokered by the DUP and Sinn Féin was a good piece of legislation, and we are looking for it to stay.

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

**Mr Beattie:** Yes.

**Mr Stalford:** I am grateful to the Member for praising the content of the St Andrews Agreement. He is absolutely right. How does that square with what his leader has consistently said about returning to the factory settings of 1998?

**Mr Beattie:** I have made it clear that I am opening myself up to criticisms, but everybody knows that the issue that we have with the St Andrews Agreement is how we elect our First and deputy First Ministers. That is the main issue. We can look at things and say, "That's good" or "That's not bad". It would be pretty awful of us or any political party to just say that every thing is bad. We all have the ability to look at things and say, "I could take that and that, but I don't want that". We do it when we are buying a car; I am sure that we can do it with legislation.

The Bill, we believe, dilutes the safeguards that we got in St Andrews. Others can disagree, and I get that. We will hear from others saying that they disagree, but I think that it dilutes it. Since 2007, there have been few solo runs. I think that there have been two. Both ended up in court, and both were brought back again because of what was agreed at St Andrews and is in legislation. It is awful thing that one Minister has to bring another Minister to court in order to get them to row back on a decision. If we put the Bill through, we will see more of that. What Minister would not look for any loophole to push forward what they need for their Ministry? It is natural to us all. However, what was agreed at St Andrews holds them back on that. It holds us all back on that. It is as much a safeguard for our society as it is for the Minister himself. Ministers are not infallible; they can make wrong decisions. However, if their decisions are scrutinised in the Executive, they can have a sanity check on their decisions. That is a positive. That is why we should get rid of subsections (8) and (9), which change that. They do change it, no matter which way you look at it.

There is also the question of collective responsibility. There are many contentious issues on which Ministers will have to take decisions. What has been really important is that our Executive have all stood together in making those decisions: collective responsibility. Now, however, we could go down a road where a Minister will be left on his own to make a decision. Even if he brings it to the Executive for discussion, other Ministers could say, "Yes, that is fine, but it has nothing to do with me. I don't support it. I can step out of this office and attack you every time you say something".

The Bill has raised the bar for cross-cutting issues. At a time when we need more scrutiny, it gives us less scrutiny. We are allowing the Bill through without proper scrutiny and with no idea of its effects in the next five years. At a time when the Executive need more scrutiny, we are putting a Bill through that reduces scrutiny. Scrutiny is a good thing. Some people say that, because of the system that we have now, our legislation is slow. That is a fair argument. We want to speed up legislation, but it has to be good legislation. There is no point in having speedy legislation if it is no good. If it is not future-proofed, it is not good legislation. Scrutiny helps to produce good legislation. The system that we have now is a good system to scrutinise Ministers and to prevent them going on solo runs.

Ministers have already been reported to the Commissioner for Standards over their behaviour. The Executive Office Committee has asked for legal advice about holding an inquiry into the behaviour of Ministers. People make mistakes, yet the Bill intends to give Ministers more power. That can be abused. I do not want to see it abused. I am not talking about one party or the other; I am talking about all Ministers. I do not want to see any Minister abusing their power, and the way to stop them abusing their power, either deliberately or accidentally, is to have a scrutiny mechanism that is already in the Executive and can be found in the St Andrews Agreement. It is utter madness.

What if I am wrong? As I stand here, I see people whose eyes might be glazing over because this is all very technical and pretty boring and they have already made their mind up anyway. That is fine, because maybe I am wrong. However, if I am wrong, what is the rush?

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

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

**Mr Wells:** The Member has made a very important point. I assure you that many Members in here do not have glazed eyes because they are bored with what you are saying —.

**Mr Deputy Speaker (Mr Beggs):** Order. I ask the Member to get closer to a microphone in order that we all can clearly hear him and that it can be recorded in Hansard.

**Mr Wells:** Former DUP men do not need loudspeakers, Mr Deputy Speaker; I assure you [*Laughter.*] The reason that Back-Benchers are rolling their eyes this afternoon is not that they cannot understand your speech or do not agree with it; it is because they have been whipped to within an inch of their life to vote for something that many of them are extremely unhappy with but have been told they have to vote for.

Does the Member agree that nowhere in the debate has there been the slightest justification for the rush? Nowhere have we been told that this must be agreed at the fag end of an Assembly term. No one has explained why it cannot wait until October to allow greater scrutiny, and no one has explained why I had to sit in the Chair last Tuesday as Temporary Speaker and advise Members that they had less than 24 hours to submit amendments. No one has explained any of that. You have raised a valid point, and it is incumbent on other Members — the ruthlessly whipped Members — to explain why there is a rush.

**Mr Beattie:** I thank the Member for his intervention. You have articulated very well the point that I was aiming to make. What is the rush? We have time to look at it. We have been dealing with the issue since January, and nobody felt the need to rush it through quickly in February, for example. We have let it go. All of a sudden, it is being rushed through, right in the middle of a pandemic and right in the middle of a crisis where our First Minister and deputy First Minister will not even give an interview together at the minute. We are rushing it through. I implore all Members of the Assembly — I look at Members and think that, when they do their business here, they act absolutely honourably — that you must have moral courage on the issue. Moral courage: the hardest piece of courage that you can have. Physical courage is easy; moral courage is extremely difficult. It is what you apply. It is about yourself. Apply moral courage. If, after all those Members have spoken, you have a doubt in the back of your mind, that doubt in the

back of your mind should be saying to you, “Let’s delay for more scrutiny”.

**Mr Storey:** I thank the Member for giving way. I just wish that he would be more consistent in his application of moral courage, given that he has supported in the House legislation that is immoral. I refer to the issue of the protection of the unborn child. We do not need lectures in the House about moral courage.

We have an issue, and that issue is simple. It is that we have, not for the first time, a dilemma amongst lawyers who, I have to say, are paid considerably more than Members of the House. We could fill the Chamber with lawyers who have been to the High Court and the Supreme Court and have had judgements made and judgements overturned. Now we have a litany of legislation that has been pored over by legal counsel, and laypeople, like most of us in the House, wonder on which side of the legal argument are the practical outworkings of the legislation. It is not a moral dilemma for me; it is more an issue of looking at the legal advice that gives me and members of my party the protection that no Minister will run rogue and do things that none of us wants. Of course, the party opposite is good at doing what it has done in the past, with its mischievous activities. I, for one, want to ensure that all Members in the House and all parties in the House abide and play by the rules, not only in the Executive. We saw their antics a few weeks ago, when they could not even behave themselves at a funeral, so why would you expect them to behave —.

**Mr Deputy Speaker (Mr Beggs):** I remind the Member that interventions should be brief. He may wish to make a speech at some point.

**Mr Storey:** I apologise, Mr Deputy Speaker. I will conclude with this: will the Member consider the dilemma over the legal arguments about the Bill?

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

**Mr Beattie:** Yes. I would be happy to give way.

**Mr Wells:** Mr Storey raises a valid point. There is a conflicting legal advice on this, but the crucial legal advice comes from one of the architects of the St Andrews Agreement: Richard Bullick.

If there is doubt, and there clearly is, between those who think that this will stop solo runs and those who think that it will facilitate them, the obvious thing to do is to postpone the Further Consideration Stage of the Bill to allow us all time to sit down with the conflicting legal advice to come to a conclusion. It is not to try to railroad through something as important as this at the end of an Assembly term and with 24 hours’ notice to table amendments.

### 12.30 pm

**Mr Beattie:** I thank both Members. I accept a lot of what you are saying, Mr Storey, and the debate about abortion is, I guess, for another day, but I accept your point wholeheartedly, and I hold no malice about that. You are right: there is conflicting legal advice, and that is why I am saying that we need to delay this process so that we can scrutinise that conflicting legal advice. MLAs would have the ability to speak to experts and would get legal advice. They could question not just the intentions of Bill but its repercussions. We can all write a Bill that has a wonderful aim, but it may not necessarily always end up with that aim.

That is why it is so important that this Bill is given the extra scrutiny. I will say this again: I am not trying to wreck the Bill. My amendments aim to take away those parts of it that give unfettered powers, which could be, at times, unfettered powers, to individual Ministers. I said earlier that I can accept that some people want to speed up legislation. That is absolutely worthy, and I agree with that, but those people who want to speed up legislation normally want to speed up legislation that they support, and the legislation that they do not support, they are happy to keep in the long grass. Scrutiny stops that. Scrutiny allows legislation to be viewed and to be put out, and when it is put out, it is done so with collective responsibility from an Executive — our Executive. Our Executive, which make rules.

Trust is important in government. At times, we do not have trust. I sense and feel it here. I have trust issues with many of the political parties here. I know that people look at me and have trust issues with me. Again, I accept that. Yet, these safeguards in the Northern Ireland Act 1998, as amended at St Andrews, help to create safeguards where trust was not there. Therefore, it is pretty simple. The substantive part of the Bill that deals with the Department for Infrastructure and the Minister for Infrastructure so that she can make decisions can go through. Although it has problems, planning has safeguards. All that I am saying is that the proposed new paragraph 8, which allows Ministers to make decisions without bringing them to the Executive, should not go through. It should be taken out, revisited and, if necessary, brought forward at a later stage when it can be given full scrutiny. It is a simple amendment. It cannot be a difficult amendment to support, unless there is an ulterior motive to force this through at short notice. I hope that there is not.

I apologise for rambling a bit and for the paper shuffling. This is a complex issue, and I do not have all the answers. I am not a lawyer, but I would like to look at this in far more detail than we have been able to so far. That is a fair ask. It is fair to ask the Assembly to scrutinise this further.

**Mr Storey:** Will the Member give way before he —?

**Mr Beattie:** Sits down?

**Mr Storey:** Yes. I want to follow on from the point that the honourable Member Mr Wells made. The difficulty that I have with Richard Bullick's intervention — he is someone who I hold in the highest regard — is that he has been out of this place for some considerable time now. There are issues with where the gaps may be, given what has happened in that intervening period.

My other point is that the Assembly still has the 30-name petition for a recall, and three Ministers can still call any cross-cutting or controversial issue to the Executive. Therefore, I think that there is a sequence of events that still gives us protection, and I think that the junior Ministers will be able to either confirm or deny that that is the case, knowing that I am not always across the detail on some of these things. That is my understanding, and I do think that we need to take that. That is not a criticism of Mr Bullick, who I hold in the highest regard, but I think that he falls into that category of lawyers and people of a legal mind. When you have a group of lawyers in a room, you do not have agreement. In most cases, you probably have disagreement and a very large invoice.

**Mr Beattie:** I thank the Member for his intervention. You caught me just as I was finishing, but I will make a couple

of points. I do not know and have never met Mr Bullick, but, if he is bringing up something that makes us look and stop and take check, it is worthwhile looking and stopping and taking check, regardless of whether he was here before or will be here after. In the same way, if Peter Robinson were to come out and say something, we would say that he is a man who knows the system and would listen to him. Let us not just discount people.

As for the three-person block, there is not one. That three-person mechanism is to force a vote in the Executive. That is what it does. It forces a vote in the Executive, but let us future-proof that. In five years, when unionists or the DUP do not have a majority, what happens? We have set in motion a chain of events that could be worse for us all. Let us not think one step or two steps ahead. We need to think three and four steps ahead. Let us not think that this is about one party abusing the system or about another party abusing the system. Let us not even say that it is a deliberate abuse of the system; sometimes it can be absolutely accidental where somebody brings in legislation or something that they do not know the repercussions of in the years to come. So, let us future-proof. For me, right now as I stand here, the St Andrews Agreement future-proofs how we operate in the Executive, and, if we are going to change that, we need to change that with more scrutiny than we have given it now. I commend my amendments.

**Mr Stalford:** Before I turn to my remarks, I thank those Members who were in touch because I was not well last week. That was very much appreciated.

I say to Mr Beattie that I hold him in no malice. I will always afford to any person who serves our country in uniform the highest respect and honour, but I have to politely disagree with about 95% of what he has just said. *[Laughter.]* As I said, there is no particular malice. I think that it was big of the Member who is moving these amendments to say that he got it wrong. I think that he went too far when he said that the Executive Office Committee got it wrong. Mr Beattie, from his perspective, might have missed the pass, but, as a member of that Committee, I am satisfied that I exercised my scrutiny function of this legislation to the best of my ability, and I think that other members of that Committee would say likewise, including the Chairman.

It is important that we all try to provide as much clarity as possible, particularly and regrettably, due to some confusion in the discussion of this Bill on social media and in newspapers over the past few days. I think that we should examine the timeline of events, because it is not particularly difficult to join the dots and see how we got to this point. To be fair to Ms Woods, Mr Allister and People Before Profit, they opposed accelerated passage and voted against it. That is fine. I have no problem with that. I think that that is principled and consistent. What happened was that we had the Committee consideration, where the First Minister and deputy First Minister came in and briefed us and answered questions on the content of the Bill.

**Mr Beattie:** I thank the Member for giving way. Can we make sure that it is on the record that that scrutiny at the Committee lasted 11 minutes?

**Mr Stalford:** It is a three-clause Bill, I think one of which is the title. So we had the Committee meeting. Then, I think, we had the vote in the House. Then an article appeared in a newspaper. Then, suddenly, this had grave constitutional

implications and we should all be panicking about it. Something appears on Twitter, and suddenly the Assembly is debating amendments to a Bill. I think that people can join the dots.

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

**Mr Stalford:** Yes, I will be happy to.

**Mr Wells:** First of all, it was an in-depth article in a leading newspaper, which was then followed up by another in-depth article in a leading newspaper. The question is not the fact that it appeared on Twitter; it is the name of the person whose account it appeared on. Does the Member accept that Richard Bullick was absolutely instrumental in the St Andrews Agreement discussions? He was a leading adviser to the DUP for something like 17 years. He has one of the finest legal minds in Northern Ireland. Also, it was not just his legal opinion; Tughans solicitors also have grave concerns about this. All I think any reasonable person is saying is that there is a degree of doubt about this. Even the Member has seemed to indicate that he has some doubt. If there is any degree of doubt, surely the sensible thing to do — he has not addressed this issue — is to park this for several months. Where is the rush?

**Mr Stalford:** I know Richard Bullick. He is a dear friend of mine and was a guest at my wedding. I am never going to be tempted into publicly criticising a friend, and Richard is my friend. The Member is in danger of turning what is a legal argument into something of a psychodrama, and I do not think that that is helpful. My understanding is that the Executive Office has received legal advice from the Departmental Solicitor's Office, the former Attorney General and another source. I cannot recall the third source of legal advice. The Member knows himself that, wherever you get one or two lawyers together, they can argue that a black crow is white until the day is done. There is conflicting legal advice. As I say, Richard is my friend, and the Member will not tempt me into saying anything that could be construed in any way as criticism of a friend.

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

**Mr Stalford:** Yes.

**Mr Wells:** I would never want that. I am sure that nobody who has worked with Richard Bullick would say anything against his professional advice or legal integrity, but he has made the crucial comment. He has told the House that there is conflicting legal advice. Is the Member prepared to accept Back-Benchers being whipped to vote for something when there is that confusion, given the important of the issues involved? He still has not answered my question: why do we need to make a final decision on this today? Why can we not reflect on that conflicting advice and come back in October?

**Mr Stalford:** To be fair to the Member, I am about 50 words into my prepared comments, and I have given way to him, I think, three times — certainly twice. If the Member bears with me and is a bit more patient, I may persuade him of the benefits of this Bill, although, having known him since I was about 14, I doubt that I will persuade him when he has his mind made up on an issue. It is a value that he has passed on to me, and obviously I respect him for that.

The St Andrews Agreement marked a very significant achievement in addressing many of the deficiencies in the Belfast Agreement, particularly around the issues of accountability and the operation of the Executive

Committee. Our party is proud of what we achieved in the St Andrews Agreement and the outworking of that agreement in enforcing an enhanced sense of collective responsibility within the Executive. Reference was made by Mr Beattie to the previous solo runs by Ministers before St Andrews, particularly the decision of the then Education Minister, the late Mr Martin McGuinness, in relation to the transfer test, widely known as the 11-plus. Let me be very clear: under St Andrews and under this Bill, such a decision could not be made by a Minister on a solo run. It is simply not true to say that it could. We pushed hard to have this issue addressed at St Andrews, and we will fully maintain the protections that prevent Ministers from doing such things without the agreement of Executive colleagues.

Any suggestion that the Bill would diminish that is a fundamental misunderstanding of the Bill that we are considering. It is inaccurate of those who have attempted to suggest otherwise.

#### 12.45 pm

There is a certain irony that the amendments have been brought forward by a member of the Ulster Unionist Party, whose leader has stated numerous times that the party position is to reset to the factory settings of the Belfast Agreement. Does the Member realise that to do so would remove all the protections of St Andrews and would, in fact, facilitate precisely the type of solo runs, such as happened with the 11-plus? That is ironic and it demonstrates a remarkable lack of awareness by the Ulster Unionist Party.

The amendment today focuses on the cross-cutting test. All Ministers are required to bring matters that are significant, controversial or cross-cutting to the Executive Committee for consideration and agreement. That remains the case with this Bill. It was reported in the newspaper that the amendments before the Assembly today would remove the clause that would mean that significant or controversial matters would only be required to come to the Executive if they satisfy a test of being more than incidentally cross-cutting. That is an error and a misunderstanding of the Bill. The clause referenced in the amendments is nothing to do with the requirement to bring cross-cutting or significant matters to the Executive. Indeed, that test is strong and stands alone as a requirement upon Ministers.

Not only is that requirement maintained, it is enhanced by clarifying, in the legislation, that if there is no Programme for Government in place, all matters that are significant or controversial must still be referred to the Executive Committee. That definitively settles a matter that has been the subject of back and forth in the courts for many years. That supports and enhances the concept of collective Executive responsibility.

That brings me to the detail of the specific amendments that aim to remove the clarification in law as to what the term “cross-cutting” means. I find this, again, to be a rather bizarre move for a party that is part of the Executive. We heard previously that the clear and unambiguous advice from legal advisers to the Executive is that the implications arising from the Buick judgement would mean a fundamental change in relation to the range of issues required to come in front of the Executive Committee as cross-cutting issues. That would mean that the vast



majority of departmental decisions, including in the Department of Health, would now need to come before the Executive. Any issues simply touching on a ministerial or departmental interest, even if they are just incidental, would now need to come before the Executive, rather than allowing a Minister to make the decision. Why bother appointing Ministers if we expect them to operate in that way? The only answer to this appears to be that Ministers individually, and the Executive collectively, should accept a very wide interpretation of the requirement, but just continue to ignore it, by custom and practice. What a bizarre legal principle that would be. One, in fact, that does not exist, Mr Deputy Speaker. This is nonsensical.

I refer Mr Beattie to the original Hansard exchanges during the passage of the Northern Ireland (St Andrews Agreement) Act 2006. It specifically referred to the exchanges, and they were pre-notified by the then Member of Parliament for East Belfast, Mr Peter Robinson. What do those pre-notified questions and answers, delivered in the House of Commons, tell us? Well, first they tell us that the term “interests” is not referenced nor, by the way, is it the Belfast Agreement or the St Andrews Agreement. Rather, it is clear that, at all times, the reference is to responsibilities of Departments, rather than interests. It is made absolutely clear that if a matter is cross-cutting, significant or controversial, that the Minister does not have the authority to make such a decision. It must come to the Executive Committee for a decision. Therefore, the proposal to continue and just ignore the requirements —.

**Mr Wells:** I think that that is what the aim would always be.

**Mr Stalford:** Thanks very much. Therefore, the proposal to continue and just ignore the requirements to bring the matter to the Executive by custom and practice has no legal basis and would subject all such decisions to successful legal challenge.

Thirdly, it is recognised that there are matters that are de minimis or incidental on cross-cutting grounds that would not need to come to the Executive for consideration or agreement.

How do we find ourselves at this point today? There are a number of reasons. The response seeking clarity on what would be considered de minimis or incidental was not forthcoming, either in the ministerial response in the House of Commons or definitively in the ministerial code. That is, on the one hand, understandable. Any attempt to be overly prescriptive could well give rise to greater issues. We must still face that challenge in amending the ministerial code. However, the biggest challenge came from the language used in the original drafting. The terms were lifted from a negotiated political document. However, the word “cross-cutting” is not legislative language, which has given rise to the debate on this matter in the courts over the past 14 years since the St Andrews Agreement. What has happened, though, up to the point of Buick, is that the practical application of this test has been applied by the Executive and by Ministers. That balance aims to find a sensible solution to ensure that all important decisions come in front of the Executive Committee, without meaning that all departmental decisions must also be brought before the Executive. That will always be a judgement call, but we have heard clearly during the passage of the Bill that this amendment reflects, as best as possible, the approach consistently taken to this requirement.

**Mr Wells:** I thank the Member for giving way. I know that he is about to finish the text that he was given to read to the Assembly today by one of the special advisers. What he has not addressed, as he comes to the conclusion of his remarks, is why we have to make a final decision on this today and tomorrow. Why, given the doubt that he accepts exists, can we not set aside a bit of time for cool reflection and come back to this in October? If I am wrong and Mr Beattie is wrong, we will say so when we have had an opportunity to consider the Member’s views, the legal opinion that he has received, which, of course, we will not see because it is private to the Executive, and the views of all others who are concerned. Why the haste? The Member has not given a reason why, on 27 July, we have to rush this through.

**Mr Stalford:** The House voted to give the Bill accelerated passage; that is how accelerated passage works.

To be clear, all those types of matters that were deemed to be required to go to the Executive prior to the Buick case will continue to be required to do so. That means no change at all. Rather, it prevents the situation from changing to bring in many more issues.

It is also important to note that, even with this amendment, read in conjunction with the Buick case, it is still likely that not only will at least as many matters go to the Executive but additional matters will also be required to go when applying the test. These matters will need to be set out in the revised ministerial code.

In conclusion, I am saddened by the confusion caused and by the commentary around the issue. The Bill is short, but it deals with a very specific area of the law. One thing that we know is that lawyers will always disagree with one another. However, the duty then falls on us to interrogate the matter, to be informed and to come to a reasonable conclusion. If others elected not to do so at the various junctures that were available to them, that is a matter for them. I will vote against the amendments, supporting a sensible way forward that fully respects and enhances the principle and intention of St Andrews.

**Mr Sheehan:** Prior to the Buick judgement, all Members believed that, if an issue was significant, controversial or genuinely cross-cutting, it would be called into the Executive for decision-making. The Buick judgement, of course, changed all that and any issue in which another Minister had even an incidental or peripheral interest had to be called into the Executive. The rationale behind the Bill is to ensure that the legislation is recalibrated back to where we all believed it was, prior to the Buick judgement.

For example, if we moved ahead in the context of Buick, practically every decision made by a Minister would have to go to the Executive. The argument has been made, previously, that the Finance Minister has an interest in practically every decision because he is the one who resources it. That is not genuinely cross-cutting, as we all know. However, if, for example, the Health Minister decided to bring forward legislation in regard to mental health in prisons, it is inconceivable that that would not be cross-cutting with the Justice Department. That is an example of an issue that is genuinely cross-cutting.

The crux of the discussion is the issue of accelerated passage, and why we have rushed the Bill through. Consider that, since the Assembly got back up and running, we have dealt with numerous pieces of legislation

that received no scrutiny whatsoever, as a result of the pandemic, the crisis, the emergency in which we find ourselves at present. Under normal circumstances, none of us would support that type of draconian legislation, but we all understand that it is necessary and, for those reasons, we acquiesced in that type of legislation passing through the Assembly.

We are still in a crisis, a health crisis. There is also an economic crisis and emergency. We need to deal with that as well. It is not just a matter of the health crisis. We need to get our economy back up and running. We do that by, first of all, dealing with the health crisis, by eliminating coronavirus from society, and ensuring that our economy can open up again and move ahead.

One of the most important cornerstones of our economy is infrastructure, particularly major infrastructure projects. The Infrastructure Minister's in tray is probably overflowing with a number of major infrastructure projects that need approval. The planning process is already a two-tiered system. We have the councils and the Department. To add another layer of bureaucracy to planning would, in my view, only increase that bureaucracy, slow down the process and make it much more difficult, at a time when we want to —.

**Mr Storey:** I thank the Member for giving way. I am intrigued by Members opposite, who seem to be trying to hit some public opinion. They have come into the House wearing masks. The same Members were not that good at wearing masks when they attended the funeral of Bobby Storey. A fair degree of populism goes on on that side of the Chamber.

The Member talks about slowing up the economy. The Member's party had no difficulty in slowing up the interconnector that would give us all-Ireland electricity provision. They still do not accept that that is the way forward, yet it is all-Ireland, and they were quite happy to go to the courts about that process. When will we have an end to double standards and a bit of honesty about what the party opposite wants?

**1.00 pm**

**Mr Sheehan:** I thank the Member for his intervention. I am always amazed when the Member opposite intervenes on issues of propriety in government. Given his party's long record of being in government here, the words "neck" and "brass" come to mind, but we will leave that for another time.

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

**Mr Sheehan:** Certainly. Go ahead.

**Mr Storey:** I have always been big enough to stand in a position where I will defend my party. I am very proud of being a member of this party and have been since I was 15. When I was —.

**Mr Deputy Speaker (Mr Beggs):** Order, Members. May I bring you back to the Bill and the amendments rather than the private discussion that is going on?

**Mr Storey:** On issues of cross-cutting importance, can the Member give any example of me, when I was the Minister responsible, doing any of the things that he makes allegations about?

**Mr Sheehan:** Again, I thank the Member for his intervention. I am not sure what relevance it has to the debate. I did not keep a note of all the decisions that the Member made when he was a Minister. I am not sure how that relates to this particular debate, but we can discuss that outside the Chamber, if the Member wishes.

In any event, as I was saying, we need to get the economy up and running. We need to get people in the construction industry back at work again. One of the best ways to do that is to get big infrastructure projects moving along. We do not want any further delays. Under normal circumstances, accelerated passage is not the best idea. However, in the circumstances that we find ourselves in, in the current emergency, there is a crisis there, and we need to deal with it. We need to deal with the health crisis and the crisis in the economy. This is a sensible and pragmatic way forward, and, for that reason, I will support the Bill and oppose the amendments.

**Mr McGrath:** The SDLP has supported the Bill after its journey through the Executive, where we are quite confident that it received all-party support, including that of the party that offers amendments today. That journey will have involved substantial legal scrutiny, legal opinion and interrogation before the recommendations that are in the Bill were made. Internally, we sought opinions on the Bill from our party membership far and wide, which includes many who were the architects of key agreements and policy documents.

Our imperfect system of government is a legacy of the Troubles and the division that our community has faced over generations. The system of numerous parties coming together to make decisions has often led to paralysis in decision-making. It can allow one larger party in the Executive to block decisions that everyone else wants to be made. At times, that paralysis has severely impacted on the ability of Ministers to take decisions. As a representative of a smaller party in the Executive, I have found it somewhat frustrating that there was an expectation that every decision would go to the Executive in order to receive approval; otherwise, it was open to judicial review. The Bill rectifies that and goes some way to codifying what needs and what does not need to go to the Executive. I acknowledge that it is not a perfect Bill and is going through under accelerated package, which no one likes, but the speed is being used to unlock many of the key planning decisions that will get our economy working again.

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

**Mr McGrath:** If I must, yes.

**Mr Wells:** Thank you for that very generous offer.

What Mr Beattie proposes does not stop those projects going ahead. It does not stop major infrastructure being implemented. What it does is that it closes a loophole that could lead to solo runs on many more significant issues.

**Mr McGrath:** I thank the Member for his intervention. I know that he wants longer to debate the Bill, and I think that he is using interventions to get that time. However, like the Member for South Belfast opposite, if Mr Wells gives me more time to make my remarks, he will see that I address the concerns that he has raised.

**Mr Wells:** On a point of order, Mr Deputy Speaker. Maybe it has not been made clear that there is no time limit when one is dealing with legislation.

**Mr Deputy Speaker (Mr Beggs):** The Member has made his point, and it is on the record. I suspect that the Member who was speaking was simply making a point about the timing of the discussion. I will let him explain. The Member's point is on the record.

**Mr McGrath:** As I said, I acknowledge that, while the Bill is not perfect and is being done by accelerated passage, which no one likes, the speed is being used to unlock many key planning decisions that will get the economy working again. The Bill will speed up the delivery of jobs and decisions, and will prevent the paralysis that we have seen previously. People want action and delivery from Stormont and the Executive, not a Government who constantly block the decisions that are needed to get the North working again.

The Buick ruling cast a shadow over the Executive's capacity to make decisions. It has left unanswered questions about what Ministers can and cannot do. My party seeks a number of assurances that would reduce the necessity for the amendments. I ask for the junior Minister's understanding of what constitutes "significant or controversial", as the provision for such matters to be referred to the Executive remains unchanged. While I appreciate that those matters are not codified in law, there are conventions that apply. I would appreciate the junior Minister's view of how those matters can continue to be brought to the Executive table.

One issue that concerns me is Brexit, which, we know, is significant and controversial. I hope that the junior Minister agrees that any decision that a Minister takes in relation to Brexit should be brought to the Executive for consensus.

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

**Mr McGrath:** Yes.

**Mr O'Toole:** Does the Member agree that implementation of the Ireland protocol is a legal obligation on the whole Northern Ireland Executive, and that, therefore, the implementation and delivery of that protocol is inherently cross-cutting?

**Mr McGrath:** Absolutely; I agree with that. I would like to see all decisions that are taken in the light of that to be brought to the full Executive for discussion. There was an Executive subcommittee on Brexit. It remains, now, a standing agenda item. That only underscores that it is a significant and controversial issue.

The proposed removal of subsections 8 and 9 would not be helpful. Those sections provide the legal surety that Ministers need to be able to take decisions. While people might disagree with a decision, the content or outworkings of it, those subsections merely provide certainty for the Minister that the decision can be taken. There remain many avenues by which to challenge ministerial decisions; not least this place, which is, quite often, overlooked when it comes to decisions. We have plenary meetings, ministerial questions, ministerial statements, scrutiny Committees, private Member's business, and other methods by which to challenge the decisions that a Minister takes.

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

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

**Mr Stalford:** The Member is touching on a point that I raised in my comments. Does he agree that it is, frankly, insulting to the other members of the Committee for the Executive Office, and to Members of the House, to suggest that because we were all too busy looking at COVID, or too busy with the furore over the funeral recently, we just ignored the Bill or let it slip? We are paid to ensure that it does not slip. It is insulting when a Member stands up and says that other Members, from other parties, were simply asleep and let that go through unnoticed?

**Mr McGrath:** I accept the point that the Member makes. Of course, I would say that a scrutiny Committee provides the opportunity not to scrutinise for the sake of it, but to ask questions. If you are satisfied with a decision that is being presented, you do not need to ask questions. Maybe you have already had conversations with party members. You may have had other conversations to determine whether you are happy with the decision that is being presented, and that, therefore, you do not need to scrutinise for the sake of it.

As I said, we have this place. This place is critical, for example, to members of the Green Party, People Before Profit, Jim Allister and, indeed, more increasingly, Mr Wells. They are not at the Executive table, and they do a fine job of holding Ministers to account for the decisions that they take. We also have the Human Rights Commission, the Equality Commission and commissioners for young people and older people to provide appropriate oversight of decisions that are taken by the Executive. Matters that attract significant spend or hefty changes to internal departmental budget lines are required to be brought to the Executive as well. Then, there is the ultimate decision-making body, the electorate, which will get to judge whether a Minister's decision was right or wrong. Constantly being able —

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

**Mr McGrath:** Yes.

**Mr Butler:** Will the Member agree that, although the electorate will get the opportunity, at a very late stage, to express their displeasure with a decision that is made in the Chamber, if the Bill passes, we cannot undo the damage that may be caused and that, by backing the amendments today, we will give ourselves a short window of time to ensure that we get it right first time? We have three parties in the Chamber that sit on the Executive but cannot agree on the purpose of the debate. They may vote the same way, but that lack of confidence, which led to a three-year hiatus of the Assembly, is the risk that is being fought out today in this discussion.

**Mr McGrath:** I thank the Member for his intervention. Again, it comes back to the fact that, as a party, we are happy with the Bill. We do not need any further consideration of it. That is a viewpoint that we are perfectly entitled to hold.

Constantly being able to threaten to use the judicial review mechanism if a matter is not brought to the Executive, even if it is not significant or controversial, is wrong, and clauses 8 and 9 close down that vexatious process.

I believe that the proposed amendments are well intentioned and were tabled as a helpful measure to ensure accountability. However, it is our belief that there remains an acceptable number of methods to appropriately

challenge decision-making at the Executive, and we support the Bill as it is presented.

**Mr Muir:** My party does not support the amendments, and I will outline why. I understand that the rationale given for the amendments is that the provisions proposed in the legislation that these amendments seek to remove would give too much power to a Minister to act individually on what have previously been described as “solo runs”. I will address those issues before coming to a final point on how the clauses in question will interact with the requirements of the ministerial code.

The Northern Ireland Executive are, rightly, criticised by Assembly Members and by the general public at large for not getting things done quickly enough. The Alliance Party wants Ministers to be able to take decisions that are clearly within their sole statutory responsibilities. However, we must also recognise that, in a post-conflict society such as ours, collective decision-making on difficult issues is important. An Executive that do not come together to collaboratively and genuinely resolve significant and controversial issues will not last long. Under the current system, Ministers have a duty to work through those matters together. The alternative is bitter recrimination, a breakdown of relationships and trust, and, ultimately, the fall of our democratic institutions.

The requirement to bring significant or controversial matters to the Executive Committee sets a high bar, The language was inserted into the legislation following the St Andrews Agreement, and the provisions in question in this legislation do not change that. Introducing the “more than incidentally” provision into statute does not in any way remove the requirement to bring significant or controversial matters before the Executive Committee. On that basis, claims that the amendments are necessary to prevent solo runs are, in my opinion, overplayed.

Concerns over legal challenges are more substantive. I fully accept that whether a decision is more than incidentally cross-cutting is difficult to define precisely.

**Mr Stalford:** I thank the Member for giving way. Will he accept that, if a decision is deemed to be significant, controversial or cross-cutting, in law that decision cannot be validly made by a Minister? If a Minister were to announce such a decision, that decision would have no force, because it has to be brought to the Executive by virtue of the fact that it is deemed to be significant or cross-cutting.

**Mr Muir:** I thank the Member for his intervention. The issue is that we have had a number of cases on which a judge has ruled on that. Mr Allister, during Second Stage, outlined that the “incidentally” thing is something that will potentially be tested in the courts. These issues have been tested before.

Reference has been made to the St Andrews Agreement and the provisions and protections in that. The Act that implemented the St Andrews Agreement makes it clear that it is around “significant and controversial” matters that are clearly outside the scope of the agreed programme referred to in paragraph 20 of strand one of the Belfast Agreement.

#### 1.15 pm

The cross-cutting elements, which other Members referred to, are not in the St Andrews Agreement; they are in the

basis of the Belfast Agreement. Under strand one, on democratic institutions, clause 19 states:

*“The Executive Committee will provide a forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers, for prioritising executive and legislative proposals and for recommending a common position where necessary”.*

It is in the Belfast Agreement or what other people call the Good Friday Agreement. The Bill would give clarity on what “cross-cutting” is in light of the Buick judgement. The “significant or controversial” elements in the St Andrews Agreement remain.

Additionally, the question before us today is whether the situation would be better if we were to remove the proposed subsections, as the amendment proposes. I do not believe that it would be, for the simple reason that, following the Court of Appeal’s ruling on Buick, many decisions by a Minister not brought before the Executive Committee could be challenged on the grounds that it was cross-cutting. That could make it difficult for Ministers to get anything done, even on matters that are not considered significant or controversial. On that basis, I cannot support the amendments. We have to resolve the issues arising from Buick and not run away from them.

For the last week, I have read over Buick and the judgments given around that, and I encourage other Members to read it. We have to act on the outcome of Buick. Saying that we will put it off and leave it until October or beyond is irresponsible. We have to have a system of government in Northern Ireland where Ministers can make decisions and, where matters are significant and controversial, they are then referred to the Executive and clarity is given on what “cross-cutting” is.

One highly significant point that we do, however, need clarity on from the Executive Office is how the proposed legislation will interact with the requirements of the ministerial code. The ministerial code also includes a requirement for Ministers to bring cross-cutting matters to the Executive Committee, but there are no caveats regarding what is considered incidental as proposed in the legislation. On that basis, unless the provisions of the Northern Ireland Act are considered to be senior to the text of the ministerial code, clarity needs to be given on whether the ministerial code needs to be updated and legislation brought before this place. I ask the junior Minister to clarify that.

In essence, the amendments would remove the clauses on cross-cutting issues on the basis that legislation is brought forward at a later date and not through accelerated passage as it is likely to produce better law on the issue. It is not clear to me that that is likely to be the case. Furthermore, it would come at the cost of curtailing the power of Ministers to take decisions for the additional months that it would take to pass the legislation. On that basis, I oppose the amendments.

**Mr Wells:** I have listened with interest to the comments made by Mr Stalford, and, no doubt, Mr Lyons will read from a script given to him by an adviser. I know that there is deep concern on the DUP Back Benches about the Bill. I am aware of the concerns of many, but I am also aware of the system and how it works. Those who think outside the box and those who have concerns will be brought in

and educated, and they will be drilled, frogmarched or stampeded through the Lobbies to vote for something that, they know, in their heart of hearts they cannot support.

No one has told me why we are in this position. It is 27 July, and the Buick judgement has been with us for a long period. There was ample opportunity to address the issue, and it was not taken. The legislation was expedited through the Chamber. I asked Mr Stalford, "Why the rush?", and he said, "Because we adopted emergency procedures". That is not the answer. Why did you adopt the emergency procedures? Why did you have to rush this through? The Chairman of the OFMDFM Committee said that it is important that we get major planning applications processed as quickly as possible. Will any of those applications be processed between now and October? Absolutely not, for various reasons. First of all, try getting a planner on the phone at the moment during coronavirus. Try getting anything decided at the moment with coronavirus. There is no huge stack of applications waiting to be processed.

There is one, however, and I have received many emails from people from west Tyrone, many of whom would vote for Mr McGrath's party, who are deeply concerned that the legislation will be used to force through the Dalradian Gold mining application. There is huge opposition to that in west Tyrone. I understand that it has been referred to a public inquiry, but, after that reports, it will still be the Minister's decision whether it will go ahead. Many people in west Tyrone are concerned about that and concerned that the Bill has suddenly emerged out of nowhere. There have been 24 days between the publication of the Bill and today's debate. That is insufficient time to deal with such controversial legislation.

I in the Speaker's Chair last Tuesday, and my duties required me to be totally impartial, I was asked to inform Members that amendments to this crucial legislation had to be in by 9:30 the following morning. That is a very unusual procedure. At least Mr Beattie was wide awake and was able to dash to the Business Office and table his amendments. You do not give less than 24 hours' notice for this type of legislation. The question that I have to ask is this: why the rush? Why is the debate being held at the very end of an Assembly term? Is there an attempt to push it quietly through without public scrutiny?

In the middle of all that, Mr Bullick made his comments. They were not Twitter messages, Mr Stalford; they were not. They were well-thought-out, well-argued pieces in a leading local newspaper, the 'News Letter'. He went through the Bill forensically and line by line and made what, I thought, was a very well-argued case that the Bill should be put on hold temporarily. He also raised the point that, in his opinion, the idea that three Ministers in the Executive can stop anything is a fallacy; it does not exist. He made that argument. The response from the First Minister was, "Well, we are going ahead anyhow". She did not deal with his concerns. Then, there were the comments from Tughans solicitors, who also raised important points about it. Mr Allister QC, who, unfortunately, cannot be with us today, raised very valid concerns about it, and I noted that a former leading Member for South Belfast was in the newspapers at the end of last week raising his concerns. Many people have said, "Hold on a minute. This legislation is not all that it seems".

What are we asking for? Are we asking for the Bill to be ditched? No. Are we asking for it to be shredded? No. What we are asking for is what, I know, many DUP Back-Benchers want to happen. Many of them want it set aside for a few weeks to allow for an in-depth analysis of the critiques of the Bill that have been made by people who are much better educated than I am and even better educated than Mr Stalford, which is saying something. They have all looked at it with a forensic legal mind and have all come back to say, "Hold on, here. There is something amiss".

Remember this: if the Bill becomes legislation, we will be stuck with it for ever. There will be no turning back. After tomorrow, we will have it for the rest of our political careers. One thing is certain: those who have stood up this afternoon with such great enthusiasm and read the scripts that their spads have given them and said that they are in support of it will never allow it to be amended or changed. We are going over a cliff, and there is no way back.

There is a point that has not been raised. It does not matter what Mr Bullick thinks or what well-educated people like Mr Stalford or Mr Lyons think; it is what a judge will think when he — or she; I am glad to say — is ruling or what he or she will make of it when the issue is challenged.

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

**Mr Wells:** Certainly. Yes, I will.

**Mr Stalford:** I would never impugn the Member's integrity, and I am sure that, when he was a Minister, he would never have read a prepared script from anyone. I am sure that that would never have happened. Does he accept that it is entirely because we have had a legal judgement that the measures are necessary? It arises out of a legal judgement.

**Mr Wells:** I accept that. What I can say is that, as Mr Stalford admitted, there is confusion, debate and a lack of clarity on the implications of the Bill.

Does he accept from me that, once we go past tomorrow, it does not matter how much confusion or vagueness there is? It is a done deal. It will get the Queen's assent, and we will be stuck with the implications of the Bill. If it turns out, as I and others expect, that it allows Ministers from that side of the House to go on solo runs on projects that would never have the support of my community, those who march through the Lobbies today in support of it will have a difficult question to answer to their electorate. That is the point that I am making.

To go back to the earlier point, it does not matter what Mr Bullick, Mr Stalford, Mr Allister or anybody thinks. The question is how will a judge interpret the powers of Ministers if this is sent to a judicial review. If there is the slightest doubt in my mind that a judge could rule on a Minister doing a solo run, my advice to the House is to pull back quickly, because we could be going over this cliff and into a situation from which we can never recover. We are not giving the junior Minister, Mr Lyons, a ladder to climb down on. We are not asking him to eat humble pie and to seek forgiveness, we are just saying, "Give us a bit more time on this. Give us the two or three months that we all need".

Mr Beattie is right: I slept in on this. I am the first to accept that until I read the critiques of the Bill, I was not aware of its implications. I sat meekly and allowed expedited

passage to go through. I did not raise any concerns, but when a large body of very professional legal advice says, "Hold on here, there is a doubt", it is incumbent upon us, when there is absolutely no need for the Bill to be rushed through, to sit down with cool heads and examine it. If, when we have all has a chance to do that, it transpires that our concerns are wrong and misplaced, I will be the first to stand up and say, "Yes, I was wrong". At the moment, I am not in a place and a position to say whether it is right to go ahead with the Bill or it is not. It is too important. It is not like a dog-fighting or litter-picking Bill. It is too important, when there is that doubt in our minds, to let it go through to a situation that can never be redeemed. Mr Stalford has admitted that there is that level of doubt.

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

**Mr Wells:** I certainly will.

**Mr Stalford:** If the Member reflects on what I said, it was that because of certain media outlets and social media doubt had been sown in people's minds. That is a different matter altogether.

**Mr Wells:** I can tell the Member that doubt has been sown in this obscure Back-Bencher's mind. I can assure him of that. I am extremely worried, and, going by the phone calls that I have had over the past two or three days, a lot of people in his party have the same concerns. As I sit here, I am getting texts and emails that say, "We are desperately concerned as to what the party is doing on this subject".

Let us go back to the St Andrews Agreement. I chaired the Programme for Government Committee that led to the St Andrews Agreement. It was a long period of discussions with the parties. The then Speaker, Mrs Bell, decided not to chair them, so myself and Mr Donnelly chaired those discussions for months and months. Our reward was that we did not get invited to St Andrews. I am not bitter. *[Laughter.]* That was our reward for all our hard work. As a result of those discussions, the St Andrews Agreement occurred.

I then attended a series of public meetings. The main issue that sold the St Andrews Agreement to the vast majority of the unionist electorate was that we would always have the ace card up our sleeves to block anything that a Sinn Féin Minister — they never mentioned the SDLP, I do not know why — would do that would be to the detriment of our community. That agreement would never have had the support of unionism had it not been for that crucial undertaking. There was also an undertaking that mandatory coalition would last only for eight years. Unfortunately, we are still stuck with a totally unworkable system.

If we had been told that there was any doubt about that "lock", as it were, or block on the activities of Sinn Féin Ministers, I do not think that it would ever have got through and I do not think that we would have had devolution in 2007. We accepted the commitment that was given. So far, it has worked and legal action has shown that we were right.

### 1.30 pm

Now, let us move to Mr Bullick. To younger Members, the name "Richard Bullick" does not mean very much. I accept that, but I had the privilege of working alongside Richard for 20 years. In the DUP, when some Back-Bencher decided to look at all the facts and make up his own mind, he was taken in for a quiet bit of re-education. It was a good cop, bad cop situation. I will not name the

bad cop — people may know who he is — but I will name the good cop: it was Richard. Whilst one would take the Schwarzenegger approach to re-education and make it clear that one's life would not be worth living unless one changed one's mind, Richard was a diplomat and a gentleman. The reason that so many Back-Benchers respected the views of Richard Bullick was that they knew that he had a legal brain that was second to none in Northern Ireland and knew that he could be trusted in his understanding of complex and detailed legislation.

**Mr McGrath:** On a point of order, Mr Deputy Speaker, is this a debate on amendments to the Bill, or is it a discussion about Richard Bullick? I am losing track. The majority of the conversation today has been about Richard Bullick rather than the Bill or the amendments.

**Mr Deputy Speaker (Mr Beggs):** I encourage the Member to connect the two if he wishes to make that link and bring his remarks back to the amendments and his views on them.

**Mr Wells:** On this occasion, we can connect Mr Bullick's integrity and knowledge with the debate, because we would not be having this debate without his intervention and that of other legal experts.

**Mr Storey:** I appreciate the Member's integrity. He and I go back a long, long way. There is an eminent Member who normally sits in the seat beside him and has two letters after his name. He is not here today. That Member has made comments on legal issues, but they are opinions. Let us remember: no one judge or member of the legal profession has divine knowledge. We always need to caveat that we are talking about an opinion held by three people — two solicitors and Richard — and that, equally, there are other legal opinions that say, "No, the outworking of this is not that envisaged by the other three or four". I caution my colleague and friend to take that into account. Richard is someone of immense ability, but what he is saying is an opinion.

There are other decisions that were made in the past 17 years that, as a humble Back-Bencher, I did not agree with and the consequences of which were not in the best interests of the House or the community; for example, the decision on the number of Members. We all can point to issues that show that no one is infallible. We have all made our mistakes, and we all can get it wrong. If he can caveat his comments in that way, some of us would accept some of his other arguments with a more ready hand.

**Mr Wells:** The difficulty, Mr Storey, is that, if you are wrong and we go past the point of no return tomorrow, it could be calamitous for the future governance of Northern Ireland. If we have the temerity to ask for and receive a two-month delay to a final decision to enable further scrutiny and it transpires that Mr Bullick and the other legal opinions are wrong, what is there to lose? What would another eight or 12 weeks do to destroy or undermine the Bill? It would mean that, at the end of that period, we could all say, "We have considered the issue carefully, and we can give the Bill our total support". At the minute, there is still a doubt in my mind, and the Bill is too important to vote for if there is that shred of doubt, because the implications are absolutely enormous as far as the future of Northern Ireland is concerned.

Take Casement Park for instance, which is a planning decision. Say Sinn Féin decided to spend a vast amount

of money, as it could, holding the Department for Communities, on making Casement Park even grander, that would cause huge concern amongst the unionist community, given the sectarian and republican nature of the GAA. Could we do anything to stop that? No, we could not, if Richard Bullick, I and Jim Allister etc are right. What will be the reaction of —?

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

**Mr Wells:** Certainly.

**Mr Stalford:** The Member appears to think that you simply submit an application for planning and it goes directly to the Minister. The reason that the Casement Park project has not advanced is that local residents, having been badly treated by the applicants, used the existing planning processes to prevent it advancing.

**Mr Wells:** The point I was making was not —.

**Ms Ennis:** On a point of order, Mr Deputy Speaker. I appreciate you letting me in to make a point of order. It is on the comments by Jim Wells about the GAA being a sectarian organisation. I urge him to immediately retract those comments, because the GAA could not be further from that. It is sad that he would label any sporting organisation, particularly one that is so rooted and relevant in the community as the GAA, as a sectarian organisation.

**Mr Deputy Speaker (Mr Beggs):** I ask Members to use temperate language in all that they say in the Chamber. The Member has made her point, and it is on the record.

**Mr Wells:** This is the organisation that holds “Great Escape” events in South Down — events eulogising Bobby Sands — and one of its leading lights was hurling sectarian abuse at a loyalist parade in Newcastle last September.

**Mr Sheehan:** On a point of order, Mr Deputy Speaker. It is that kind of intemperate language that, in the past, has led to the killing of members of the GAA. I ask you to insist that the Member desist from that type of intemperate language.

**Mr Deputy Speaker (Mr Beggs):** Members, we are here today to discuss an important Bill and the amendments to it. I urge everyone to return to that subject, rather than raising other issues that cause discontent. I ask everyone to use temperate language in the points that they make and to return to the Bill and the amendments.

**Mr Wells:** I will make no further comments about the GAA, Mr Deputy Speaker.

Let us give another example: a proposal to move university departments from Coleraine to Magee. That would cause huge concern to the community in Coleraine. A Sinn Féin Minister, should he happen to hold the portfolio, could do that. My interpretation of the legislation is that there is nothing that can be done, if the Bill goes through, to stop that, because it clearly is within his or her power and does not meet the criteria to be stopped under the legislation.

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

**Mr Wells:** Certainly.

**Mr Storey:** The Member needs to be careful of hyping an issue that is not relevant. The powers in relation to the governance and courses in a university do not rest with any Minister; they rest with the university. The Member needs to be aware of what the powers are, because, if

that were the case, I would be knocking on the door of the Economy Minister in relation to certain courses that have disappeared. The responsibility rests with the university, not with the Minister.

**Mr Wells:** The honourable Member is very long-standing, and I have known him for about 50 years. The honourable Member misses my point. You could have a situation where Magee campus is very pleased to have courses transferred from Coleraine, and you could have a compliant Minister who would allocate the appropriate funding. There could be huge concern in the East Londonderry and North Antrim constituencies about that, and my reading of the legislation before us is that it could not be stopped. It is a totally hypothetical example. I was going down the route of the GAA, and that obviously caused offence to the Members to my right, so I am plucking that out of the air as another example. It could be pensions for those who have been involved in terrorist activity. It could be anything.

What we know is that, when the late Martin McGuinness was about to leave his post as Education Minister, he unilaterally abolished the 11-plus, and the reason why we adopted St Andrews was to make it absolutely certain that that did not happen again. People might say, “But it hasn’t happened since”. Well, it has not happened because, although there are many obnoxious proposals emanating from the Members to my right that, if they had half a chance, they would implement, but they do not bother because they know that, under the present arrangements, it is not worth their while and they will be blocked. Anything that weakens that worries me intensely. I ask Mr Lyons to explain — this is the Achilles heel of the argument — what would be wrong if today we agreed not to move the Bill any further and to bring it back in October. You could be in favour of the legislation, or you could be against the legislation: there is nothing that requires the urgency with which this is being pushed through. And the more that Members stand up —.

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

**Mr Wells:** Certainly.

**Mr McGrath:** If the Member is suggesting delaying a decision on the grounds of not having the full information and not understanding how it will impact on people across Northern Ireland, can he remind me how he voted on our motion for an extension to the Brexit process?

**Mr Deputy Speaker (Mr Beggs):** Order, Members. I do not want to have a debate about Brexit. This is not a Chamber for debating Brexit or previous decisions; this is a debate about the Bill that is before us and the amendments that have been proposed. Can we concentrate on that, please?

**Mr Wells:** The fundamental difference is that there had been months and months of debate on Brexit. Every jot and tittle and the minutiae of every piece of legislation and policy had been debated. The difference here is that we have had 24 days and less than two hours’ scrutiny in its entirety. That is the crucial difference.

I get more and more suspicious about this legislation when Back-Benchers are ordered to stand up and support its rapid passage through the Chamber. That makes me more worried, because I have to wonder whether there is a hidden agenda to get it through on the nod. There is

also the fact that they decided to table it when they knew that people's attention was on coronavirus, when many Members had holidays planned and when we had the issue with Mr Storey's funeral. Maybe it was an interesting time to get bad legislation passed without public scrutiny. I am worried about it, and I know that my view is held by many unionists throughout Northern Ireland. Therefore, I appeal to Mr Lyons to simply agree to an extension of the period for scrutiny of the Bill so that we can all agree with it or otherwise with a clear conscience knowing that we have done everything to check and double-check that what we are being told is correct.

**Miss Woods:** I suppose that I will have to mention Mr Bullick, like every other Member has, but with the caveat that neither I nor the Green Party has spoken to him or engaged with him on the matter. However, I am glad that his comments, on whatever platform they were made, have encouraged other Members to realise the issues in the Bill, that the Bill is not just about planning and that there are wider implications included here.

Junior Minister Lyons, in introducing the Bill to the House on 6 July, stated that the Bill was intended to address the implications for ministerial and Executive decision-making of the judgement in what is known as the Buick case, which was brought against the Department for Infrastructure's grant of planning permission for a waste incinerator during the time that the Assembly was suspended. It is supposed to limit the grounds on which legal challenge can be taken against a decision made by the Executive or individual Ministers and outline the processes by which planning decisions can be taken by the Minister for Infrastructure. It is also to amend the Northern Ireland Act 1998 to deal with any significant or controversial matters that are clearly outside the scope of the Programme for Government — that is, of course, if we ever have one. It leads to scenarios where any Minister can decide matters without recourse to the Executive unless it affects the statutory responsibilities of another Department more than incidentally.

The amendments today are supposed to limit the proposed changes to purely planning matters by removing the reference to other Ministers, but do they do that? We have had no time to consider the full implications of the Bill or, indeed, the amendments, and the Executive Office Committee spent only minutes discussing this on 1 July, which is hardly enough given the implications and the reality that this is a change to the Northern Ireland Act and the St Andrews Agreement. The Bill was and is being sold as a minor technical Bill to regularise an anomaly identified by the Buick case and to stop the Executive becoming a de facto decision-making body for planning applications. Why, then, was the Bill not limited to planning? The fact that the amendments have been tabled shows that the Bill appears to be much more significant than we were told by the Executive Office, and we need time to properly consider it. There is absolutely no justification for accelerated passage.

Whilst I understand the rationale behind the amendments — to try to remove the reference to other Ministers — it still, for me, opens up the same question of what this means for the exercising of power and decisions by the Executive, going forward. The amendments seem to remove some of the main problems identified but leave the specifics to do with planning, so does that mean that the Department for Infrastructure and the Minister for

Infrastructure will be exempt and will enjoy the increased power and authority? Would the amendments mean that the Infrastructure Minister may take decisions on their own on those matters but nobody else can? How would that fit in with the collective responsibility of the Executive, even if the Bill were amended?

#### 1.45 pm

How will it fit in with our wider responsibilities for the environment? That is not confined to one Department. Planning decisions will, of course, have more than one incidental, significant or controversial impact on other Departments and Ministers' responsibilities. You could and can make the argument that every such planning decision will have an impact on the environment.

Where does this leave us? We should be encouraging better collective and collaborative working, not giving Departments cover to plough ahead with working in silos or isolating one through these amendments, recognising that there are issues with the way in which the Bill is written and the powers that it confers on our Ministers and Departments. This is not the time to be passing powers in this Bill. We need a full and informed, comprehensive debate with Assembly scrutiny. I have heard no reasons given by any Members from both sides of the Chamber and in the House today for accelerated passage being required for this. If it were needed, it would have been introduced in February. This is an example of a bad Government, and bad policy will flow from it.

**Mr Carroll:** It is not an overstatement to say that the majority of the public questions already the level of transparency, scrutiny and oversight in the Assembly. When I first spoke about the Bill, I outlined my disgust at the cavalier way in which the Executive circumvented basic tests of scrutiny and accountability around decision-making that most reasonable people should expect from political leaders. I add to that my disappointment at how Ministers brush off the concerns that I raise about the lack of accountability, presuming that they are unlikely to face any consequences. If the Bill were passed, it would undoubtedly further dilute the levels of transparency and accountability that are already low.

I think that it is reasonable to consider, at this time, the ways in which this Executive and previous Executives, made up from the same big parties, have flouted transparency and accountability, in order that we know exactly the well-trodden path that the Bill walks. The RHI scheme cost us over £550 million, and, years on, we find ourselves asking, "Where is the accountability? Where are the emergency oversight measures that would guarantee that it would never happen again?". The Bill would do the exact opposite.

Decisions and statements made in the middle of a global health pandemic, at best, misled the public on PPE, an issue of unmatched importance for thousands of front-line staff. Where are the new beefed-up oversight measures to guarantee that that will not happen again? The Bill seeks to remove the limited oversight measures that we have.

A massive decision was taken about an incinerator, one that would have an impact on communities and the environment, without the Assembly or a Minister in place and without the necessary oversight. A Court of Appeal rightly upheld the court's verdict that that flouts basic



scrutiny. What is the Executive's reaction? It is to take what most people would see as the sensible response to prevent permanent secretaries being allowed to make similar decisions in future but use it as a vehicle to remove the same scrutiny measures from Ministers so that they can ram home similar decisions whenever they want, without facing the scrutiny and questioning of the Executive Committee. I feel that sense of disgust again here today.

An issue in my constituency that I cannot help but think about is Casement Park and those who must be rubbing their hands together at the prospect of pushing ahead with that project, more or less unchanged, despite serious safety concerns raised by residents, because they will have, in effect, fewer loopholes to jump through and less reason to hear the valid concerns of residents in the area.

It is, of course, the case that occasionally a Minister could choose to apply the same level of scrutiny for what are deemed to be controversial cases. Given the record of this and previous Executives, who can truly say that they would trust them to do so?

Despite the various platitudes about learning the lessons from RHI, the Bill does the complete opposite and draws the incorrect conclusions. The RHI scheme was world-famous for all the wrong reasons. What Minister here wants to face a similar situation in the future? If they can justify it, what do they have to hide from scrutiny that is worth this attack on oversight measures?

Ministers' decisions should not be questioned only behind closed doors or by those who walk the corridors of Stormont. A public hearing, public scrutiny and those who vote MLAs to the Chamber should not be held in such contempt. In the past few months that we have sat in this seemingly reformed Assembly, only a handful of times have the Executive parties openly voted against one another, so who can really have confidence in a behind-closed-doors approach to decision-making from those same parties? Despite the well-trodden charade for the cameras on either side of the communal divide in the Chamber, this is one of many issues on which both of the big parties have each other's backs. This is not an issue, as it is being presented by some in the media, that divides the main nationalist and unionist blocs. They are both seemingly here to vote for it today, and it is not difficult to see how they could both benefit from the legislation in the future.

We in People Before Profit do not care about the political ideology or communal identity of the Minister involved. All Ministers should be subject to maximum scrutiny and accountability, but this Bill seeks to do the exact opposite. Let me be frank: we can never rule out an "I'll scratch your back if you scratch my back" approach to decision-making in this place. Any Ministers worth their salt would recognise the public's distrust because of the history of this place and be more than happy to face the necessary scrutiny measures in order to quell it. This Bill does the opposite, at breakneck and accelerated speed, and through the use of accelerated passage. It speaks volumes about what we can expect in the outworkings of the Bill. Where was the accelerated action to ensure that our healthcare workers were paid the strike pay that they lost out on earlier this year? They have been promised that it is coming, but I am afraid that they are still waiting for it after months.

In summary, the Belfast Agreement states that the Executive Committee should, for significant and controversial decisions, provide:

*"a forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers".*

Who could truly argue against that? In fact, I argue that we should go further. I will therefore not support the Bill. Although I recognise the efforts of Mr Beattie to amend aspects of it and to address some of the concerns raised, I am not convinced that the amendments before us go far enough to address fundamentally those concerns, so, unfortunately, I cannot support them today.

In conclusion, because the accelerated passage approach was taken and because the Bill has been rammed through very quickly, it is important to read into the record some concerns raised by others. Mr Bullick has been mentioned in detail, but some groups have raised concerns about this, including Cooperate Against Mining in Omagh (CAMIO). It has said:

*"It is clearly evident that the NI Executive intends to imminently push through a selection of unsavoury and toxic projects, hence the justification for proposing this legislation at an unprecedented speed. This is the antithesis of democracy, essentially creating ministerial dictatorships."*

Many would probably agree with that.

It also states:

*"The purpose of this legislation seems to be to stifle debate, prevent any form of information relating to any proposed 'controversial' project be discussed in a public forum, while suppressing all documentation relating to same."*

There are therefore many concerns, not just raised by me and others in the Chamber but by groups outside. I will leave my comments there.

**Mr Lyons (Junior Minister, The Executive Office):** We wish to oppose the amendments tabled by the Member for Upper Bann. Mr Beattie's amendments reflect the concerns aired recently on social media and in the media about the perceived implications of the Bill for safeguards in the decision-making process and for the authority of the Executive. We believe that those concerns are unfounded. I can assure Members that we have been rigorous in our consideration of these matters and have received legal support and advice from our senior legal advisers to the Executive and to Departments. We have rigorously examined the Bill against our intended policy and also to avoid any unintended consequences.

In doing so, we have looked fully at the intention behind the proposals in the St Andrews Agreement and at the debate that clearly outlined the intentions behind the clauses in a series of pre-notified questions by the then MP for East Belfast, the Rt Hon Peter Robinson, to the Minister who was responsible for bringing the Northern Ireland (St Andrews Agreement) Act 2006 through the House of Commons, the Rt Hon David Hanson, the then Minister of State for Northern Ireland. We are fully satisfied that the amendments on clarifying the cross-cutting test are fully in line with those intentions as set out. Indeed, it is clear

that the intention was a wide one, but it was one that cut across responsibilities rather than interests and did so in a way that was more than de minimis. The language that we have used in the Bill enshrines this test to ensure that all matters that are more than merely incidental are required to be brought to the Executive Committee. The Belfast Agreement states in paragraph 19:

*“The Executive Committee will provide a forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers”*

That was given statutory force by section 20 of the Northern Ireland Act 1998. The agreement also states:

*“Ministers will have full executive authority in their respective areas of responsibility”*

within the Programme for Government.

**Mr O’Toole:** I am grateful to the junior Minister for giving way. On the point about cross-cutting, will he clarify that, presumably, it would be his and the Executive Office’s understanding that the implementation of the Ireland protocol, which is binding on the entire Executive, would be seen as such a fundamental cross-cutting matter that implementation and decisions around that would, if necessary, be brought to the full Executive?

**Mr Lyons:** That is an issue that is being brought to the Executive, and we have our Brexit subcommittee that is dealing with all Brexit-related matters.

On a very important point, it should be noted that the responsibilities and authorities of Ministers are entirely based on statute. The St Andrews Agreement and Act subsequently further codified these respective roles through the 2007 statutory ministerial code that placed specific obligations on Ministers to bring cross-cutting and significant or controversial matters to the Executive Committee for decision. It did not, however, redefine or offer any interpretation of what constituted a cross-cutting matter. This, and the need for referral to the Executive, was always left in the first instance to the judgement of individual Ministers, based on advice on how, and to what extent, their proposals impacted on the responsibilities of other Ministers. It has always been the case, therefore, that Ministers have been able to take a wide variety of decisions without reference to the Executive. Before the Buick judgements, for example, planning application decisions were not brought to the Executive for consideration. The Executive, therefore, is not now abandoning a control that it has never sought to exercise, despite what is being claimed.

**Mr Muir:** Will the junior Minister give way?

**Mr Lyons:** I will give way.

**Mr Muir:** Does he accept that the Buick judgement references that no previous Environment Minister or Infrastructure Minister has ever referred an individual planning application to the Executive Committee for agreement prior to its determination?

**Mr Lyons:** I thank Mr Muir for his intervention. That is certainly my understanding. This was never a common practice.

Here we are, 14 years on from St Andrews. We believe that the Buick judgements, in their interpretation of

cross-cutting, including matters that another Minister may have an interest in, rather than one that cuts across his or her responsibilities, has shifted the balance too far in the direction of the Executive by merging the concepts of ministerial responsibilities and ministerial interests. The threat of legal action against ministerial decisions because a link, however tenuous, could be identified with the interests of another Minister would, potentially, make their exercise of authority uncertain and the work of the Executive unsustainable, by forcing everything on to their agenda. In this regard, I wonder what consultation the Member has carried out, in moving the amendments, with his party colleague who is currently the Minister for Health.

He was asked earlier to state whether the Minister of Health actually supported this legislation or simply supported the idea of having some legislation. That would be a fairly ridiculous position for the Minister of Health to put himself in and to say, “Right, go ahead. I am happy enough with the idea that we are going to have some legislation, but do not bring it back for me to see.” Of course, the Minister has seen the legislation and has agreed to it. Every Minister must accept the decisions of the Executive Committee under the Pledge of Office.

What consultation has the Member carried out with the Minister of Health? Removing the clause would mean that he would have to bring almost every departmental health decision to the Executive on the basis of the very broad interpretation that all matters merely touching —

## 2.00 pm

**Mr Wells:** Will the Minister take an intervention?

**Mr Lyons:** In a second — the very broad interpretation that matters merely touching on another Department ought to be brought to the Executive, as per the Buick judgement.

**Mr Wells:** The junior Minister is tilting at windmills: we are not asking for any of that. The Minister has not addressed the issue of “Why the rush?”. He has not quoted any outstanding legal challenges based on the Buick judgement. He has not indicated any crucial infrastructure project that we must get a decision on quickly if we do not pass the Bill. Will the Minister address the fundamental point — the one thing, I think, that the House can agree on today — that we need a few extra weeks to consider the Bill to dot all the i’s and cross all the t’s and so avert potential disaster?

**Mr Lyons:** There seems to be confusion. I think that what Mr Beattie is saying is that we pass his amendment today, pass the Bill tomorrow, and then we can look at these issues at another time. However, Mr Wells seems to be saying that we need to pause everything for a few months. I do not think that there is agreement even among the Members who support the amendments about the route that they want to go down.

To go back to the point that I was making, it is difficult to think of a —

**Mr Wells:** Will the Minister give way?

**Mr Lyons:** I will give way, of course.

**Mr Wells:** More windmills, Mr Lyons. You have not answered this question: what would be wrong with giving two more months’ consideration of the Bill to iron out all the uncertainties that are so obviously inherent in it?

**Mr Lyons:** First of all, timing. The Member has raised before the notice period for amendments. That matter is out of our hands at the moment. The Bill's next stage is tomorrow. I understand the uncertainty that some Members have about the Bill, but we have gone through accelerated passage, and I am convinced, on the basis of the legal advice that we have received from numerous legal sources, that the Bill does exactly what we want it to do.

**Mr Beattie:** Will the Minister give way?

**Mr Lyons:** I understand and fully accept that other Members may not believe that that is the case. They do not have the assurance that the Bill will do what it is intended to do, but we have that confidence. The House has decided to proceed with accelerated passage, and that is what we will do. On that point, I give way to Mr Beattie.

**Mr Beattie:** I thank the Minister for giving way. The Minister mentioned the legal advice that he has received that makes it absolutely clear: will he release the legal advice, so that I and everyone else can see it and be absolutely clear? That would help. If the Minister had done that earlier, maybe we would not even be having this debate. My question to the Minister is this: will he release the legal advice?

**Mr Lyons:** The Member should know that it is not in my gift to release legal advice that is given to the Executive. The smile on Mr Beattie's face shows that he knows that that is the case and that it is not something that I can do.

**Mr Stalford:** Will the Minister give way?

**Mr Lyons:** I am being generous with interventions. I will give way to Christopher, although I note that, in his earlier comments, he said that people who were good friends of his went to his wedding. That is how close he was *[Interruption.]* I put on record that I was not at Mr Stalford's wedding; however, I will, of course, give way to him.

**Mr Stalford:** I am tempted to say, "Maybe the next one" *[Laughter]* but I do not think I will.

The Member asks about seeking legal advice. Can the Minister confirm that there is absolutely nothing to prevent the leader or members of the Ulster Unionist Party from making an appointment with the Departmental Solicitor's Office and asking for advice?

**Mr Lyons:** I certainly would not tell Members what to do. However, if that is the path that they would like to go down, I am sure that that path is open to them.

Let us go back to the Department of Health. It is hard to think of a single issue in the Department of Health that would not meet the very low bar that has been brought about as a result of Buick. Some Members have argued that the very wide and expansionist interpretation that follows from Buick should remain, as it would if the amendments were to be made. They argue that Ministers individually or the Executive collectively should ignore the requirement that it come to the Executive. That is just not sustainable; that cannot continue.

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

**Mr Lyons:** Of course I will.

**Mr Butler:** I will not detain the junior Minister long. Would the junior Minister agree that making the change as proposed is to forget the political reality that we operate in?

This is not the politics of unicorns and fairies. We have had a very disruptive and very disrupted term of politics, never less than in the last four to five years. Work needs to be done that is underpinned by 'New Decade, New Approach'. This may be just a step too far, given the confidence and the relationships that need to be built.

**Mr Lyons:** What is the Member saying? The Member is saying that we should do one of two things. We should either bring all these issues — everything, however tenuous, that touches on the interests of other Ministers — to the Executive. The other thing that, the Member says, we should do is, "Let's just ignore that and use the power only whenever we want to". We cannot do that. That is not sustainable. That is not a position that we can remain in. If something is required to be brought to the Executive, the Minister cannot make that decision by himself or herself. It must come to the Executive, and then you are leaving yourself open to all sorts of legal challenges. That is why we are trying to bring in the legislation that is before us today.

What changes as a result of the Bill becoming law? First, what does not change? A Minister must still bring to the Executive a significant or controversial matter where it is outside the scope of the Programme for Government. Secondly, cross-cutting matters must still be brought to the Executive. What changes is that, first, the Minister for Infrastructure does not have to bring specified planning decisions to the Executive, nor can those decisions be called in by the First Minister and deputy First Minister. Secondly, the intention of the St Andrews Agreement is enshrined: significant and controversial matters are required to come to the Executive — this is the key point — regardless of whether a Programme for Government is in place. That addresses a long-standing issue in the original drafting. In relation to the requirements under the Programme for Government, the intention was that matters previously agreed by the Executive would not need to come again to the Executive. However, that would apply only to the matters or aspects of a matter explicitly specified and included in the Programme for Government. To reassure, any policy or matter not specified but which would or could support outcomes in the PFG will still require full consultation and will be subject to the requirement to come to the Executive, if it is either significant or controversial or if it is cross-cutting. Thirdly and most relevant to today's debate, the test for a matter being cross-cutting has been given a statutory definition so as to reduce the uncertainty about what might constitute the interests of another Minister by providing that a Minister does not have to bring a matter to the Executive unless it affects the exercise of the statutory responsibilities of another Minister or Ministers more than incidentally.

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

**Mr Lyons:** I will make some progress. I will come back to the Member later on.

That definition is also consistent with the language of paragraph 19 of the Belfast Agreement and, importantly, the St Andrews Agreement and subsequent Northern Ireland (St Andrews Agreement) Act 2006, which refers to "responsibilities" and not to "interests".

It is important that an appropriate balance between authority and the efficient functioning of our system is struck. This will not open the floodgates of unfettered decision-making by Ministers on matters that they would

normally have brought to the Executive; indeed, I can be clear that the Executive's policy intention is for the Bill to enshrine in law the practice that was in place before the case of Buick and after the St Andrews Agreement. The objective of the Executive is that all matters that were deemed to be required to come to the Executive prior to the Buick case and this Bill and all the types of matters brought to the Executive would continue to be brought under these requirements. The amendment is not to diminish that Executive role in any way, with the exception of planning matters as specified in the amendment.

The Bill is intended to prevent a wide range of additional matters not hitherto considered matters required to come to the Executive now having to be brought. However, it should be noted that the amendment relating to cross-cutting requirements, read in conjunction with the Buick case, still supports wide-ranging responsibilities for Ministers on matters that cut across the responsibilities of more than one Minister; indeed, that may still require additional matters to come to the Executive than would have been the previous practice. Further guidance on that will be given in the ministerial code. Therefore, it is not that what we bring to the Assembly today diminishes Executive collective decision-making; rather, it protects and enhances it in all matters, with the exception of the planning-related issue. In that regard, it is important to reference that cross-cutting powers remain wide. As outlined clearly by legal advice, once a matter is required to come to the Executive, the relevant Minister does not have the authority to make that decision. In terms of the courts' interpretation of that test and the practice of the Executive Committee, if a Minister is in any doubt about whether a matter should be brought to the Executive Committee, it needs to come. That is the best way to ensure that legal risk is minimised. Those matters will be made clear in the ministerial code.

I turn for a moment to the specific planning aspects of the Bill. Some commentary has raised the issue of multiple related consents that may rest in other Departments. It is important to note that those matters were not previously brought to the Executive and that there is no intention to now require them to be brought. The ministerial code will require amendment, and that issue will be dealt with in a more detailed way in the code to make it clear. If any problems persist with this planning matter, further action will be taken to address it.

Let me address this issue, because there has been some confusion about call-in powers and how they relate to the planning section. The call-in on these matters will still apply under section 28B of the Northern Ireland Act 1998 through the power of 30 Members to request that a matter be referred to the Executive. We should also bear in mind that the call-in power for the First Minister and the deputy First Minister in respect of significant or controversial matters is unaffected, other than those in respect of those specified planning decisions.

The amendment would remove an important provision and would leave Ministers in a position of considerable uncertainty about the exercise of authority in their Department and expose them to a much greater risk of a legal challenge based on the interpretation of what is or is not a cross-cutting matter. Therefore, we ask Members to reject the amendment.

**Dr Aiken:** I thank everybody who came in for the debate. It will come as no surprise to find that I am coming to support the amendments. Let us quickly go slightly further back into the history of this. I will bring in a few of the catch-alls that everybody has been commenting on. I declare an interest as an MLA for South Antrim, and I do not want to see the Arc21 Ponzi scheme being built on top of a cliff face in that constituency.

I do not believe that any of the decisions on Arc21 have been correct. The Buick case was a long-running process that exposed the problems that were based on the planning decisions that were made going forward. I fully understand the Infrastructure Minister's frustrations about trying to get decisions going. I fully understand the views of everybody else here that we want to get the Northern Ireland economy going. I fully understand that the planning processes in Northern Ireland are, to put it mildly, archaic and are really counterproductive to trying to get Northern Ireland going. The legislation needed to enable the Infrastructure Minister to make those decisions is something that we as a party and, indeed, all the parties here want to see. This Bill, if it is not amended, is not that legislation. Mr Wells asked this question, as did Mr Stalford and others in oblique ways: what is the legislation supposedly trying to do?

What is the rush to bring the legislation through, where it is quite clear that there is a degree of doubt in the process as we are coming through? We have heard Member after Member talk about the fact that we should take more time to consider it.

## 2.15 pm

We have heard quite clearly from the junior Minister — thank you very much indeed for your comments — about the importance of the legal position and the fact that you have had the best legal advice, but, Members of the Assembly, they had the best legal advice when we were dealing with RHI, and where did that come to? So, when somebody says to me that they have the best legal advice and that, in some way, we, as Members of the Assembly, should accept that because the Bill is some form of good legislation, I say that the reason why we have tabled the amendments is because it is not good legislation. It does not seek to set out what we are trying to right, which are the problems with planning, infrastructure and Buick. It does something fundamentally different, and many Members have referred to that in their comments today.

I want to talk about some of the specific points. The question is this: is the Bill good legislation? The mere fact that a party that is part of the Executive is challenging the legislative process shows that it is not good legislation. Why do we think that this is not good legislation? One of the biggest problems that we have in Northern Ireland is responsibility and accountability and openness and transparency. I welcome the talk about the ministerial code, which has not been updated yet. I welcome the fact that we are going to have definitions of significant and controversial. We do not know what those are and what those are likely to be. We are being asked specifically to take the Bill on the basis that the ministerial code, which we have not seen to be amended, will be amended. We are being asked to accept the Bill on the fact that we need to put some balance and trust on the words "significant" and "controversial". We see the word "cross-cutting", and

cross-cutting is good, but when will we see the rest of the detail?

The Ulster Unionist Party tabled the amendments because we want the legislation that goes through to be specifically based on dealing with the Buick issues on planning. The Bill, as it is being put through at the moment, does not do that. It is about making sure that we have the appropriate checks, balances and controls.

We have heard a lot about St Andrews, and we have heard about the Belfast Agreement, but one of the reasons why Northern Ireland, to use the words of the soon-to-be-leaving head of the Northern Ireland Civil Service, is seen to be unique is that the normal checks, balances and controls do not work. We have to make sure that, when we are doing the legislative process, we have good legislation that comes through that addresses the specific issue. The specific issue, Mr Deputy Speaker and Members of the Assembly, is how can we ensure that proper planning decisions are made in an appropriate time, not moving away from the position that we are in at the moment and not taking away checks, balances and controls.

I could speak for much longer, and you are probably glad that I am not going to. I could talk about the Democratic Unionist Party's history lesson, which, I must admit, I really enjoyed. Thank you very much indeed for that. It will be used in the future for people to look at this, but this is not an issue about people from outside of here. This is about making sure that we have good legislation, openness and transparency. Members of this House, I commend the amendments to you.

**Mr Deputy Speaker (Mr Beggs):** Members, before putting the Question on amendment No 1, I remind Members that amendment No 1 is a paving amendment for amendment Nos 2 and 3.

*Question put, That amendment No 1 be made.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** Clear the Lobbies. The Question will be put again in three minutes. I remind Members that we should continue to uphold social-distancing measures and that Members who have proxy voting arrangements in place should not come into the Chamber. Before I put the Question again, I remind Members that it would be preferable to avoid a Division.

*Question put a second time.*

**Mr Deputy Speaker (Mr Beggs):** Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that, during any Division, social distancing in the Chamber continues to be observed. To facilitate that, I ask the following: any Members in the Chamber who are not due to vote in person should consider leaving the Chamber until the Division has concluded. Those Members who wish to vote in the Lobby on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first. Any Member who

has voted may then wish to leave the Chamber until the Division has concluded. However, any Member who needs to vote in both Lobbies should remain in the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing.

*The Assembly divided:*

*Ayes 10; Noes 73.*

#### **AYES**

*Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Butler, Mr Chambers, Mr Nesbitt, Mr Stewart, Mr Wells.*

*Tellers for the Ayes: Dr Aiken and Mr Wells.*

#### **NOES**

*Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms P Bradley, Ms S Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Carroll, Mr Catney, Mr Clarke, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Miss McIlveen, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Mr Newton, Ms Ni Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Storey, Mr Weir, Miss Woods.*

*Tellers for the Noes: Ms Ennis and Mr Middleton.*

*The following Members' votes were cast by their notified proxy in this Division:*

*Mr Beattie voted for Mr Allister.*

*Mr K Buchanan voted for Ms P Bradley, Mrs Cameron, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Givan, Mr Harvey, Mr Irwin, Mr Lyons, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford and Mr Weir.*

*Mr Butler voted for Mr Nesbitt.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr Muir voted for Ms Armstrong, Mr Blair, Mr Dickson, Mrs Long and Mr Lyttle.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Noes], Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ni Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly negatived.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments to allow other Members who wish to return to the Chamber to do so.

*Amendment No 2 proposed:* In page 1, leave out lines 20 to line 2 on page 2.— [*Mr Beattie.*]

*Question put.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** I have been advised by the party Whips that, in accordance with Standing Order 113(5)(b), there is agreement that we can dispense with the three minutes and move straight to the Division. Do we have Tellers?

**2.45 pm**

Before the Assembly divides, I remind Members that any who are not due to vote in person should consider leaving the Chamber until the Division has concluded. Members who wish to vote in the Lobbies on the opposite side of the Chamber to where they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. The remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first, and any Member who has voted may then wish to leave the Chamber until the Division has concluded. I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing whilst voting.

*The Assembly divided:*

*Ayes 10; Noes 73.*

**AYES**

*Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Butler, Mr Chambers, Mr Nesbitt, Mr Stewart, Mr Wells.*

*Tellers for the Ayes: Dr Aiken and Mr Wells.*

**NOES**

*Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms P Bradley, Ms S Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Carroll, Mr Catney, Mr Clarke, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Miss McIlveen, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Storey, Mr Weir, Miss Woods.*

*Tellers for the Noes: Ms Ennis and Mr Middleton.*

*The following Members' votes were cast by their notified proxy in this Division:*

*Mr Beattie voted for Mr Allister.*

*Mr K Buchanan voted for Ms P Bradley, Mrs Cameron, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Givan, Mr Harvey, Mr Irwin, Mr Lyons, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford and Mr Weir.*

*Mr Butler voted for Mr Nesbitt.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr Muir voted for Ms Armstrong, Mr Blair, Mr Dickson, Mrs Long and Mr Lyttle.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Noes], Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly negated.*

**Mr Deputy Speaker (Mr Beggs):** I will not call amendment No 3 as it is consequential to amendment No 2, which has not been made.

That concludes the Further Consideration Stage of the Executive Committee Functions Bill. The Bill stands referred to the Speaker.

I ask Members to take their ease for a few moments before the next item of business, which is the question for urgent oral answer to the Minister of Health.

*(Mr Principal Deputy Speaker [Mr Stafford] in the Chair)*

## Question for Urgent Oral Answer

### Health

#### Restrictions on Travel from Spain

**Mr Principal Deputy Speaker:** Mr Colm Gildernew has given notice of an 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 question.

**Mr Gildernew** asked the Minister of Health to outline the reasons for the change to restrictions in respect of travel from Spain, introduced on 26 July 2020.

**Mr Swann (The Minister of Health):** I thank the Member for the question.

The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 came into operation on 8 June. On July 10, a list of exempt countries was inserted, allowing those who had been in those countries to be exempted from the self-isolation period of 14 days when they arrived in Northern Ireland. On Saturday 25 July, I made an urgent amendment to remove Spain from the list of exempted countries, meaning that, from Sunday 26 July, those arriving in Northern Ireland from Spain are again required to self-isolate for the full 14-day period.

My decision, which has now been supported by the Executive, was based on detailed scientific information that was shared with me on Saturday. The key points to note are that, since last week, the weekly case rate for Spain has broadly doubled; Spain is following the same trajectory as Serbia, which was removed from the regulations following the same process on 11 July; Spain now conducts fewer tests than the UK, so the true prevalence, compared with the UK, could be higher than this data represents.

Areas of Spain have been reintroducing lockdown restrictions, particularly in the Barcelona region. The weekly case count in Spain has doubled from circa 4,489 to circa 9,575 this week. That rise in the disease has been seen in 15 of the 19 regions and autonomous cities of Spain. The total number of tests performed has increased, as I said, but the proportion of those that are positive has also increased from 1.4% to 4.3% during July, with the greatest increase in the last week.

I discussed that advice with the Ministers from the other three UK regions, and the decision was taken to remove Spain from the list of exempt countries from midnight on Saturday night. I recognise that the timing of the change would have had a significant impact on travellers who arrived early on Sunday morning. However, the evidence was considered to be so strong that a delay was not feasible. The risk to the Northern Ireland population was too great to delay another day.

I will continue to make decisions based on scientific information to determine which countries may be removed or added to the exemption list and will move quickly to remove any country when the evidence supports doing so. The health and safety of the people of Northern Ireland is my main priority.

**Mr Gildernew:** I will remove my mask to ask the question as not doing so can cause people with hearing difficulties additional problems in picking up what is being said.

Considering the ongoing confusion around travel advice and restrictions, does the Minister agree that it is important to convene a British-Irish Council meeting to agree a consistent approach to travel into and across these islands?

**Mr Swann:** As the Chair of the Committee will be aware, there will be a North/South Ministerial Council meeting on Friday, at which that will be the main topic of discussion. So, I am sure that the incidence in Spain and other countries, and how we manage that on an all-island basis, will be up for discussion at that point.

**Mr Gildernew:** Will the British-Irish Council meet to consider the east-west dimension?

**Mr Principal Deputy Speaker:** Now, this is not a Committee.

**Mr Gildernew:** My question was not answered.

**Mr Principal Deputy Speaker:** This is not the Committee, and the Minister has given an answer.

**Mr Swann:** If any directions come from the North/South Ministerial Council in regard to the British-Irish Council, the First Minister and the deputy First Minister will take them.

**Mr Easton:** What is the process when somebody comes back from Spain and lands at the airport? What happens at that stage? You have to go and isolate for two weeks, but is there some sort of process at the airports to make sure that holidaymakers and residents who are coming back know exactly what they have to do?

**Mr Swann:** There are information points at the airports. There will also be announcements made on aeroplanes as people arrive as to the steps that they should be taking. There is an international travel locator form, which is mandatory for anybody who lands in Northern Ireland from one of the red countries. That must be completed, and there is a penalty of £60 for anybody who fails to do so. So, the test, trace and protect system should work if it is necessary to follow them up and make sure that they are observing the 14 days of isolation that is required should somebody come in from a quarantine country.

**Mr Principal Deputy Speaker:** Before I call Mr Pat Sheehan, I remind Members to rise in their places if they wish to ask a question.

**Mr Sheehan:** How is the Minister going to address the confusion about, and differences in, the travel advice? I am not just talking about North/South but also east-west, where there seem to be a lot of anomalies in the advice that is being given out.

**Mr Swann:** That is a valid point, and it is one that I raised with the Secretary of State for Health and Social Care, Matt Hancock, on Saturday night, because there seems to be inconsistency between the advice that is coming

from the Health Departments across the four nations and the advice that is being given by the Foreign and Commonwealth Office. I wrote today to the Foreign and Commonwealth Office asking for clarity and for it to consider the guidance that it is giving in regard to travel from the islands specifically, because it seems to contradict what was agreed by the four Health Ministers.

I have raised the matter with the Health Minister and the Foreign and Commonwealth Office, and I hope to receive clarity on the specifics of it, because it is causing some confusion for people who are travelling or who still intend to travel to the islands. At this point, I encourage them not to.

### 3.15 pm

**Mr McGrath:** I thank the Minister for coming to answer questions on this important issue, which is causing great concern to people. I appreciate, from his advice, that the incubation period could be up to seven days, but is there a method of prioritising testing for those individuals on that seventh day? If results could come back within 48 hours, that could shave five days off the quarantine period for them, which would enable many of them to get back to work. Many of those who are off at this period are teachers, and they need to get back into school and back to work as quickly as possible.

**Mr Swann:** The Member raised with me yesterday by text message the ability of someone who is currently in Spain to book a test and take it on their return. Our testing system is not set up to do that. At this minute in time, it is set up for people who are symptomatic. We are looking at whether it should be necessary or whether there could be an advantage in that, but I would not want testing to be a reassurance or a second line for somebody who wants to book a holiday to a country that is in the red zone and then rely on testing when they come home to allow them to get back to the workplace earlier. As I said to the Member when he asked me yesterday, the issue is the incubation period of COVID-19. The initial test, when somebody lands, might be negative, but there is an incubation period of, we reckon, up to about seven days where a second test may be necessary. We are looking at that, but we need to be consistent across all nations.

**Mr Blair:** Can the Minister give any clarification or information on how or if there is a joined-up Executive approach to this? For example, is the Department for the Economy working with employers? Is the Department of Finance working with holiday insurance companies? Are both or either working with the Department of Health?

**Mr Swann:** I thank the Member for his question. He makes a valid point. He may not be aware that there was an Executive meeting prior to the urgent oral question, and the only item on the agenda was what supports other Departments could put in place. The Department for the Economy and the Minister for the Economy are now engaging with employers to request that there is flexible support for those who have been in Spain and now face 14 days of quarantine. The Department for the Economy will also engage with travel insurers, as the Member suggested. The Department of Finance and the Minister of Finance will engage with their counterparts in Westminster in regard to furlough to see if anybody who had been furloughed could re-engage with furlough when they return from Spain.

There are as many support mechanisms in place as possible, and, again, the Department for Communities and the Minister for Communities will see what additional support packages are within the remit of the Northern Ireland Executive. The Executive Office will look at updating information on nidirect so that anyone who is currently in Spain or intends to go to Spain can get all the information in one central location rather than having to source it elsewhere. Currently, nidirect gives information to people who may be looking to go on holiday, but we need it updated for those who are in Spain and are caught in that situation so that they have the information on what to do when they return.

**Mr O'Dowd:** I want to return to the British-Irish Council meeting and the need for a British-Irish Council meeting. The Minister has taken a decision on Spain because the evidence suggests that we should restrict travel. There are parts of these islands where infection rates may be as high as if not higher than those in Spain. Does the Minister agree that the British-Irish Council meeting will be an opportunity for all the Administrations to share advice and to give reassurance to the public that the best advice is being used?

**Mr Swann:** I thank the Member, and I realise the political point that he is trying to make in regard to engagement at the British-Irish Council. I will attend any meeting that develops positive health advice for the people of Northern Ireland. Whether it is North/South or British-Irish, I would be supportive of any meeting that provides a consistent approach and consistent guidance to the people of Northern Ireland across these islands.

**Mr Chambers:** Minister, given that this is a fast-changing situation, what advice would you give to anyone who is considering overseas travel that is not essential?

**Mr Swann:** I thank the Member for his question. I will read him the current advice, which is on nidirect. It states:

*"You should carefully consider your holiday and travel options, in light of the continuing COVID-19 threat. A 'staycation' is one way of mitigating the risks - while also supporting the local economy. If you're holidaying abroad, you may have to self-isolate for a period of 14 days on your return home - depending on which country you have visited."*

I ask people to take great cognisance of that in regards to the ever-changing situation and coronavirus in other countries and places. As we have seen with Spain, it can change at a very rapid pace. The guidance on nidirect is fully supported by the entire Northern Ireland Executive, and I encourage people from Northern Ireland to read it when planning their holiday.

**Mr O'Toole:** Does the Health Minister have any specific guidance for family members or people who share a household with someone who has just come back from Spain? For example, if a young person comes back from holiday and returns to his or her parent's house, what is the guidance for other people who share that household? Should the person who is returning be self-isolating in a separate part of the house? How does that work? Will specific guidance be given to family members and householders?

**Mr Swann:** The Member almost answered his question. The guidance on self-isolation and how that is managed



has been there from the early days of our managing coronavirus. That information on self-isolation stands. It is about isolating in rooms that are separate, if possible, using different bathrooms and bedrooms and making sure that you are not in the kitchen at the same time. That advice and guidance is well documented and is available on nidirect and the Department of Health's website. We will reiterate it for anybody returning from Spain, so that the entire package of information is there to support them.

**Mr Muir:** Dublin Airport is a popular airport for people from Northern Ireland. What arrangements are in place for data sharing in terms of people who are travelling back from countries that are on the red list? Without that data sharing, what do you consider to be the risk of people who are travelling through Dublin Airport not self-isolating in Northern Ireland?

**Mr Swann:** The Member raises a point that, I think, I am on public record about, thanks to another leaked letter. I have raised concerns about data sharing with my counterpart in the Republic of Ireland. We have information points at all airports across these islands that indicate that the completion of the travel locator form is for your place of residence or final travel. Anybody landing in Dublin and coming to Northern Ireland must complete that travel locator form. We have information points at all the airports and places of landing. However, I have raised concerns with my counterpart in the Republic of Ireland that we do not have a process whereby the information on people completing the form is being shared openly with us. It is on the agenda for discussion at the North/South Ministerial Council meeting on Friday. It is important that we have that information to make sure that we can reinforce the 14-day self-isolation that we are requiring for people returning from countries that are on the red list.

**Mr Givan:** Minister, people have been caught up in the change, at the eleventh hour, on returning from Spain. A number of them will have gone there in good faith that they would be able to come home and return to work; for some of them, that is to work in your Department. However, the policy there is that they need to self-isolate and the time comes off their leave. Will a sympathetic approach be taken to employees who face circumstances in which they could be forced to use their holiday leave because of the decision taken?

**Mr Swann:** I thank the Member for making that point. As I said in a previous answer, his party colleague the Minister for the Economy is speaking with the representative bodies of major employers to ask them to be as flexible as possible, so that people can be supported through working at home or by additional or reintroduced furlough payments, in order that they do not have to use sick leave to take the fortnight of self-isolation. I encourage my ministerial colleagues, where possible, to avoid anyone being penalised. If they can be supported by them working at home for the fortnight, they should be.

**Dr Archibald:** I am glad to hear about the Executive's approach that the Minister outlined to Mr Blair. Are there any exemptions to the quarantine period, for example, for essential or key workers?

**Mr Swann:** Unfortunately, because we are looking at Spain as a country that is on the red list, the list of exemptions is minimal, if not non-existent, because of the level of prevalence of COVID-19 in that country.

We have been asked whether health workers could be exempted, but, if they were to prove to be positive on the seventh day or the tenth day or if they were to have been asymptomatic during that time, there would be a risk to the people whom they have been working with and to the patients with whom they have come into contact. There are very limited exemptions for anybody coming in from a red country, but I will get exact details for the Member, if that is helpful.

**Mr Principal Deputy Speaker:** Thank you, Minister. No other Members have indicated to me that they wish to ask a question.

I remind Members that the Assembly is scheduled to sit again tomorrow.

*Adjourned at 3.25 pm.*



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# Northern Ireland Assembly

Tuesday 28 July 2020

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

*Members observed two minutes' silence.*

## Assembly Business

### Standing Order 20(1): Suspension

**Mr Butler:** I beg to move

*That Standing Order 20(1) be suspended for 28 July 2020.*

**Mr Principal Deputy Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20(1) be suspended for 28 July 2020.*

## Ministerial Statements

### Appointment of an Expert Panel to Examine Links between Persistent Educational Underachievement and Socio-economic Background

**Mr Principal Deputy Speaker:** The Speaker has received notice from the Minister of Education that he wishes to make a statement. Before I call the Minister, I remind Members that, in the light of social distancing being observed, 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 if they wish to be called. They can also do this by rising in their place, notifying the Business Office or the Speaker's Table. I remind Members to be concise in asking their questions to the Minister and the Minister to be concise in his answers. This is not an opportunity for debate and long introductions.

**Mr Weir (The Minister of Education):** I am glad that, given your ruling, there will be Members, not in the Chamber, who will be hanging on every word of the statement.

I would like to make a statement to the Assembly on the establishment of an expert panel to examine the links between persistent educational underachievement and socio-economic background.

I have been aware of and involved in the issue of educational underachievement, particularly the demographic of free-school-meal Protestant boys, since 2012 and have been passionate about addressing this persistent problem ever since. From birth, some children will face significantly greater obstacles, which need to be met and overcome, before they are in a position to realise their full potential. Currently, some manage to overcome these barriers and others do not.

As you are no doubt aware, there is a view in wider society that although valuable work has been done in this area, politically, the can is continually kicked down the road, and the issue is never given the time, effort or resources needed to make fundamental change.

There are also some who consider that, in the past, Government did not fully grasp the urgency of the issue. I believe that that is a misconception and that that misconception is deeply damaging to all in the education sector, not least to the work of the Department and to mine as Minister. Since taking office at the start of the

year, I have been committed to getting an expert panel established and working as soon as possible. It is my considered opinion that the issue is simply too important either to ignore or to pay lip service to.

The New Decade, New Approach (NDNA) agreement includes a requirement that:

*“The Executive will establish an expert group to examine and propose an action plan to address links between persistent educational underachievement and socio-economic background, including the long-standing issues facing working-class, Protestant boys”.*

That is not just a commitment in the New Decade, New Approach agreement but a priority action area for 2019-2020, and I am aware that we are now over halfway through 2020. Although some progress has been made in the Department on the issue, the necessary reprioritisation of work and staff to deal with the public health emergency surrounding COVID-19 has affected our ability to progress it as quickly as I would have liked. I am therefore delighted to make this announcement today.

Effectively, because of the COVID-19 emergency, we have lost four months in our goal to get the expert panel established and working. Without swift action, we will lose an opportunity to complete work on the project by the end of the 2020-21 school year and an opportunity to progress the implementation of the recommendations in this Northern Ireland Assembly term.

It is my clear belief that every child in Northern Ireland, regardless of their community background, deserves a real chance in life. They deserve a chance to realise their hopes and dreams for the future, and whether that career is as a plumber, doctor, journalist, florist, or even, if they are particularly unfortunate, a politician, they should be encouraged, nurtured and developed towards it.

A child will spend approximately 13% of their waking hours at school up to the age of 18, which means that 87% of their time will be spent out of school at home. Schools are largely responsible for children’s academic learning, but, alongside the vital support of the community, children learn some of their most important lessons at home — lessons that families teach best. What they learn at home provides an essential foundation for schools to build upon. The panel will no doubt consider the support mechanisms that can be put in place to help families that are struggling with life in general and whose children’s education is suffering as a consequence.

Educational underachievement and the impact of COVID-19 have, rightly, been consistently raised with me by MLAs and the Education Committee. They have also been highlighted consistently by wider society as we emerge from the health crisis. Now, more than ever, there is an overriding impetus to get the expert panel established and to allow it to commence its work with all haste.

It is worth remembering that, in 2005-06, only 26.4% of free school meal (FSME) school-leavers achieved the benchmark of five or more GCSEs, A\* to C, including equivalents, including English and maths. By 2017-18, it was 48.6% of FSME school-leavers. That represents a 22.2% increase in 12 years. By contrast, the equivalent for non-FSME school-leavers was an increase from 58.5% to 78.1%, representing a 19.6% increase over the same period.

So, although progress has been positive, the gap in attainment between those with FSME and those without remained broadly consistent at around 33% each year, rising to around 35% in 2013-14 and falling to 29.5% in 2017-18. It is also widely accepted that Protestant boys with free school meals entitlement have consistently had one of the lowest percentage attainment levels of all pupils.

We also know that many Catholic boys and girls are struggling with attainment. In 2017-18, 1,586 pupils from that community background did not achieve five or more GCSEs, A\* to C, including equivalents, including English and maths.

I am committed to doing all that I can to improve those results for everyone. This is not an area that should divide us in any sense but, rather, one that unites us, regardless of our political affiliation or constitutional preference.

There is a general recognition that the interruption to school-based learning caused by COVID-19 could disproportionately impact on the most disadvantaged pupils. For that reason, I have instigated a number of initiatives to help alleviate the impact of COVID-19 on children’s learning. There is a supported summer scheme in July and August in all primary schools that volunteered to deliver it; support for virtual learning over the next 12 months that all year 6 pupils going into year 7 will be able to access; and a new Engage programme that will help all pupils but particularly those from socially disadvantaged backgrounds, who would most benefit from additional support, to engage with learning following the COVID-19 lockdown period. That programme will broadly focus on supporting engagement with learning through the development of knowledge, understanding and skills in literacy and numeracy, which are at the core of our curriculum. With the agreement of the Northern Ireland Executive, the total budget made available for those three initiatives for the remainder of this financial year is £12 million.

We need to go further, strive harder, work faster and build a more certain future for all our children and young people. Despite the COVID-19 pandemic, I have remained committed to establishing the review panel and enabling it to start its work. Now I have set an ambitious timetable of nine months for the work. The panel that I am announcing today will commence work in September, and I have asked it to produce a final report by the end of May 2021. Consistent with my desire to see this crucial project established as soon as is practicable, I have appointed panel members who are:

*“Considered to be experts in their field and have demonstrated an understanding of both educational underachievement and its links to socio-economic background.”*

I have also ensured that the panel is balanced in its practical experience and research. In going down the route of ministerial appointments, my intention is to ensure that we do not lose significantly more time going through a public appointment process. I have considered the potential members with a view to satisfying myself that each of them is suitably qualified in the field and that the community background of our society is clearly reflected, alongside an appropriate gender balance. I am content with the diversity and breadth of experience represented by the panel members, and I am confident they will do their

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utmost to produce a regional strategy that will turn around young lives.

Dr Noel Purdy will chair the panel. He is currently director of research and scholarship at Stranmillis University College, where he is also director of the Centre for Research in Educational Underachievement (CREU). Serving alongside Noel will be Mary Montgomery, who is the principal of Belfast Boys' Model School, which has one of the highest levels of attainment for Protestant FSM boys coming from an area of economic deprivation. She has established a culture of aspiration and success with the boys at her school. Kathleen O'Hare is the recently retired principal of Hazelwood Integrated College and was formerly principal of St Cecilia's College. She is very well aware of the concurrent issues of educational underachievement and socio-economic background. Joyce Logue is the principal of Long Tower Primary School in Londonderry, which predominantly serves a pupil population in areas of significant economic and social deprivation such as the Brandywell and the Bogside. The school, under her leadership, has established a track record in tackling underachievement particularly among children from disadvantaged backgrounds. Jackie Redpath is the chief executive of the Greater Shankill Partnership. He has significant and long-standing experience addressing the issue of educational underachievement particularly among FSM Protestant boys in a community setting. Finally, Professor Feyisa Demie, who is an honorary professor at the school of education at Durham University and head of research for school self-evaluation at Lambeth Council in London. He has worked extensively in government Departments for over 25 years in the use of data and research to raise educational achievement.

In making the appointments, I have satisfied myself that each panel member has an established and verifiable track record on the issue of educational underachievement; recognisable knowledge and understanding of the challenges that socio-economic factors present when dealing with the issue; the ability to work with others in a professional, honest and open manner; transparent methodology; and the ability to listen to and take into account a wide range of views and opinions. Further, each panel member has the capacity to think strategically and creatively and has made a significant contribution to addressing educational underachievement in a local or regional context. They are also capable of developing and maintaining cooperative working relationships to establish successful results. Furthermore, those from academia are considered experts in their field through their research into educational underachievement. They have published significantly and widely on the issue. Those from the education and community sectors have a proven track record not only of addressing educational underachievement but of doing so in the specific context of the challenging socio-economic backgrounds of their pupils.

#### 10.45 am

Given the wide range of issues that impact on educational underachievement, the expert panel will seek the views of schools, parents, children and young people, thereby giving voices to those stakeholders and highlighting the important role played by families, parents and communities. The expert panel will also invite submissions from all interested parties who have experience of the issues associated with educational underachievement

linked to socio-economic disadvantage. That will include all education sectors, government Departments, local government, the voluntary and community sector, business representative organisations, the Northern Ireland Commissioner for Children and Young People (NICCY) and the Equality Commission NI.

Educational underachievement is an area of policy that many have endeavoured over recent years to change, yet, despite numerous policy interventions and significant financial investment, it has remained stubbornly entrenched. That is due, at least in part, to its link with disadvantage, which, in turn, links to poverty, and that is a much wider societal issue than education alone. Addressing poverty should be everyone's priority. In doing so, we all stand to benefit. Whether public sector, private sector, third sector, communities, families or parents, we all have a role to play in addressing that critical issue.

This focused and time-bound review has the capacity to change thousands of children's lives for the better. We cannot and should not delay any further in expediting this incredibly important work. Put frankly, no child should suffer the burden of circumstance in determining his or her outcomes. When the expert panel's work has been completed and an action plan produced, it will include an estimate of costs for taking forward the recommendations, which will require funding. I will update Executive colleagues accordingly with the expectation that a bespoke budget will be considered and agreed by the Executive.

The panel has the potential to significantly improve the outcomes for thousands of children and young people in Northern Ireland. As the late President Ronald Reagan once said:

*"There are no easy answers, but there are simple answers. We must have the courage to do what we know is morally right."*

I hope Members will join me in supporting this important work as it unfolds.

**Mr Principal Deputy Speaker:** As this is a ministerial statement, there will be an hour for questions. Members will be allowed to ask one question only of the Minister. However, if the full hour has not been used up, I will use — I will keep him here — I will use discretion and try to allow Members to ask further questions if they wish.

**Mr Humphrey:** Thank you, Mr Principal Deputy Speaker. Like you, I come from a working-class Protestant background, so I commend the Minister for his announcement today. This issue has been a running sore in our community for some time and is one that my party has wanted to deal with effectively. I commend the Minister, having spoken to him in January on his appointment, for this process. I also welcome the panel, some of whom I know. Mary Montgomery is the principal of the Boys' Model School. She is very committed to the community in North Belfast. Kathleen was an excellent leader and principal in Hazelwood Integrated College, and Jackie Redpath is an institution in these issues. I commend those three people in particular for their work.

Minister, the work will start in September, and, if I heard you correctly, you said that it would complete in May 2021. This is obviously hugely important work, and I commend the panel and wish them well with it. We have had reports before, so can you assure the House and,

more importantly, the young people in the community that the proposals that will come from the panel will be implemented and will make a difference on the ground?

**Mr Weir:** It is important that we do not have another report that is simply left sitting on the shelf. No research goes wasted, and a number of studies have been done on educational underachievement. To be fair, previous Ministers have done a good lot of work on the matter.

One of the key advantages is that we are not starting from a blank page, not simply because of the depth of experience on the panel but because the panel, in the oral submissions and any meetings that take place, will particularly want to have a level of focus on the body of research that has been done on the subject and will want to draw from that.

The critical point in this is not simply to produce a report with nice-sounding aspirations but to produce an action plan and have practical measures. The focus will be on what needs to be done and how that can be implemented, which is why it is particularly important that, as part of that, the panel looks realistically at issues around cost. I have already indicated in my statement and have put down a marker for the future with the Executive that no change will come in a cost-free environment. While some of the changes may be things that can be done without the need for particular levels of expenditure, there will be a level of cost, so I anticipate and hope that, in line with the NDNA commitments, the Executive, once the report is produced, will give careful consideration and support to the financial support that we need to improve the situation regarding educational underachievement.

**Ms Mullan:** Minister, I welcome the fact that you and your Department have worked speedily to deliver on the commitments made in 'New Decade, New Approach' regarding tackling underachievement. I remind you of the other commitment in the document, which includes all children and young people, regardless of their background, as educational underachievement does not recognise any religious divide. Like the Member who spoke before me, I look forward to meeting the panel and wish them well in their work. I know some of them well, particularly Joyce Logue, principal of a school in my area, who is well aware of the issues facing children coming from disadvantage.

Minister, in the document, you focus on GCSE as an indicator for measuring attainment. Why, then, do the intervention programmes listed in the document seem to be targeted mostly at primary-school children and primary 7 pupils?

**Mr Weir:** I will bring further information once we have scoped out all of the details, for instance, on the principal engagement, which is the Engage programme. The Engage programme is likely to cover all ages throughout schools and have some role in all schools, whether primary, post-primary or whatever. Without prejudging any views that emerge on interventions, it is probably the case that the best interventions are done at an early stage in education and, indeed, potentially before the child even goes through the front door of a school.

On the measurements that I used, there is obviously very robust data on GCSE, and that has tended to be used as a benchmark, particularly that of five or more GCSEs at A\* to C, including English and mathematics. To that extent, I suppose, it is a shorthand to have in a concrete way a

measurement of the overall and overarching academic achievement that has been made. Also, that can be directly differentiated into free school meals and non-free school meals that can then be used as a marker, if you like, for what impact on those who have come from more socially deprived backgrounds can be put in place. The fact that, in one sense, it is the most usable statistic should not blind us to the fact there is a need for interventions across the full spectrum. That was to illustrate that, despite a lot of the good work that has gone on for many years, there is still considerable work to be done.

**Mr Principal Deputy Speaker:** I remind Members again that, if they are not on the list, they should please rise.

**Mr McCrossan:** I thank the Minister for his statement. Educational underachievement has been a huge issue here for a long number of years and one of great concern. The issue will clearly have been compounded by the huge interruption to education during COVID-19, and that will add to considerable concern for schools. There is concern, and the Southern Government and the Minister for Education there have taken action to make €370 million available to fund 1,000 teachers, 125 new additional educational psychologists, new buildings, enhanced cleaning regimes, hand-sanitising and personal protective equipment (PPE). Has the Minister considered a similar scheme for here or funding for schools here to ensure minimal disruption to schools, to ensure that we minimise the risk to our children and our staff and to ensure that schools will not have to close again if these actions are taken?

**Mr Principal Deputy Speaker:** Order. I think that that is tangential to the statement that the Minister gave, and, in saying "tangential" I am being quite kind. If the Minister wishes to respond to that —.

**Mr Weir:** I am just glad that the Member did not work West Tyrone into the question.

I am very aware of that, and that is why there have been some initial degrees or steps in terms of catch-up that I referred to in the statement, just to bring it back to that. That is why there has been, for instance, principal support for the Engage programme, which is particularly focused on learning recovery. That is why, as part of this Budget, which predated COVID, there has been additional support for mental health, for instance, that will go into schools.

The Member makes a valid point. The news that the devolved institutions will receive additional money is welcome, and I am sure that the Member will agree with me that that is an added bonus of being part of the United Kingdom. An additional £600 million has been allocated. Obviously, as part of that, there is a process that is ongoing, and, within that, the Finance Minister has started to seek Departments' views on where, they believe, there are additional pressures as a result of COVID. Undoubtedly, the restart of education will be one of those, and we will supply the Department of Finance with estimated figures. In that sense, our approach may be slightly different from that of the Republic of Ireland. However, it is undoubtedly the case, as with the Republic's announcement, that, if additional money is to be put in, it needs to be supplied centrally by the Executive. Certainly, if there is anything in the ballpark of what has happened in other jurisdictions, that will need to be done. I am committed to arguing that case, albeit that there will be

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many competing demands, I suspect, on whatever budgets are available to the Executive.

**Mr Butler:** I thank the Minister for the statement. I think that he referred to the fact that this has been an issue for many years, but young people today are at a disadvantage that we were not faced with. Like the Member for North Belfast, I am from a socially disadvantaged background. I did not get my GCSEs and did not do well in the transfer test, but I was able to succeed. However, children today do not have that opportunity, because it is more competitive to get jobs in the Fire and Rescue Service or the Prison Service, where I spent time. That puts extra emphasis on this welcome piece of work. However, for a really transformative project, it is important that we recognise the correlation between social deprivation and mental health and well-being. Can the Minister tell us of any import that he has given or will give to the panel with regard to looking at that issue and that correlation?

**Mr Weir:** Broadly speaking, I think, terms of reference will be issued to the panel. There are no artificial boundaries. Obviously, this will feed into the wider review of education. There are certain aspects that will be more applicable to that side of it. It is a panel made up of considerable expertise, particularly of direct involvement with young people. It will be able to use those experiences. Let me put it this way: it is undoubtedly the case that there is a growing awareness of the impact of mental health issues on our young people and has been for a number of years. While at times that reveals a very difficult picture, it is an important picture to reveal. This week, for instance, I had the opportunity to meet via Zoom representatives of the Youth Forum, and it was noticeable that the issues that they raised, particularly during lockdown, while concern over how their education was impacted directly was important, were around boredom, stress, mental anxiety and the damage that was done by lockdown to social interaction with other young people. All of those issues are inextricably linked, and the panel will want to consider that seriously as it moves forward with whatever recommendations it ultimately issues.

11.00 am

**Mr Lyttle:** In my capacity as an MLA, I say that it is slightly disappointing that the matter has not been brought to the Education Committee, which established an inquiry into educational underachievement and post-primary transfer in 2016 that, regrettably, was stopped by the collapse of the Executive in 2017. I recognise that this is an important New Decade, New Approach commitment, but the fundamental independent review of education is also an important New Decade, New Approach commitment. Why has the Minister not yet brought forward terms of reference for an independent review of education, and why do 50 children remain without a special school place for September 2020?

**Mr Weir:** It is perhaps a little disappointing that the Chair of the Education Committee has chosen to ask a question as an MLA and not in his capacity as Chair of the Committee. I would have thought that on such an important subject that that would be the case. I am more than happy to follow up on the details if there is a meeting of the Education Committee, but the first duty when making a policy statement is to make it directly to the Assembly and then to follow up the normal processes in connection with that.

With regard to the important issue of special educational needs (SEN) children, considerable work has gone on. I appreciate that it is outside the direct remit of the statement, so I speak with the indulgence of the Chair. We have moved from a situation in which there were nearly 300 unplaced children. That has now been got down to 50, but we must ensure that that is brought down to zero in terms of placements. There has been ongoing work, and, even in the last week, the number has nearly halved. I think that there will be further progress by the end of this week, and that is important.

This is part of the overall jigsaw of actions that can be taken. I hope to move fairly swiftly in September on the independent wider review. We are coming out of a focus purely on COVID into wider issues, be it in this Department or others. That has clearly delayed things. This is the first of many pieces of the jigsaw that will be put in place, and, because it was established on the basis of NDNA as an expert panel, that allowed a particular route of direct appointments that would not necessarily be available to the wider educational group on it. I take all these things seriously, and we are trying to move ahead with them in as constructive and timely a manner as is possible.

**Mr Principal Deputy Speaker:** Members, this is not Question Time to the Minister of Education. The Minister has made a ministerial statement, and the questions must relate to that statement. There are probably another 15 Members who want to ask questions, and it is a very limited time, so it is not fair that the Minister should be using his time to answer questions that do not relate directly to the statement that he has given to the House.

**Mr Harvey:** Given the COVID situation, what current support is available to pupils from socially disadvantaged backgrounds, particularly to enable educational catch-up?

**Mr Weir:** As I mentioned in relation to that, there is a range of ongoing support, some of which has been there for many years. For example, schools that have levels of social deprivation will get additional funding through extended schools. That remains in place, and there is flexibility in that spend, for example if they want to go beyond the support provided and provide additional support to their pupils for catch-up.

As I indicated, we have moved with some interventions this summer, and, consequently, 50 schools, on a voluntary basis, are doing summer learning schemes, to which we have been able to provide some funding. We felt that it was important that, where schemes were volunteering to do that, they were given support. That is one intervention. Principally, the Engage programme, which is due to start this autumn and run throughout the next academic year, will give support and will have a particular focus on areas with social deprivation, but there will be help across the board to schools so that their pupils can catch up.

**Ms C Kelly:** Minister, whatever one's religion or none, the reality is that children are being let down by an education system designed to brand them as failures at the age of 10 or 11. What assurances can you give us that all P6 and P7 children's education will be supported in September, not just those sitting a transfer test?

**Mr Weir:** That question perhaps veers a little beyond the subject matter. All children will be supported, and the curriculum will be the same for all of them. The Council for the Curriculum, Examinations and Assessment (CCEA)

will look to see whether adjustments to the curriculum are required. In any class in any school, whether or not individuals are doing the transfer test or are in P7, they will all receive that support. The principal intervention is through the Department of Education, which is being supported by the Executive, with the Engage programme. There will be flexibility in that to provide such support, which will be applied to primary and post-primary schools, so that they can work out where, they feel, it can be best used, whether for materials, finance or additional human resource, because I think that additional teachers will be required. That support will be available across the age spectrum and will apply throughout all communities. It will enable schools to have the flexibility to apply those resources where they see the biggest problems.

Remote learning and the level of disruption mean that it has not been as good as it would have been, had schools simply been able to carry on. None of us can say with absolute certainty what the impact has been on pupils; we will establish that only when we see a fuller return to schools in the autumn. However, it is important that that provision and support be given to all pupils. It is targeted through the Engage programme, and that support will be there for all schools.

**Mr Middleton:** I thank the Minister for his statement, which I welcome. It is very important, and people have been pushing for it for a long time.

The Minister indicated that the aim was for the report to be completed by May 2021. Is it the intention to implement any relevant recommendations by September 2021? Is the Minister confident that funding can be secured to implement those changes?

**Mr Weir:** The panel will produce an action plan and areas for implementation that will need to be supported by the Executive. Without in any way prejudging what is likely to emerge from the panel, I anticipate that the recommendations will cover a range of areas. I suspect that some actions could be brought about very quickly and others will be longer-term. Some changes may require funding, some may simply be done at an administrative level, and some recommendations may require legislative change. It will be a mixed bag. Implementation will ultimately depend on the support that the Executive as a whole can produce. Even with recommendations in May 2021, it is unlikely that we would see many of them in place by September 2021. However, it will give a clear direction of travel to this Executive and, indeed, to future Executives, which hopefully should honour the recommendations. It will at least allow implementation work to begin in this Assembly term, with further action in the following term.

**Mr O'Dowd:** I think that the Minister would be awarded an A\* for creative writing for his speech, but I suspect his scores may fall for maths, percentages and facts. I have a serious concern. The urban myth that Protestant working-class boys do worse in education than their Catholic working-class equivalents is in danger of being embellished by the statement. The reality is this: a greater number of Catholic working-class boys leave school without proper qualifications. Yes, a greater percentage of Protestant working-class boys leave school without proper qualifications, but, if the statement results in the wrong direction of support, we are in trouble.

Will the Minister, as has been the case in every other report on educational underachievement, allow the panel to examine the implications of academic selection for educational underachievement?

**Mr Weir:** It is good to see that the Member still rides the same hobby horse throughout. I am reminded of the words of Churchill that, after all the devastation of the First World War:

*“the dreary steeples of Fermanagh and Tyrone”*

emerged once again. He meant that nothing in this part of the world had changed. To be fair, it would not be an education statement without the Member asking something about academic selection.

The Member makes a right point. He reinforces what is in the statement. In his own words, he indicates that a higher percentage of working-class Protestant boys leave without qualifications than do boys on the other side of the community, but this should not be something on which we take a tit-for-tat attitude. Educational underachievement, as indicated in the statement, affects all of us. The issue of Protestant FSME boys is directly referenced in NDNA, and we will have to fulfil that. Actions will need to be looked at for the educational underachievement panel and for the wider review of education. Issues of transfer probably more neatly fit into that wider review.

Let us be honest about this. The obsession with transfer as the critical point for underachievement massively misses the point. It creates a distraction and focuses, largely speaking, on the wrong issue. Whereas we need that effort and support for all our children at all ages, if we have not made the right interventions at primary level or even before, we have largely missed the boat. That is why the focus needs to be on ensuring that we have all the measures that can be put in place to help tackle underachievement for all pupils, irrespective of their community background.

**Mr McNulty:** I thank the Minister for his statement. I agree with him that we need to tackle educational underachievement in young people, no matter what their background. I welcome the appointment of an expert panel.

Does the Minister agree that the impact of COVID-19 in education will hit hardest the young people from disadvantaged backgrounds? You mentioned catch-up in relation to those young people. What specific measures will be adopted? What resources will be apportioned to ensure that no children or young people are left too far behind as an outcome of the pandemic?

**Mr Weir:** There are two aspects to this. There is an ambitious time frame, and the panel will report in May 2021. It will look at the medium- and long-term actions that can be taken. However, the Member is right in certain regards: we cannot wait until May 2021 before we make interventions. That is why we will come back when all the meat has been put on the bones of the Engage programme. The principal intervention, in terms of catch-up in the 2020-21 period, will be the Engage programme. That will enable some intervention throughout all schools, but there will be particular support and emphasis on schools that serve areas where, the indicators suggest, there are higher than average levels of social deprivation. That will be the greatest level of intervention.



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It is undoubtedly the case, it seems to me, that there will have been some disruption and impact. We will not know the absolute scale of that until we see children back in classrooms and in front of desks. That will allow an assessment to take place. It also seems logical that it is more likely to make a disproportionate impact on those who come from socially deprived backgrounds. That is why there will be greater emphasis in the Engage programme on those coming from socially deprived areas. There will be the greatest support for schools that look after pupils from those backgrounds.

**Mrs Barton:** Minister, I welcome your statement on the formation of the panel. Representing the west of Northern Ireland, I note that, on your panel, there is a distinct lack of expertise from the west of the Province. Often, children in rural areas also have issues of underachievement.

Many of the issues in relation to underachievement in rural areas are very different from those in urban areas. Will the Minister consider making an additional appointment to his panel, perhaps someone from a rural area or someone who was previously a principal of a rural school?

11.15 am

**Mr Weir:** I thank the Member for her question and comments. People are drawn to this on the basis of their individual background and expertise. As such, I want to ensure that we have a panel that is of an appropriate size, and I think that the six-member panel is appropriate. The panel members have wide experience from throughout Northern Ireland. Take, for instance, the chair, who is the director of the Centre for Research in Educational Underachievement, which will have involved working with pupils throughout Northern Ireland. If we are looking for something that covers all aspects, I think that we have a reasonable spread.

It is also the case that, from the point of the view of the west of the Province — I do not have the detailed biography of all six members — one is the principal of a primary school in Londonderry, which is very much in the west of the Province. I appreciate that it is not quite as far as the extreme ends of Fermanagh. Additionally, one of the other members was involved for many years with St Cecilia's College, which is also in the west of the Province and will be familiar to a number of Members here. There is, I think, a direct level of balance. Can we do something that covers every conceivable aspect? Ultimately, we would end up with a very large panel. The panel will be cognisant of urban and rural issues of underachievement, which is why it will also use this as an exercise to gather evidence from a wide range of sources.

I am sure that the Member may well want to make a submission that is based on her experience. She has many years of educational experience, particularly in rural backgrounds. I am sure that any contribution that she made would be invaluable. I do not know whether, if she were to resign as an MLA, we could arrange something. I suggest that we could do a deal: if she were to take a place on the panel for educational underachievement, we could appoint Lord Morrow in her place. We could probably come to some form of arrangement.

**Mr G Kelly:** I thank the Minister for his statement. Given that is clear from what the Minister and others say that young people from disadvantaged backgrounds are

underachieving, does he agree that an approach based on objective need is required? He touched on this in an earlier answer.

**Mr Weir:** I agree that that is what we need to do. The terms of reference and, indeed, the NDNA talk about particular links between a socio-economic background of poverty and educational underachievement. There is an inextricable linkage. The panel, in addressing some of the issues, will be able to take things only so far. If we are to tackle the broader issues of social deprivation and poverty in communities, it will require a much wider response. Clearly, there are implications for the Department of Education, but it is wider challenge to the Executive as a whole, and we need to ensure that that is tackled. I do not disagree with the Member's remarks.

**Ms Armstrong:** Thank you, Minister. I am delighted to see the appointment of the panel, which was an important part of the New Decade, New Approach negotiation. The Minister mentioned the money that he will bid for to support its report. Why did he prioritise this panel as opposed to the panel for the independent review of education? Will he bid for money to support a report by that panel as well?

**Mr Weir:** We need to ensure that we do not conflate two or three different issues. There is the separate overall bid, which, in terms of the COVID situation, will be for the broader element of restarting schools. Mr McCrossan raised that in an earlier question. I indicated that financial implications will arise from the panel. We are talking about seeking commitments. Probably, it will be the middle of next year before those arise. We will not know what bids will need to be made for the actions that arise from this. With regard to the bid for the panel itself and, similarly, for the independent review panel, money was allocated in the budget in-year to finance both those panels, albeit that there was a realisation that, because of COVID, the time frame for the establishment of those panels was likely to be a little bit later. Consequently, that had a knock-on effect. As I indicated, I hope to move early in the autumn on the wider independent review panel.

I suppose that you were asking what the differences are. One difference is that the panel is referred to as an "expert group" in NDNA. That enabled us, by a particular route, which was then supported by DOF through Central Procurement Directorate, to move quicker to make direct appointments. The independent review panel is not referenced in that way. Therefore, its appointment process will probably be different and will take a little bit longer. That is why the panel was able to be established at a quicker pace. Both will be established very soon. I would hope to be able to come back to the Chamber, probably in September, to make an announcement on the route for establishment of the independent review panel. Both panels are important.

To be fair, both panels would have been progressed at an earlier stage had it not been for the fact that all of us have had to direct all our attention, and, indeed, largely focused all the internal resources of Departments, to COVID. We are starting to emerge out of that and are able now to consider a range of other critical issues. Clearly, COVID, rightly, had our focus at the very start. It cannot simply cripple everything into the future. That is why we have to move on those issues.

**Mr McHugh:** Go raibh maith agat, a Phríomh-Leas-Cheann Comhairle, agus gabhaim buíochas leis an Aire fosta. I thank [*Inaudible*] and to the Minister as well for his statement. Like others —.

**Mr Principal Deputy Speaker:** Mr McHugh, I am sorry to interrupt you. Can you move closer to the microphone so that Hansard can pick up your comments? Thank you.

**Mr McHugh:** Fadhb ar bith. Like others, I come from a social-security class, Catholic background in west Tyrone. We never realised that we had nothing until, as someone said before, we had something. Many of the people who lived in my community were of the same background. Whilst we would have rung all the bells with regard to socio-economic deprivation, our spirit did not match that in the slightest. Having attended grammar school in Omagh, I then, in later years, had the opportunity to deal with people who had gone through the education system and were branded as failures in every respect. I am only too well aware of many of the difficulties and problems that they faced. In later years, I also dealt with adult numeracy and literacy. Whilst the Minister has described it as a “hobby horse”, I know from all the feedback that I got as a member of the Western Education and Library Board —.

**Mr Principal Deputy Speaker:** Mr McHugh, I try to be indulgent with Members, but we are getting into speech territory here.

**Mr McHugh:** I will be as quick as possible.

**Mr Principal Deputy Speaker:** Just get to the question.

**Mr McHugh:** Even Protestant schools would tell me that, rather than being a hobby horse, the transfer test was the elephant in the room. I would hope that when the report comes back, the Minister says to himself that the answer is easy: it is about having the courage to actually grasp that easy answer. In fact, if it happens to reflect, too, that the transfer test has contributed, in many respects, to disadvantage for many of those people —.

**Mr Principal Deputy Speaker:** OK. Sorry —.

**Mr McHugh:** There has been a disadvantage of spirit as a result of the transfer test.

**Mr Principal Deputy Speaker:** I am sorry. The Member will have to resume his seat.

**Mr Weir:** I was not quite sure whether you were going to ask Mr McHugh to move away from the microphone because you could still hear him. [*Laughter.*] I take on board the Member’s point. I should say that, when I talk about a hobby horse, it is a point on which I clash with the Member for Upper Bann. Quite often, we have exchanged opinions on the broader issue of post-primary transfer. I certainly take on board what the Member has said.

His own experience, as he has indicated, shows part of the complexity of the problem, which is that people can come from more or less exactly the same background, be born in the same street and go to the same school, but, sometimes, react differently to the system. Some may overcome difficulties, but others be held back by them. It is about trying to reach those people. I am making the general point that, clearly, the wider issue of post-primary transfer will be, principally, for the wider independent review.

One concern of mine is that I and others have, at times, been interviewed after a particular report has come out about issues such as deprivation and education, and there is a tendency for the media to have a nice, half-hour debate and get a few phone-ins on the issue of transfer because they know that there are very strong opinions in the community. My concern in relation to that is that, in many ways, it misses an opportunity. Any education expert will tell you that the principal intervention, the critical intervention, that will change young people’s lives has to be early intervention. It is a fact that we are seeing many children who, when they first walk through the primary-school gates, are already behind many of their peers. It is about how we tackle that, particularly by having early intervention.

To take an example that, despite our differences, I and the former Minister would agree on, we have seen the success of the nurture programme, which is targeted at young children in primary schools. My point in relation to that, without prejudging the outcome of any panel, is that the best interventions are those that are made at the earliest stages in children’s education. That is why I am conscious that we should not get sidetracked. It would be very easy, across the Chamber or in a TV studio, to have a lengthy debate on the issue of post-primary transfer. To some extent that would also have the negative impact that some of the most critical issues tend to get ignored.

**Mrs D Kelly:** I commend the Minister on his choice of the expert panel, but it strikes me that he already knows a lot of the answers and findings that it is going to publish. He, quite rightly and more than once, pointed out the link between underachievement and poverty and socio-economic background. Therefore, as regards the terms of reference for the expert panel, the cooperation and collaboration of other Departments — this will run across Health and Justice because of young offenders and looked-after children in particular — and the boarder links with the anti-poverty strategy, what comfort can he give the House about flexibility and cooperation across ministerial portfolios?

**Mr Weir:** Certainly, we can make the terms of reference available to Members. Broadly speaking, I think that there will be buy-in across Departments on this. Probably the principal role will be for the evidence that is submitted, and there is certainly no bar on that. The panel, to some extent, will have free reign to decide who it wants to hear from. I suspect everybody will submit evidence, but the panel will choose who it invites to its hearings. It is not really my role to interfere with that. I think that, across the board, there is a realisation that a level of cross-cutting is required to make an impact on educational achievement in the same way as education, itself, drives a range of other issues. What happens in education will have an impact on the justice system and health further down the line, and Education has a very strong relationship with the Economy Department. There are linkages, and I think that they have been recognised throughout the system. One area that I presume we will look at, as part of this, is where we might have a more joined-up approach between Departments.

**Mr Beggs:** I, too, welcome the Minister’s statement and the appointment of the expert panel, because the importance of education in creating opportunities has to be recognised. Minister, in answer to a question that I asked in February, you highlighted absenteeism as a major

contributory factor to education issues, in particular, in Ballyloran ward, where 43% of post-primary school pupils had less than 85% attendance. In Antiville, that figure was 25%, and, in Craigy Hill, it was 27%. Can you assure me that the panel will have full access to all your departmental officials and the support and cooperation of other relevant Departments so that we can get to the bottom of the wide range of issues that contribute to educational under-attainment — weak community infrastructure and the need for long-term community support; limited numbers of educational welfare officers and their limited powers; and limited early years provision — and thereby address educational underachievement in communities?

**11.30 am**

**Mr Weir:** I thank the Member for his question. The Member raises a very useful wider point, which is one of the reasons why, for balance, those from a community background are included. It is not simply about what happens in the classroom and at home. It is about creating a wider culture of a desire for education and support for education. That is critical.

The panel will have complete access to anything within Education. Within my remit, there will be no closed doors, and, indeed, there will be support from the secretariat side, which will not require a large amount of people. I think that three members of departmental staff will be working directly on it to provide any administrative backup. If there are any questions that they want to ask, they will be free to look in any door in the Department. I cannot give the assurance for any government agencies beyond the Department of Education, but I cannot see any reason why there would be any obfuscation or blocking from any other government body, Department or agency to the work of the panel.

**Miss Woods:** I thank the Minister for his statement and for his engagement with the youth representatives from the Northern Ireland Youth Forum yesterday. The Minister will know that without enough food or the right food, children's educational underachievement will continue. Hunger and malnutrition affect a child's ability to concentrate, to take in and retain new information and make progress in their learning, and we know that that is happening across Northern Ireland. Will the terms of reference and scope of the panel include food insecurity, food poverty and the impact of austerity, as well as the continuation and expansion of free school meal payments to ensure that children have at least one good meal per day?

**Mr Weir:** A wider piece will need to be done on that. From memory, I do not think that there is a direct reference to food in the terms of reference, but the wider context around socio-economic status and poverty is well made. The panel is completely free to make its own recommendations. As the Member will know, there has been support from the Executive for the continuation of payments over the summer. The Education Authority's Youth Service Eat Well, Live Well programme is critical and has directly supported some of the most vulnerable children.

Obviously, free school meals will continue. A wider issue has to be looked at on a cross-departmental basis. We provided a quick, one-off fix, if you like, for summer 2020. The lead Department, which is the Department for Communities, has the principal responsibility for vulnerable families. One of the areas that will need to be looked at on a cross-departmental basis is what level of

support we can give, particularly to families, as we move ahead to summer 2021 and beyond. We produced short-term fixes for COVID. We need to look now at longer-term fixes. Although my Department does not have principal responsibility for that, we will be very happy to cooperate and work with the relevant Department on that.

**Mr Carroll:** I thank the Minister for his statement. The truth is that working-class pupils have been failed for far too long: Protestants, Catholics and neither. What correlation does the Minister believe exists between poverty, deprivation and educational underachievement? What measures does he support to tackle that? How does the Minister believe that those underachievers will be safe when returning to school if he does not believe that they should be wearing a mask in school in the middle of a health pandemic?

**Mr Weir:** I commend the Member. At least, he did not suggest the elimination of the Kulak class as one of the potential solutions to underachievement. There is undoubtedly a link between socio-economic issues, which is highlighted front and centre in the terms of reference and in NDNA. That is one of the areas that will be tackled.

On the specifics of what the exact arrangements for the return to school will be, none of this is particularly new. In any guidance that was issued, particularly around health issues, the position of the Chief Medical Officer, the Department of Health and the Public Health Agency was taken into account. That was directly reflected. Indeed, the advice on what children need to do and do not need to do and what preparations they need to make follow absolutely consistently the position of the Public Health Agency and, indeed, are supported by the Public Health Agency.

I am not a doctor, and I suspect that the honourable Member is not one either, so I would I tend to bow —.

**Mr Carroll:** *[Inaudible]* why not in school?

**Mr Weir:** What? Sorry?

**Mr Carroll:** If people have to wear masks on a bus, why not in schools?

**Mr Principal Deputy Speaker:** Order.

**Mr Weir:** Well, with the greatest —.

**Mr Principal Deputy Speaker:** Order. The Minister should resume his seat.

**Mr Weir:** Sorry.

**Mr Principal Deputy Speaker:** All Members will be treated equally and are allowed to ask one question. They are not permitted to ask further questions from a sedentary position. Some time remains. If Members have other questions, we may get to them.

**Mr Weir:** I appreciate that it goes a bit beyond the statement, but, from a sedentary position, the Member raised the difference between a classroom and a bus. It is noticeable, for example, that, in the arrangements for public transport that have been put in place by the Executive, in line with, again, the health considerations, anybody under the age of 13 is exempt from wearing a mask. It is also the case that school transport is not included in the requirement to wear a mask. Neither I nor the Member have a direct public health background, particularly not to the same expertise of the Public Health

Agency. The guidance is, in part, driven by the fact the vulnerability of children, particularly younger children, is much lower than adults. There is also an expectation that it is not realistic to expect young children, particularly primary-school children, to sit with a mask on all day. That it is not particularly controllable. Any advice that we have given has been entirely compatible with the advice of the Public Health Agency, and we have worked alongside it. If the Public Health Agency of the Department of Health said, "There is emerging evidence, and we insist that a particular measure is taken", there would be no problem from our point of view in taking that measure. What we cannot do is to go off and make judgements on health issues through solo runs. We will be guided by the science and the medicine. That is why there is a distinction in that.

As I said, we have worked closely with the Public Health Agency to develop and put out the guidance that has been issued to date. The safety of our pupils and staff is paramount.

**Mr Principal Deputy Speaker:** We have roughly 11 and a half minutes remaining of the hour. If Members would like to ask further questions, they should please rise in their place. OK. I think that I have most of those.

**Mr Lyttle:** The Minister's statement refers to "greater obstacles" and barriers that some children must overcome to achieve their potential. I daresay that not having a school place four weeks prior to the start of term is a fairly significant obstacle and barrier. Will the Minister tell us how the expert panel will look particularly into the systemic failings for pupils with special educational needs?

**Mr Weir:** This is about taking a wider strategic view rather than simply reacting to the issues of the day. It is important that a report has been done in the Education Authority on the systemic failures. Some of the implementation of the measures in that report was, in many ways, delayed by COVID, but it is being acted on. Indeed, the Member will know, because it has been said, that there will be an oversight committee in which the permanent secretary of the Department will work directly with the Education Authority.

While the operational responsibility for placements lies with the Education Authority, we have been working with it. From a starting position of roughly a month ago, when there were nearly 300 unplaced children, those numbers have been brought down to 50. That is 50 too many, but we continue to work on that, and I hope that those figures will be better and, indeed, will have further improved by the end of this week.

**Ms Mullan:** Minister, given that only half the number of young people on free school meals went to university compared to those who are not entitled to free school meals, will you commit to prioritising that issue in the ongoing review of the 14- to 19-year-old strategy, in partnership with the Minister for the Economy?

**Mr Weir:** Certainly, I think that we need to see where social deprivation is impacting on university places. There is a need to ensure that we have a 14- to 19-year-old strategy that is fit for purpose. With university places and the commitments that the Executive will be looking at about restarting the economy after COVID, one of the things that should worry us all is not just the general employment situation but, particularly, the impact on youth unemployment and, indeed, the job opportunities that are likely to be there for young people in the very

near future. Consequently, that will be a driver in what support is given to universities and apprenticeships, and that has to be born in mind. We should not kid ourselves that this problem is unique to Northern Ireland. We can see distinctions in different jurisdictions. A key focus of the panel is to try to tackle that underachievement and improve things.

**Mr McNulty:** When will principals, teachers, classroom assistants, school staff, parents and pupils get clear guidance on the numbers that can attend school and the specifics of the restart programme?

**Mr Weir:** Clear guidance has already been given, and irrespective of how things move on from here, the vast bulk of that guidance will remain relevant in any circumstance. Arrangements for meals, hygiene and movement around schools will all apply. I have referred to the trajectory of travel. It is undoubtedly the case that we are on a trajectory to achieve a position in which we can have a full resumption, five days a week. That will be subject to the views of the Executive and will require their approval, and I hope to move on that fairly soon. It is important that we get movement on that before the resumption of the school term.

**Mr Beggs:** My grandfather was orphaned, aged nine, due to a flu pandemic. His kids grew up in poverty. At 15, he began work in the local bleach green, and he worked there until he was 70. He valued education. Minister, in appointing the panel, do you recognise the importance of education to address poverty, create opportunities for our people and improve our economy?

**Mr Weir:** Very much so. Education can be a great life changer and life enabler. It is the case that we need education structures that enable the progression for those opportunities to be realised. The Member referred to his grandfather. My grandparents' generation, and even my parents' generation, despite their background, their ability and their intelligence, did not have the same opportunities as my generation. The Member and I are of a similar vintage, and the opportunities that were available for our generation were greater than those offered to preceding generations. Opportunities that are available now are probably greater than they were for our generation.

We have to make sure that that constant opportunity for improvement is there. Education can be a great life changer. There are many things that can intervene in people's lives but education is the one thing that can make a big difference to and change the direction of somebody's life. I am very cognisant of that.

**Mr Humphrey:** Thank you, Principal Deputy Speaker, for the opportunity to ask a further question. I am disappointed by some of the questioning from some of the parties. It indicates to me that there is either no understanding, a lack of understanding or they simply do not take the issue as being important. The issue is hugely important to the wider working-class and hard-to-reach communities, and we should remember that. As the Minister set out, educational attainment is a key issue that is hugely important for our young people.

Given that not every child wants to or has the ability to continue on to third-level education and university, we need to consider effective training that leads to meaningful employment. Will this piece of work lead to a joined-up strategy with the Department for the Economy and the local centres for training and employment to ensure that

those young people get meaningful and long-lasting employment?

**Mr Weir:** I thank the Member for his comments and the remarks that he made. I cannot pre-judge the panel's recommendations. There has to be a cognisance that this has to be looked at in a wider spectrum than simply the statistics of academic achievement.

The Member makes a good point on the opportunities that are there, both in and outside universities. That is why it is critical — I think that I referred to it in an earlier point — that, as we see a recovery of the economy, there is a level of focus on the practical support being given to young people, particularly, for example, around issues around apprenticeships. There has got to be an investment in our young people. If we are being slightly cynical with regard to what I mentioned around career pathways, often the best and most lucrative career pathways do not have a university or academic-based view. To some extent, there has got to be a level of cultural shift with regard to that.

With regard to trying to scope things, because it probably crosses the two Departments' positions, I will be very keen and will work with my colleague at Economy. That is particularly as we focus on 14 to 19 and as we focus in on issues such as digital skills and how we can ensure that young people, with regard to the careers advice they receive and their readiness for work, are taken into account, particularly in the preparation that they do through their schooling.

**11.45 am**

**Mr Butler:** Minister, you mentioned the work with the Children's Commissioner in the report, but there is no doubt that it will work only if we have the buy-in from parents and support at home that has been referenced here. There are good organisations, like Parenting NI, that are involved. Have you any thoughts on who would provide the voice of parents for this?

**Mr Weir:** There has been good work done, and I have tried to make things available. I did, for instance, a Zoom call as Parentkind NI had organised some representatives to speak to me, so I think that there will be a level of openness. There are established parent groups that need, probably, to have a level of direct input. However, what can be the best submission will not necessarily come from an organisation but could come from an individual. With regard to the approach that would be made, I would hope that the panel would be open to looking at any evidence that they receive from whatever source. However, it is critical that, as I mentioned, I think, in the statement, while a child is in school, on average, 13% of the time, the rest of the time is outside the school and most of that is in the home. Therefore, we are trying to get holistic solutions that involve the direct school education, home and the support of the wider community. It is critical that we get a symbiosis between those.

**Ms Armstrong:** It is timely that I come in at this time, Mr Principal Deputy Speaker. The Minister has mentioned that time out of school can be difficult, so can the Minister confirm if it was him or his office that sent an email to a teacher that confirmed that you plan to restart school full-time from September?

**Mr Weir:** What has been said is that I believe that we are on a trajectory to do that. I responded that my hope would

be that there could be proposals put to the Executive that would enable that to happen. That would still be my aim with regard to that. In response to, I think, Mr McNulty's question, I indicated that this will be about some of the conditions that will apply. Also, where there is a cross-cutting issue, as there will be on the issue of school transport, I will speak to ministerial colleagues and will bring forward, potentially, proposals with regard to all of those aspects. That will be done in a manner that will be able to be actioned before the start of the new term. That is certainly my aim.

One of the levels of hesitancy that was there for all of us was in not knowing close to the term what the prevailing conditions would be, for instance, with regard to community transmission. I think that we have seen, because of the measures that have been taken across all Departments, that Northern Ireland, while we can never be complacent, is in a very good place. We have now gone quite a number of days without deaths from COVID-19. That enables us to move forward, but, in doing so, I will speak to the Executive as a whole and get their approval but will also speak to individual Ministers and seek that direct medical advice to enable that to happen. The full-time return of education has to be the aim for all of us, because that is in the best interests of everyone.

**Mr Principal Deputy Speaker:** Mr O'Dowd, that was a valiant effort at one hour and 25 seconds in *[Laughter.]* That concludes questions on the statement. I apologise to Miss Woods and Mr Carroll, but, unfortunately, this is not a meeting of the Ad Hoc Committee and it is set in stone that it is one hour and that is your lot.

If Members could take their ease for a few moments for a change at the top Table, the next item will be a statement from the Minister of Health. Thank you.

*(The Temporary Speaker [Mr G Kelly] in the Chair)*

## COVID-19 and Service Rebuilding

**Mr Swann (The Minister of Health):** I wish to give Members an update on recent local developments in relation to COVID-19 and the rebuilding of services.

Members will be aware that, yesterday, for the fourteenth consecutive day, Northern Ireland recorded no COVID-related deaths by the Department of Health measure. Whilst that is hugely reassuring, we must never forget that the virus is still here and still presents a serious threat to public safety. As always, we must keep the families who have lost loved ones to the virus at the forefront of our thoughts.

I thank the people of Northern Ireland for continuing to adhere to social-distancing measures and current regulations. However, nobody can be complacent. We must continue to do our bit in helping to reduce the spread of COVID-19 by keeping our distance, washing our hands and not touching our faces. I once again emphasise this to all those listening: if you develop any of the symptoms, please do not leave your home and, instead, go to the Public Health Agency (PHA) website or ring 119 to book a free test.

I know that a lot of Members and their constituents were taken by surprise at the weekend by the reintroduction of the 14-day quarantine period for people arriving from Spain. That decision was not taken lightly, and I fully understand that the announcement will have caused concern, particularly to those currently holidaying in Spain. As I have said previously, the international quarantine regulations and the countries that they cover are kept under continual review and are liable to change. As Members can appreciate, there is no ideal time to make such a decision. A phased introduction would not have made sense, and public health considerations must take priority. The decision was taken after consideration of the latest data. COVID-19 cases in Spain had increased in recent weeks, a trend that accelerated rapidly in the latter half of the past week.

I appreciate that people returning from Spain and its islands will now face an unexpected period of quarantining. The Executive and I met yesterday to consider what support or advice measures for employees, employers and the self-employed and other actions may be needed. The advice from the Chief Medical Officer and Chief Scientific Adviser is that a negative COVID-19 test immediately on return from Spain would not exclude infection, so a period of self-isolation would still be required. I reiterate that Saturday night's decision was not taken lightly. Experience has shown how COVID-19 can be spread by international travel, and the quarantining arrangements have been introduced to help keep people safe.

Testing in care homes has been an issue that we have dealt with and worked through. The Department has continued to actively monitor and assess the current and emerging science and evidence related to COVID-19 to further inform our approach to testing in care homes. As a COVID-19 test will confirm whether someone has COVID-19 only at the time the test takes place, the introduction of a regular programme of testing in care homes is necessary and will play a significant role in helping to minimise the risk of COVID-19 in care homes

and ensure the continued safety of residents and staff. I am pleased to be able to announce a planned programme of regular COVID-19 testing for all residents and staff in "green homes", which do not have a confirmed outbreak of COVID-19. It will commence on Monday 3 August. It will involve the testing of all staff on a fortnightly basis and all residents on a monthly basis. The position on the frequency of testing for both staff and residents will continue to be kept under close review and will need to remain flexible, depending on emerging evidence and on the community transmission rates of the virus in Northern Ireland in the coming months.

The establishment of an effective contact tracing service has been a key priority for me over recent months as part of the wider Test, Trace, Protect strategy that you will all now be familiar with. We have in place an excellent cohort of professional contact tracers with a wide range of experience, including health professionals and staff from an environmental health background. Contact tracing will also help us to understand the transmission of COVID-19 in Northern Ireland and to reduce transmission in tandem with all our other measures. There is a strong international consensus that the work is a critical measure for bringing down the value of R and thereby preventing or minimising further waves whilst allowing restrictions to be lifted.

The recent cluster in the Limavady area was an early test for the service, and I have been reassured by how quickly the service was able to respond by making contact with all those concerned and offering appropriate advice. The workforce planning model is based on the ability to flex staff numbers up and down to deal with emergency situations as they occur, and that incident has highlighted the benefits of that approach.

The virus has the potential to make its presence felt in any district and at any time. Everyone should act on the basis that it might be in their street or on their road right now. That is why following the public health advice on maintaining social distance and ensuring the highest standards of hand and respiratory hygiene remains vital. Whilst I absolutely recognise that the issue of face coverings divides opinion in wider society, I repeat the point that the medical and scientific advice is clear: wearing face coverings in retail settings will help to protect our fellow citizens.

I am pleased to say that Northern Ireland citizens will soon have access to a smartphone app that will further enhance our ability to break transmission chains and reduce the reproduction rate of the virus. The StopCOVID NI app is due to go live imminently, but the date that it will be released for download will be subject to the review process undertaken by the App Store and Google Play. The app was designed using the Information Commissioner's Office's (ICO) "privacy by design" principles and, therefore, uses only anonymised information in its operation. I appeal to all Members to encourage their constituents to download the app. If we can get significant numbers to download it, it will play an important part in augmenting the existing contact tracing processes in our efforts to stop the spread of COVID-19.

I am also pleased to say that the app will be interoperable with the one already in use in the Republic of Ireland. It is also highly likely to be compatible with apps introduced in future across the UK and Europe. It will be the first

instance of such a solution worldwide and the first example of such apps operating in an interoperable manner.

### 12.00 noon

When I published 'Rebuilding Health and Social Care Services: Strategic Framework' on 9 June, I was clear that increasing activity would be a significant challenge. COVID-19 continues to be with us and will continue to impact on the extent to which and how we deliver health and social care services. I have been clear that we need to increase service activity as quickly as possible in the prevailing COVID-19 context.

As we try to increase capacity, patient and staff safety will remain at the very centre of everything that we do. Our Health and Social Care (HSC) staff have put in a tremendous effort and continue to do so as we now seek to rebuild our services. To the many citizens who may be waiting for a procedure or a diagnosis, I say this: we will, as a system, do all that we can to make sure that you get an appointment and treatment as soon as possible. There is, however, a need to prioritise services, given the significant constraints that our health and social care services continue to face. Social distancing, the use of personal protective equipment (PPE), staff availability and the need to plan for future potential COVID-19 surges are just some of the issues that continue to weigh on our ability to diagnose and treat patients. It is in that context that our health and social care trusts published their first three-month rebuilding plans on 10 July, covering the three months until the end of September. My intention is that those plans will be followed by further successive three-month plans in due course. In addition to the trust plans, work is under way to develop regional approaches to service delivery across a range of areas. All of that work is clinically led and developed using co-production principles. The rebuilding management board continues to meet and will continue to oversee all of that activity, reporting directly to me.

Today I announce the way forward for two important services: day procedure centres and orthopaedic surgery. I believe that it is in the public interest to move forward with the implementation of the service changes as quickly as possible to address the adverse impact of the COVID-19 pandemic on elective care waiting times and to enable HSC to have in place dedicated treatment centres ahead of potential further waves of the pandemic. That will allow us to maintain robust infection control preventative measures at those dedicated sites to enable procedures to continue during any future outbreaks of COVID-19. While we cannot guarantee that that can be achieved in all circumstances, it should give us a high level of confidence in our ability to continue to deliver those services while other hospitals treat COVID-19 patients.

I turn to the details of those important service changes, which I have published in a policy statement for elective care day procedures and in a blueprint for orthopaedic care. Our waiting times for elective care are the worst in the United Kingdom. Even prior to the pandemic, waiting times for hospital surgery were totally unacceptable. The impact of COVID-19 on HSC has been profound and will undoubtedly be long-lasting. I recognise that addressing the backlog of patients on waiting lists will be challenging, given the reduced operational capacity across health and social care. The establishment of day procedure centres has been central to our plans to eradicate that scourge

on our service. Day procedure centres are designed to provide a dedicated resource for less complex planned day surgery and procedures. Crucially, they operate separately from urgent and emergency hospital care, meaning that they will not compete for operating rooms, staff and other resources, and that will lead to fewer cancellations of operations.

The 'Health and Wellbeing 2026 - Delivering Together' document provides the overall blueprint for transforming health and social care services in Northern Ireland so that they better meet the needs of our population. A key commitment in the associated action plan was to bring forward proposals to establish elective care centres to provide a dedicated resource for less complex planned surgery and other procedures. Evidence from elsewhere shows that such centres can reduce waiting times for planned care and provide a better experience for patients and staff.

Since 2017, my officials have been working with doctors, nurses, allied health professionals, service managers and other health professionals from across the health and social care sector to consider the evidence base, to establish two prototype centres and to develop proposals for a regional model for day procedure centres. I thank everyone from across the system whose combined efforts have helped to bring us to this point and who continue to work tirelessly to improve the quality and timeliness of the care that we provide.

Day procedure centres are equally important or even more important in the context of the ongoing pandemic. The COVID-19 pandemic has further demonstrated the vulnerability of having elective care and unscheduled care co-located on multiple sites. For infection control purposes, there are clear benefits in separating elective care from the more unpredictable unscheduled care. The environment in which elective care services are delivered has changed significantly in the past few months. Day procedures must now be taken forward in the context of the continued need for social distancing and personal protective equipment at volumes that were not required prior to the pandemic. Consideration must also be given to the latest emerging professional guidelines and the impact of testing and isolation.

Given the urgent need to begin rebuilding day case procedures to avoid further detriment to patient health and in recognition that that will need to be taken forward on an incremental and prioritised basis, I plan to initially concentrate delivery in one hub day procedure centre. The hub site is Lagan Valley Hospital in the South Eastern Trust, and it will interact with several hospital sites — the spokes — around Northern Ireland. Lagan Valley Hospital has a day procedure unit and has demonstrated its ability to successfully deliver a range of day case and endoscopy procedures. As one of the locations on which the varicose veins prototype was delivered, it proved popular with staff and patients in terms of accessibility and patient experience. Furthermore, throughout all of the engagement with the clinicians involved in developing proposals for day procedure centres, Lagan Valley Hospital was consistently recognised as a suitable site for a day procedure centre due to its accessibility for patients and staff.

Drive-time statistics show that almost 73% of the population are within a one-hour drive from Lagan Valley Hospital. In relation to the emergency department (ED) at Lagan Valley

Hospital, the layout of the site means that there are different entrances for patients using the ED and those using the day procedure centre. Importantly, the two services can, therefore, be managed separately without impacting on each other. For the vast majority of patients, attendance at a day procedure centre will be a rare occurrence. The additional travel will be an isolated event and will not form part of a long-term passage of care that requires multiple visits. Service users are experiencing unacceptably long delays in accessing day case elective care procedures, so the clear trade-off for the additional travel will be shorter waiting times for treatment. Lagan Valley Hospital sits within the South Eastern Trust and will take forward the establishment and management of the regional day procedure centre model in the first instance. I will keep that arrangement under review as the model develops.

I will also establish a clinically led regional network to oversee the development of the day procedure centre hub and spoke model based in Lagan Valley Hospital in the first instance. The regional network will be tasked with driving forward a whole-system, integrated approach to the delivery of day procedure centres to achieve benefits for patients through reduced waiting times and improved quality and outcomes. I expect that the development or reconfiguration of Lagan Valley as a regional day procedure centre will be carried out in a phased way to minimise the impact on existing service users.

Before I set out my plans for orthopaedics, I want to take a moment to express my condolences to the family of Kyle McDonald. Kyle was a consultant spinal surgeon in the Belfast Trust and, tragically, passed away suddenly on Sunday. He was a dedicated and successful surgeon and a credit to his family and profession. My thoughts are very much with his wife, his children and the entire family, his patients and his colleagues in the health service. I know that I speak for the entire House in extending our deepest sympathies.

With regard to orthopaedics, as with day procedures, unfortunately, waiting times for orthopaedic surgery are among the worst in the UK, with patients waiting an appalling four or five years for operations such as hip replacements. There is also considerable variation in practice regionally, which means that patients in some trust areas are subject to much longer waiting lists than others. In a country the size of Northern Ireland, such a postcode lottery is indefensible. A new approach is needed to ensure that patients can access high-quality services when they need them.

During the COVID-19 pandemic, most elective orthopaedic procedures have been deemed to be non-essential and have, therefore, been halted to ensure the availability of resources and patient safety for those affected by COVID-19. While those measures will have had an immediate positive effect on COVID-19 patients at that time, they also mean that, unfortunately, other patients in the healthcare system have become deprioritised. In particular, it will have a significant impact on the patients who were already waiting the longest. It is now critical to focus efforts on the regional rebuilding of the service. The reintroduction of elective orthopaedic services provides an unparalleled opportunity for positive change.

It is important to understand that COVID-19 has drastically changed the landscape of the health and social care service and rebuilding will, therefore, require careful

consideration of that landscape to ensure that services can be re-established as safely as possible. For that reason, I plan to focus elective orthopaedics initially on two hub sites. The hub sites that I propose are Musgrave Park Hospital and Altnagelvin Area Hospital, both of which are well placed to increase regional orthopaedic services immediately, utilising COVID-light facilities. Both sites provide good geographical coverage for the population of Northern Ireland with regard to accessibility for patients and staff. They each have well established orthopaedic units that could be easily ring-fenced and protected from unforeseen and predictable increases in pressures on the health service as a whole. That will be particularly important in this phase of rebuilding. Focusing on those sites initially will allow patients of lowest risk and highest priority to undergo orthopaedic surgery.

It is important to note that this is not a plan to centralise services or remove existing services from where they are currently being delivered; on the contrary, I plan to utilise existing services in the best way possible at a regional level, to increase activity and to ensure that resources are used most effectively. My ultimate aim is to work towards introducing a region-wide network of orthopaedic practice based on an alliance of the existing orthopaedic units to produce a standardised and equitable practice of orthopaedic medicine for all patients in the region, removing geographical variations in waiting times and practice. To oversee the development of the model, I will establish a clinically led regional network that will be tasked with the regional planning and commissioning of the service across Northern Ireland. My key aim is to move towards a system where patients have the opportunity to move around the region as they wish to avail of the quickest and highest-quality service that can be provided, delivering benefits for patients on equality of access to the same level of care, reduce waiting times and improve quality and outcomes.

### 12.15 pm

For governance, the Belfast Trust will host the regional network, providing governance and oversight of the administrative management of the service on behalf of the region. I will keep that arrangement under review as the model develops.

I believe that it is in the public interest to move forward with these changes as quickly as possible in order to address the adverse impact of the COVID-19 pandemic on elective care waiting times and to enable the HSC to have in place dedicated treatment centres ahead of potential further waves of the pandemic. That will allow us to maintain robust infection-control preventative measures at the dedicated sites to enable procedures to continue during any future outbreaks of COVID-19. While we cannot guarantee that this can be achieved under all circumstances, it should, however, give us a high level of confidence in our ability to continue to deliver those services while other hospitals are treating COVID-19 patients, should that occur.

The need to get the new centres up and running as quickly as we can means that the public consultation and engagement with trades unions and professional bodies on the service changes will take place during the implementation planning stage, which starts today. This engagement will be led by the HSC trusts, which have lead



responsibility for implementing the changes. I hope that all stakeholders will understand that because of the untenable position facing elective care services, in the wake of the first wave of COVID-19, my Department is taking this approach because we believe that the public interest is best served by it.

Having published today my Department's plans for rebuilding day case elective procedures and orthopaedic care, I wish to bring to the attention of the House that I am finalising a further service rebuilding plan for cancer services. My aim is to ensure that we provide as much capacity as we can to deliver oncology and radiotherapy services while preparing for a potential second wave of COVID-19. The need to maintain high levels of infection control means that it will be important to further develop the new ways of working for cancer services that emerged during the first wave of the pandemic and to provide additional investment to embed them.

Similarly, I am considering a plan to reshape the delivery of urgent and emergency care, along with a plan for preparing the HSC for potential further surges of COVID-19. I am sure that all of us in the Chamber can agree that it is vital that we ensure that the available capacity in the system for urgency and urgent care is fully utilised in anticipation of a further wave of COVID-19 and to prepare for the annual winter pressures.

I am grateful to those stakeholders who responded to my Department's invitation to comment on the recent temporary changes that I made to the health and social care framework document and the establishment of the management board. Having considered the responses, my Department will, during August, launch a full 12-week public consultation on the changes.

It should be noted that the management board, in the short period since it was established, has proved its worth by progressing three-monthly rebuilding plans for each HSC trust area, as well as the policy statement and blueprint for rebuilding elective day case procedures and orthopaedic care that I launched today, with further regional plans at an advanced stage. While I acknowledge the concern of some stakeholders, I stress again that the decision to move forward quickly with these temporary changes was taken to address the grave situation that health and social care is facing and the need, therefore, to move swiftly to begin the rebuilding of services.

As I have stated to the House previously, it is important to emphasise that it will not be possible to return to business as usual. The rebuilding of services will not happen overnight. It will require an agile and adaptable response to ensure that we can respond to further potential COVID-19 surges.

In conclusion, I am conscious that I have taken some time to provide this update and have covered a wide range of areas. However, I hope that it has been useful and has, hopefully, covered a number of points that Members intend to raise.

**Mr Gildernew (The Chairperson of the Committee for Health):**

I will remove my mask, as I did yesterday, to assist those who may have hearing difficulties in making out what I am saying.

I thank the Minister for his statement. I note that there is a lot in the statement, and I have no doubt that the Health

Committee will want to look at and scrutinise all of it in more detail.

I congratulate the Minister on bringing forward the app, which, I believe he said, is the first one that is interoperable across the entire country. That is a welcome step and is of huge importance as we work to maintain control over the spread of the virus in the future.

The Minister has announced some considerable changes here today, many of which look a lot like health transformation. He mentioned 'Delivering Together'. That document, he will know, refers to "co-design" and "co-production". I am concerned that these changes have been announced with no engagement or co-production with service users and staff. What level of engagement did he feel was necessary?

I know that the Minister recognises that all types of carers have been hugely impacted by the initial withdrawal of services. Indeed, the difficulties in reopening some of the day centres and respite services are placing additional and ongoing pressures on carers. Will he consider a one-off cash payment for carers to help with changes to their circumstances and additional carer needs?

**Mr Swann:** I thank the Committee Chairperson for his support. He rightly indicates the extent and the depth of what is being proposed here today. He acknowledges the building blocks of 'Delivering Together' and all the previous work that has been done. When I announced that there would be a transformation board, I was asked, "Is this going to be another piece of paper that sits on a shelf?" We have seen enough of those in Health over time. This work is about bringing together the building blocks that have been put there by previous Ministers in 'Transforming Your Care' and 'Power to People', and all the work that has already been done.

As regards the co-production piece for both those initiatives, as I said in some of my commentary in the statement, which I had to shorten because I could still have been speaking about a lot of the detail on these issues, it has been done in consultation with clinicians and the development of the hub-and-spoke model has been led by clinicians. I am due to meet the transformation advisory board (TAB) later today about the timing of the announcement. This morning, we wrote to the unions to advise them of that. The engagement to get to this stage has been very much clinician-led for both models, using the building blocks that are already there. We will now have serious engagement with our trade union colleagues, with the professions and with stakeholders to move the programmes forward. As I made clear in the statement, we need to do this now. We need to make the changes. When you look at the numbers of people on orthopaedic waiting lists and elective care waiting lists, you see that we need to move now. Those lists got longer during the COVID shutdown.

In regard to the specific ask for carers, I know that there is an ongoing conversation between Carers NI, Families Involved Northern Ireland (FINI) and officials in my Department about what additional packages and support measures can be looked at. A one-off payment has been part of those discussions. I cannot give the Member a commitment at this point in time, but I know that that is part of their discussions. Two weeks ago, an all-party motion raised those concerns. The feeling of helplessness that

many carers feel was brought to the Chamber. I committed to ensuring that there was engagement. That engagement has commenced. It is about making sure that we get carers the provisions and the support mechanisms that they need.

As trusts start to move on their three-monthly phased rebuilding plans, they are looking at re-establishing day care provision as appropriate, depending on space and staff to ensure that social distancing is in place. That piece of work continues to support the carers in our community at this time.

**Mr Easton:** I thank the Minister for his comprehensive statement. What measures are being put in place for those who have to quarantine for 14 days after travelling and have to face the consequences of their employer maybe not being too happy? The app for contact tracing is great, so can the Minister tell us how many people are involved in contact tracing? Is there scope to have more people involved in it? Also, for those who have to isolate from —

**The Temporary Speaker (Mr G Kelly):** Excuse me. We are dealing with one question to the Minister, so he has a choice of which one to answer.

**Mr Easton:** I will leave it there.

**Mr Swann:** I thank the Member for his questions. I will answer both. In regard to the support measures, which I talked about when answering the question for urgent oral answer yesterday, the Executive met yesterday afternoon to see what reassurances or support we could give to people who are returning from Spain. The Minister of Finance, Conor Murphy, confirmed this morning, I think to the Executive, that anybody who had been furloughed can furlough again, so engagement is going on there, and the Minister for the Economy is engaging with the major employer representatives.

We have 92 full-time staff working on contact tracing in a shift pattern. As I said, one of the differences between us and other regions is that we have not just call centre staff working on it. The staff are professionals, so there are nurses and consultant public health professionals on call so that any advice and guidance that we can give when we are working through that test, trace and protect system is appropriate and specific, and it can be personal medical advice in order to make sure that people are getting the support that they need.

When we saw the recent outbreak in the Limavady area, we were able to scale up very quickly and bring in additional contact tracers to make sure that we got all those contacts covered as quickly as possible. As indicated, we were able to get to a fourth-level contact from the initial point of infection. It is a system that, when we had to step it up very quickly, reacted well, and that initial Limavady incident was a good test of whether everything that we had put in place actually worked.

**The Temporary Speaker (Mr G Kelly):** Just before I call on the next Member, in fairness to all Members, I should say that we have an hour for questions. There may be time at the end to have some supplementary questions, so I ask Members to allow for those coming in after them.

**Mr McGrath:** I thank the Minister for his statement and for his commitment to rebuilding health services, especially in the south-eastern area. I know that there has been an announcement of dozens of additional beds for the Ulster

Hospital, and now there is today's announcement about all the additional services for the Lagan Valley. I am going to go for the hat-trick to see whether we can get some commitment for the Downe Hospital, which is the furthest away from other services. Does the Minister agree that facilities such as the Downe Hospital are ideally placed to deliver services in the future? There is a willing staff, excellent facilities and the capacity to deliver. All that we need is the Department and the trust to give us those services.

**Mr Swann:** I thank the Member for his question. Funnily enough, I have a page all about the Downe because I do not think that there is a statement that I have made or a question that has been asked where the Minister — sorry; I am maybe pre-empting stuff — the Member has not raised it. As we look to expand the hub-and-spoke model in a number of procedures, whether they are in orthopaedics or elective day care centres, I will say that, at this minute in time, we will struggle to have capacity in our current footprint, because, with social distancing, we are looking at wards that had 20 beds now holding 12 beds. It is about looking at capacity and at how we can utilise our entire footprint, and the Downe is one of those facilities. The Member did not ask a question that I thought he would, but I am sure that he is fully aware that Monday 19 October 2020 is the planned opening date for the emergency department in the Downe Hospital.

**Mr Chambers:** Minister, it is important that the House recognises the achievements that your team at every level of health and social care has delivered in extremely challenging circumstances. It is also important to place on record the appreciation not only of the House but of the people of Northern Ireland for the leadership that you have shown in your six months in office. Mountains have been moved from the standing start that saw our valued nursing staff standing on picket lines.

It would be easy for you now to stand back and catch your breath, but you are moving forward through this statement with a compassionate and urgent approach to attend to members of society who are currently experiencing pain, particularly in the field of orthopaedic procedures, by not delaying movement with pre-action public consultation but, rather, getting things up and running urgently in the interests of public health. Will the current postcode lottery be removed, and will your plans offer those in pain some hope that their issues will be resolved in a timely and structured fashion?

### 12.30 pm

**Mr Swann:** I thank the Member for his question, and I really thank him for his kind words. They are appreciated, and, as I have said many times in here, it is not about what I have done; it is about what the departmental officials have done, what our carers have done, what our nurses have done, what our cleaners have done and what everybody across the health and social care service has done, from Community Pharmacy to GPs. Everybody acting as a team over the past six months has brought Northern Ireland to the place where we are.

The Member highlights the crucial point and the underlying point on the development of the two models, where we look not to a centralised service but to a regional service so that we can remove the postcode lotteries for people on waiting lists where even the side of the village that you live on can determine a six-month differential on a waiting list. In a place

the size of Northern Ireland, that should not be, so, with the development of both the models, my intention is that we remove the postcode lottery that so long has dogged many people waiting on waiting lists where, because of where they live, they have to wait longer. The models should address that, and it is my intention that they do.

**Ms Armstrong:** I thank the Minister and again pay tribute to him. I do this all the time, Robin. I pay tribute to him and to all of his staff and the staff of the trusts, who have performed amazingly throughout the pandemic. I am delighted to hear about the day care and the respite care coming forward. We all agreed with that.

I agree with the Chair of the Health Committee, Colm Gildernew. I thank him about his mask. I hate those masks with a passion, as I have said plenty of times, but we need to wear them to keep ourselves, our families and others safe. The UK Government have recognised the Action on Hearing Loss recognition of clear masks. Can the Minister confirm, when he is rebuilding our health system or building it back better, whether a proportion of those clear masks is coming to Northern Ireland? Can he give us any update on those?

**Mr Swann:** I have been aware of those since health professionals started to wear masks on a full-time basis. We had interactions with Royal National Institute of Blind People (RNIB) on how we communicate with people with disabilities, should that be hearing loss, sight loss or speech difficulties. I do not have the detail on the specific delivery of see-through masks or clear masks with me today, but I will get that for the Member because I know that she has campaigned for that and has raised it with my Department and with me on a number of occasions. I will get her the specifics on that.

**Mr Middleton:** I thank the Minister for his statement. In late 2018, the Department announced two prototype day procedure centres: one in Lagan Valley and another in Omagh, giving a good geographical spread. Minister, in your statement today, you refer to one day procedure centre hub in Lagan Valley. Minister, can you outline specifically what that will mean for day procedures in the Western Trust, and will there be a reduction in services in Omagh?

**Mr Swann:** I thank the Member for his point. I could not expand on that in the time that I had for my statement, but it will be contained in the further updates. For elective day-care procedures, Lagan Valley will be the hub for the spokes, so the provision that we already have in Omagh and the primary care complex centre at Lagan Valley Hospital for varicose veins will continue. The cataract team will continue at the Mid-Ulster Hospital, the Downe Hospital and the South Tyrone Hospital, so we have proven that those elective day-care centres work, and it is about keeping them there, utilising them and developing the model and the learnings that we got from them and expanding them.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a ráitis. I thank the Minister for his statement. The foundation stone of any changes to our health and social care system must be co-production and co-design. Anyone who has a stake in our health service must have a voice in it. I acknowledge that the Minister has said that the rebuilding plans are based on co-production principles, yet we hear from many stakeholders, including trade unions and patient advocates, that they are being marginalised and

excluded from the process and are being consulted only after decisions have been made. Can the Minister explain that anomaly? Also, can he explain why he did not mention a review of urgent and emergency care in his statement?

**Mr Swann:** I thank the Member for his points; they are well made with regard to the engagement process that we have had and the speed with which we have had to move. As I said, we are meeting TAB this afternoon, and I have further engagement with the health unions on Thursday with regard to this. We have had weekly meetings with the health unions with regard to other points. With regard to the details here, they have mostly been developed through co-production and have been clinician-led, both in orthopaedics and elective day care. This is wide-ranging work, but we need to move on with it, with the buy-in of as many people as possible. The engagement on how the blueprint and the policy look on the ground starts now, to make sure that we have buy-in. We cannot afford to have people spending longer on waiting lists while we go out to a 12-week consultation. It is about taking the action now and moving forward with the change.

The Member said that I did not mention emergency and urgent care in my statement: I did. I said, if I can find it, that:

*“I am considering a plan to reshape the delivery of urgent and emergency care, along with a plan for preparing the HSC for potential further surges”.*

That work is already ongoing. I know that it was a lengthy statement; maybe the Member just missed that part of it. That work is ongoing. We are in a place where we can bring the two models forward today, so I thought that it was important that, before the House rises, I give Members as much detail and as much opportunity to question as possible on where we are. The work on urgent and emergency care is ongoing.

**Mr Harvey:** Thank you, Minister, for your statement and for your great work to date. Have you the necessary funding and available kits to carry out tests in the care homes for as long as the need exists?

**Mr Swann:** That is a good point that the Member raises. Look at the frequency with which we now undertake testing in care homes: residents once a month and staff members every fortnight. It is a considerable testing programme, because we have access to the national testing programme. It is the mobile units that are supplied as part of that national testing programme that will be mostly utilised for testing in the homes that are green — the COVID-free homes that we have at this minute in time.

Just as an update, out of our entire care home sector, we are managing and supporting only 15 homes at this minute in time that have either a confirmed or a suspected outbreak of COVID. We have closed out outbreaks in 167 care homes to date. The work that we are doing with care home providers, staff, residents and families is proving efficient. That is where the testing programme will become beneficial in making sure that we maintain those green homes in the situation where they currently are, so that we can even expand visiting access, which is something that, we are conscious, has been sadly missed by many care home residents and their families.

**Ms Flynn:** I thank the Minister for the statement. As the Minister said, obviously, the decision regarding Spain was made at the weekend, and it was the right decision.

Recently, at the Health Committee, we heard that the Chief Scientific Adviser (CSA) was the person responsible for looking at and assessing the data. What is the data based on? Is it a local rate for the North, a combined rate for the island or a rate across Britain and the North? Finally, can the Minister confirm whether there are other areas that are currently being considered as a potential risk?

**Mr Swann:** There is nowhere that we are looking at, as far as I am aware at this minute in time, where we see the incidence and prevalence that we saw across Spain. That is not to say that something may not move as quickly as we saw in Spain. As I said yesterday, when we saw the change in positive cases — going from 4,400 up to around 9,800 in the space of a week, I think — we had to move. The advice and guidance we got in regard to Spain was from the Joint Biological Centre, which is all four Chief Medical Officers (CMOs) and CSAs working across the United Kingdom. The decision to remove Spain was taken by all four Health Ministers at the same time: the SNP in Scotland, the Labour Party in Wales and us in Northern Ireland. It was a joint decision. Any differential could have left a back door somewhere that could have been opened or accessed, so we made that decision on a UK-wide basis.

**Mr McNulty:** I begin by offering my condolences to the family, friends, colleagues, patients and community of Kyle McDonald, an esteemed orthopaedic surgeon and consultant and a past pupil of my old school, the Abbey in Newry. Kyle's sudden passing will have sent shock waves through all the people who knew him. My sympathies are with them all. I measc na naomh go raibh sé. Today also marks a year since the passing of another Abbey student, Brian Conlon, and my thoughts are with Julie and Brian's family, colleagues and community.

Minister, you mentioned the reopening plan and the plan to reshape the delivery of urgent and emergency care, but you have not referred to the Daisy Hill emergency department. I note and applaud the exceptional work of the trust and all the staff of Daisy Hill and Craigavon Area Hospital in dealing with the pandemic and the work of the pathfinder group in ensuring that there is a plan to restart Daisy Hill emergency department. They have included that in the first reopening and rebuilding plan, and that is scheduled to happen before the end of September. I know that nurses, doctors and other hospital staff have been displaced in the pandemic, and I know that there will not be a return to business as usual, but can you give a firm date for when Daisy Hill emergency department will reopen and give the people of Newry and Mourne, south Armagh and south Down some comfort?

**Mr Swann:** I thank the Member for his initial comments in regard to Kyle's family.

The Southern Trust is working to reopen emergency medicine in Daisy Hill Hospital by the end of September, and, as the Member has rightly profiled, the Daisy Hill pathfinder group is working in partnership with the trust to develop new models of care in line with other emergency departments in Northern Ireland to ensure that services are safe. As with all of the restart programme, the new models of care will require considerable engagement with the community to ensure their success. That work goes on in regard to the rebuilding projects that each trust is bringing forward on the three-month staged process. The engagement has been there, and emergency medicine will reopen in Daisy Hill Hospital by the end of September.

**Mr Butler:** I thank the Minister for his lengthy statement and for his service. He rightly pointed out the good work not just of his Department but of those who have served on the front line. It is good, as an MLA from Lagan Valley, to note that the Lagan Valley Hospital has been recognised today for its capacity, its reputation for excellence and its central location to provide the hub for the elective procedures, moving forward. Will the Minister join me in thanking the staff of the critical care unit, who changed their unit into a COVID response ward and, at great cost to themselves, performed heroically? I put on the record my thanks to them and to those like them throughout the health service in Northern Ireland who have stepped up to the plate at this challenging time.

**Mr Swann:** I thank the Member for his comments, and I add to the Member's my personal thanks to those he mentioned. As I said, we are where we are today in Northern Ireland in respect of COVID and the response to COVID because of the dedication of so many health professionals at all levels across our service who really stepped up to the mark and really delivered and really proved the benefits of a National Health Service and what it actually means to the people of Northern Ireland. To every individual who stepped up I say "Thank you", and it is a personal "Thank you" as the Minister of Health that I give to each of them for the dedication and commitment they gave, while always remembering the sacrifice that their families made as well in allowing their loved ones to go out to work, which was always in difficult, trying and challenging times.

#### 12.45 pm

**Mr O'Dowd:** We are approaching 31 July, and the Minister will be acutely aware that the advice to members of the public who are shielding will now change, and they will be able to go out and about more. One reason that people have been advocating the wearing of face masks in shops and other places is to help to protect those who are shielding. What advice about the future is being given to those who are coming out of shielding, particularly their concerns that they may have to shield again?

**Mr Swann:** I thank the Member. For those who have been shielding over the past four to five months, 31 July will be a joyous day for some but a challenging day for many. That challenge will be seen when people come out their front door and enter a society that looks different from the time when they started to shield. A letter providing guidance went out from the Chief Medical Officer that there should still be social distancing, good hand hygiene and respiratory awareness. The greatest guidance is not for people who have been shielding but for those who have not been shielding. I make a request not only on my behalf as Health Minister but on behalf of family members, friends and everybody who has been shielding — the 98,000 to whom we sent letters: please respect them, please give them space, and please allow them to re-enter society at their speed, giving them space in retail shops, on public transport and on footpaths to allow them to come back into the general population, because it will be challenging.

The Patient and Client Council undertook some work and engaged with all those who are shielding, whose biggest concern was stepping outside the front door again. There are also mental health implications for people who have had the assurance of staying inside their homes. Our guidance has been very clear: 31 July is a pause to

shielding. That language was used deliberately because we have to be aware that we may have to ask a section of that 98,000 to go back to shielding should there be a second spike or an outbreak of COVID-19 in certain areas. The advice may revert to advising and guiding people to stay in their homes for another period of time.

**Mr Blair:** I begin by associating myself with the thanks given by my colleague Kellie Armstrong to the Minister's departmental staff and healthcare providers everywhere. We truly are grateful. The Minister is to be commended for the way in which he shared his thanks with those front-line staff.

We are all mindful of the autonomy of GP practices, and the Minister will be aware of the struggles that the public face in trying to get GP appointments. Is it likely that face-to-face appointments will resume, bearing in mind the difficulties faced by those, particularly many of our elderly population, who cannot easily access online or telephone services?

**Mr Swann:** I thank the Member for his initial comments. He will be aware that GP practices are independent operators. We have been able to give them guidance and support, but, at the end of the day, the provision of services, and how GPs deliver that, remains within the management of each practice. We have always been assured that, if people need a face-to-face consultation, they should be able to get one. Changes have been made to telemedicine and telephone consultations, and those should be utilised where possible. However, if someone needs to go in through the door and see a GP, that facility should always be available. It is not always about the initial reason that somebody goes to see a GP. It is often at the point when patients are about to go out the door, with their hand on the handle, that they say, "By the way, I meant to ask you about —". That is when the real reason for the GP appointment comes to light. Face-to-face consultations are always important. There will be changes in practice with telemedicine, telephone consultations, ordering repeat prescriptions and things like that. Good practices have come about in our GP services, but face-to-face interaction should always be available if necessary.

**Mrs D Kelly:** Minister, like others, I thank you, and the staff throughout the health and social care system, for their hard work throughout the pandemic. I will ask about cancer services. I spoke yesterday to a young mother, who had a routine smear test last December, and has been told, within the last two weeks, that she has cancer. No date has yet been set for her surgery. You talked about restarting. What are the time lags between the routine diagnostic test, informing a person of the diagnosis and surgery? What measures, or confidence, can you give to people like this young mother, who faces such dreadful news?

**Mr Swann:** If the Member writes to my office with specific details of that case, I will have it looked into. As I said earlier, in the statement, the re-engagement of our cancer services is a priority. They must be re-established as soon as possible. The time lags between diagnosis and treatment should not, to my knowledge, be as lengthy as the Member indicates. I will look into that case. We always red-flagged urgent procedures, even throughout the pandemic. We made provision for them. We could not identify them all, but we identified the majority of the urgent referrals. If the Member contacts my private office, I will follow it up.

**Dr Aiken:** I thank the Minister, his Department and the healthcare professionals for all their hard work. Will the Minister outline how he has managed to deliver the globally unique, functioning, pan-border StopCOVID NI app? Will he also thank the software industry for its hard work in delivering the app? It is indeed, Members of the Assembly, a unique thing that we are seeing across these countries.

**Mr Swann:** I thank the Member for raising that specific point. It was mentioned by the Chair of the Committee.

With regard to the contact tracing app, we started with a foot in both camps. We watched what the Republic of Ireland was doing, and we were also conscious of what NHSX was doing. The chief digital information officer, Dan West, and his team in my Department worked on it. He presented the app to the Health Committee and the Executive Committee last week. I thank him and his team for doing an astonishing piece of work. That very small, dedicated team has delivered the app that we will launch shortly, once we get it into the Apple Store, to go through that provision. Not only has the team developed it but it made sure that the concerns that many Members raised about data security and data sharing were at the centre of what it was doing. That small team, led by Dan West, should be commended as much as any other health professional or member of my Department.

The key point, an interesting and integral feature of our app, is interoperability, which gives us the ability to access information from either side of the border, so that we do not see an anomaly. That was the concern at the start: people would have to have two or three apps to travel throughout this island. It is also reassuring that the platform that NHSX is now progressing on will allow east-west interoperability as well. We will have an app that works across all these islands and internationally. I understand that it has progressed to the extent that it will interact with some of the main European apps, from Germany and other countries, because we use the same platforms.

**Mr McCrossan:** I thank the Minister for his statement and for providing updates to the House during the pandemic, particularly on the important issues that continue to be raised.

On elective care, specifically orthopaedic surgery, the Department received an additional £90 million earlier this year and the Executive will receive a total of £600 million of new money from Westminster to tackle the COVID-19 pandemic. What total additional funding will be allocated to elective care to ensure that surgery and appointments take place? Also, will the Minister update the House on what work has been done, aside from the important task of tackling COVID-19, to ensure that waiting times are reduced from the four- or five-year period that people have been told about?

**Mr Swann:** One of the points and, I hope, one of the outworkings of the orthopaedic and elective day-care surgeries will be a reduction in those waiting times. They were bad in January, and they got worse over the period that we were closed down because of the pandemic. This regional approach should start to tackle and reduce the current waiting lists to get them back to a place that is manageable and respectable. We need to get on top of four- or five-year waiting times and bring them down. That was already a challenge for my Department, and £50

million was promised under New Decade, New Approach to address waiting times. We got £10 million in our last bid. At that point, we were looking at using the independent sector and enhancing the provision that we had. Some of those avenues have closed down, so, although we may be tackling the current waiting times, it will not be to the extent that we previously hoped.

All these proposals have been worked up and costed, and bids will go to the Department of Finance and the Finance Minister in relation to the announcement of the new COVID support monies that have come forward. However, the important point on waiting times — I ask Members to support us on this — is encouraging people to look across Northern Ireland for a place to which they can go to get their procedure, operation or diagnosis. Let us break the regional perception that it must always be in your local hospital. I would rather that people were now able to look at accessing medicine in days, weeks, and months, and in miles, rather than years.

**Miss Woods:** I thank the Minister for his statement today, and I thank all the hardworking health staff for their ongoing work in our NHS. The Minister will be aware of the impact of coronavirus on maternity services and antenatal care. According to the latest information on the maternity website, the South Eastern Trust says that all educational classes are cancelled, and there is no information in the Minister's statement or online on when they will resume. Parenting classes are extremely important in supporting the parenting journey and are part of a wide range of services that are essential for women preparing to give birth. Can the Minister provide an indicative date for when he expects the resumption of the normal service provision of antenatal care and maternity services?

**Mr Swann:** I thank the Member for her point. I will come straight out and say that I do not have the answer with me today, but I will get it for her because I realise the importance of the issue. She will know that it was one of the services that was stepped down. I think that there was an attempt to put the service online so that prospective mothers could access it and have that guidance, but there is nothing like the personal attention of a midwife when preparing for the birth of a child. I do not have a specific date for the Member, but I will get details to her on how the service is being worked up across all trusts, not just the one that she mentioned.

**Mr Carroll:** It is welcome news that there have been no deaths in the last two weeks. However, as the Minister indicated, the virus is still with us and still very dangerous. What is his and his officials' assessment of the safety of all pupils returning to school without wearing masks, particularly teenagers and older pupils? I understand that the position of the Minister, if not the Executive, is that people should wear masks in shopping centres. It appears that the Education Minister might be going on a solo run that could put pupils at risk. What is his assessment of masks for pupils and staff in schools?

**Mr Swann:** I thank the Member for his point. On interaction with the Education Minister, I am having a meeting with him, the Chief Scientific Officer and the Chief Scientific Adviser this afternoon on the next building plan and the opening up of the Education Authority and schools. I am sure that that issue will be discussed.

**The Temporary Speaker (Mr G Kelly):** We have heard from all Members on the list. We have some considerable time left: more than 20 minutes. If there are any other questions, Members should indicate.

**Mr Carroll:** I did not think that I would be called so quickly, but I am glad to be called. I would like to ask the Minister about strike pay for healthcare workers. The Health Committee is being led to believe that, sometimes, the issue is with the Finance Minister; sometimes, it is with the Health Minister. What is the Health Minister's assessment of where it is? Does he still believe that healthcare workers should be given the strike pay that they lost out on earlier this year?

1.00 pm

**Mr Swann:** I thank the Member for his question. It reflects back to a question that he asked me prior to COVID, just after the strike. He asked me whether I would like to see the strike pay reimbursed. At that time, I indicated to him that there may be legal ramifications. Although the Minister of Finance has supplied us with the money, my Department is actually looking at the repercussive nature of the reimbursement of strike pay. It would be the first time that strike pay has ever been reimbursed, so it would set a precedent not just in Northern Ireland but across the United Kingdom. It would hit the Department of Health, because of that repercussive nature, if we were to do that as policy lead. Say, the Member had raised Education. If, for example, teachers went on strike, and the Minister of Education decided to reimburse strike pay to teachers, the bill would come to my Department because it had set the precedent. Therefore, where we are at this minute in time is that I have a paper with the Executive. It was last tabled on 9 July. If the Executive take the collective decision to take the unique step to reimburse strike pay, we can proceed with that. It would take a while to be able to work that. We have the money, but what I need is the reassurance that any future reimbursement of strike pay by another Department, either in this jurisdiction or across the UK, does not come back to impact Northern Ireland's Health budget, which is currently my understanding. Therefore, at this minute in time, we are not proceeding because I need that reassurance from the Executive that, should that ever happen in the future, the Department of Health and my budget would not suffer as a result of that decision.

**Miss Woods:** The Minister will be aware that many people are having ongoing issues with accessing physical appointments with their GPs. I have written to him and the South Eastern Trust on that issue. Some of my constituents have been offered telephone appointments, which have not resulted in any diagnoses or referrals, and some have been told that they should probably go private. At what stage will the resumption of GP services, with all the necessary PPE and safety measures, if there is an indicative date for the next stage of the recovery programme, be announced?

**Mr Swann:** I refer the Member to my earlier answer to John Blair on GP interactions and the services that they provide. GPs are independent providers. We have supplied them with PPE. Anybody who needs a face-to-face appointment should get one. We have moved, in certain cases, to telephone or online triage services. As regards advising people to go private, the Member might want to give me the specific details of that. She says that she has written to me. I am not sure where it is in the

system, but we will certainly look at that. I encourage GPs, and patients as well, that, if patients need a face-to-face consultation, it should be open to them.

**Mr Gildernew:** The Minister referred in his statement to the travel regulations. It is widely accepted that there is a great degree of confusion about travel regulations. I welcome the fact that the Minister has sought closer cooperation with his counterpart in the South in order to try to streamline some of those issues. It is important to say that the issue is South/North as well as North/South, and if we are going to truly maximise the benefits of having a single epidemiology unit, that work will be crucial. Can the Minister update the House on the memorandum of understanding or any other work that is being done to ensure that we can deliver, as far as possible, the aims of the independent SAGE 'A Better Way To Go' document; that we work together to reach a COVID rate that is as close to zero as possible in as short a time frame as possible?

**Mr Swann:** I thank the Member for his question. It is actually one of the very few for which I had a prepared answer. The memorandum of understanding between the Health Departments in Ireland and Northern Ireland was signed on 7 April, signalling the willingness of both jurisdictions to promote cooperation and collaboration in response to the COVID-19 pandemic. Both jurisdictions are committed to working in partnership to predict the likely impact of COVID-19 and to enable evidence-based decisions on how best to respond across the island of Ireland. We have been working closely with our Irish colleagues since the start of the COVID-19 crisis, and we shall build on that relationship to continue to share information and learning. There are regular meetings between the CMOs of both jurisdictions and their teams to discuss areas of mutual information.

As regards the Member's specific question, I think that I said to him yesterday — I went slightly off course from the Member's question — there will be a North/South Ministerial Council meeting this Friday, which will discuss the memorandum of understanding and should there be any further relationship-building that we can do, considering a new Government are in place. I had a good relationship with Simon Harris, the previous Health Minister, and I have had a number of engagements with Stephen Donnelly. We are very proactively engaging because we both have the same challenges as to how we tackle COVID-19 and how we rebuild our services as well.

There is good work going on in regard to travel. We have had some challenges with the travel locator forms with regard to the sharing of information. I am now led to believe that the matter of how that information can be shared is with the Irish Attorney General and the Dáil. We have made progress with that. I think that it is not so much a matter of not wanting to but of not being able to make progress at this time. Hopefully, at Friday's discussion, we will be able to get a solution to that problem and we can move on. We have had good working relationships with the Health Minister, the Chief Medical Officer, the PHA and HSE, and I think that is something we can build on.

**Mr McCrossan:** Again, Minister, I want to put on record my thanks to you for your leadership on the huge challenges that have been thrown at you since you were appointed as Health Minister. I ask you to reinforce your message on hand sanitisation. Hand washing is very important, and it is important that that message does not get lost or fade.

In relation to mental health services, Minister, you will realise that, throughout the pandemic, a huge number of people have been very badly impacted. People are fearful and anxious, and all that feeds into their mental ill health. What extra funding will there be, if any, from the £600 million from Westminster COVID-19 moneys that might support mental health services that are so badly in need of it at present?

**Mr Swann:** I thank the Member for his question. Again, the point is well made because of the stresses and strain that we have seen COVID-19 put on not only those who are shielding but the people working on the front line and their families.

In the last monitoring round, a bid of £1.5 million was made and accepted for the 'Mental Health Action Plan' work, which we kept going, and we published it last month. That 'Mental Health Action Plan' was adopted and includes COVID-specific work as well. Since then, we have been able to appoint our mental health champion, Professor Siobhan O'Neill, who is doing a fantastic job already in interacting with stakeholders and all Departments.

One of the bids for the additional moneys will be an application for the further development of multidisciplinary teams that are working across a number of areas in Northern Ireland and through which we are able to bring different professionals, including psychologists and psychiatrists, into GP practices. That model had worked well, but we did not have the funding to expand it to other areas, so additional money will be sought to expand it. However, it is also dependent on having the professionals to fill the posts. It is not just about the money, although the money is always welcome; it is about making sure that we have the right people in the right place at the right time.

**Ms Flynn:** To follow on from Mr McCrossan's question, I do not mean to sound critical of the Minister — that is not my intention — but he will know that, after the monitoring round that included that £1.5 million, and although there is a bid for £7 million for the multidisciplinary teams, I said publicly that that was not enough, given the challenges that we face with mental health.

At the Health Committee last week, the issue of trauma and the psychological impact of COVID-19 was discussed and the fact that we still have not seen what will come next. The Minister referred to the 'Mental Health Action Plan', and there is a section in it on the COVID-19 response. I know that the report stated that that is a fluid piece of work that will change. Is there anything concrete on actions under the COVID-19 mental health response?

**Mr Swann:** I do not have the detail with me because of the scope of the statement that we are covering today, but I will get the detail of that. The Executive Committee on mental health, well-being and suicide prevention meets again tomorrow. So, as we come out of the Executive's response to COVID, those additional strands of work are being put back in place. There are a number of presentations to it in regard to work that is coming forward. That even includes members from the voluntary and community sector. The Elephant in the Room youth mental health initiative is presenting to the Committee tomorrow afternoon as well.

It is about how we get all those pieces to work together and deliver the support that we need as we come out of COVID and see more people presenting with challenges. I know that it is something that the Member continues to

raise and has a passionate interest in, and I commend her for that. Never worry about the “but” that comes in your statement. Keep bringing it and keep asking it. It is only by raising those concerns and questions in this Chamber that I can keep it firmly on the platform not just in my Department but in the Executive.

**Mr McGrath:** Will the Minister commit to meeting the British Dental Association (BDA) and its Chief Dental Officer to address the serious impact on dental practices at the moment as a result of the regulations? They have made many representations to the Committee and to Members, and there is a threat to the viability of practices going forward. I know that he has extended the urgent dental care centres to the end of August, but I do not want to get to another cliff edge at the end of August with those problems. Will he undertake an assessment and meet those individuals to try and resolve any problems going forward?

**Mr Swann:** I met the BDA and the acting Chief Dental Officer two or three weeks ago. At that stage, I had quite a good engagement with them. So, some of the fallout and comments that I have seen recently were not my takeaway from that meeting. I understand the pressures that our dental profession is under. The acting Chief Dental Officer is due to meet them and engage with them in regard to a number of funding packages — I am not even sure whether the BDA is aware — around additional money that is there in support for other industries and service providers that have fallen through the gaps, I think, is how the Finance Minister has described it.

I have written to the Minister for the Economy to see whether there is some sort of support mechanism that she could bring forward to the private side of our dental profession. Where we can support and fund the national health side, there is also that private side of many BDA businesses that need additional support. That engagement has commenced. The BDA wrote to the First Minister and the deputy First Minister and the Executive as a whole last week, and that is the step that I took in response to that letter.

**Mr Sheehan:** In my haste to get two questions in the first time around, I probably did not frame my question around urgent and emergency care too well. What I was asking is: does the Minister have a date when that review will be published? That was the last question. This question relates to plans for care homes in the event of a second surge. In your statement today, you outlined plans for extra testing in care homes, but are there other plans in place to deal with a second surge?

**Mr Swann:** I thank the Member for his clarity. I was not sure about his question because I had mentioned that in the statement. I hope to be in the position to publish that in August if not September. I know that we are in recess, and I do not want Members thinking that I am doing it because we are in recess, and it is a good time to do it. When it is there and it is in the final position, I will do it, but I will make sure that we are engaged with the Health Committee as well to make sure that members have interaction and some input and knowledge of what is being done. So, hopefully, in August, or September at the latest, that urgent emergency care piece will be published.

In regard to care homes and the supports that we are getting, we have been looking at best practice across all jurisdictions in the support of care homes. The Chief

Nursing Officer is leading an urgent review into the provisions that were put in place not just here in Northern Ireland but in other jurisdictions and even worldwide practice as well to see what additional measures can be put in and at what point you can still have visitors etc.

It is about all those challenges, and all those steps bring about different challenges for residents and families. It is about making sure that care homes are provided for. We will be in a better place than we were with the initial outbreak because of what we know about COVID, how it works and how it interacts with care homes. We have established a good working relationship with the care home sector in how we work together to make sure that we protect and support the residents of those homes.

**1.15 pm**

**The Temporary Speaker (Mr G Kelly):** We have just over six minutes left. With the indulgence of the Minister, I know that Colm Gildernew has indicated that he would like to ask another question. Is there anyone else?

**Mr Gildernew:** I thank the Minister again for taking a range of questions on all the issues. My question is linked to the question that Pat asked about care homes. Across the islands, there has been a sense that we could do better for care homes in a potential second wave or in future pandemics. Is a specific look being taken at discharge policy into hospitals and out of hospitals into care homes that may be of benefit during a potential second surge? I know that work is being done in England on that. Is specific work going on here on discharge policies during a second surge?

**Mr Swann:** The number of admissions and discharges from hospital settings into care homes and the testing policy are part of the work that the Chief Nursing Officer is leading on. We had a testing policy in place, which meant that testing was carried out 48 hours before discharge from hospital into a care home. If there is a second surge, that will be there from the very beginning. That policy has been established, and we ask people who are transferring from hospitals to care homes to go into isolation for 14 or 7 days, as appropriate. Those steps and measures are all being looked at in the rapid review that the Chief Nursing Officer is bringing forward. We are cognisant of that and are doing the work on it. It will be part of that review.

**Miss Woods:** It is great to get to ask so many questions. I thank the Minister for answering them.

I welcome the roll-out of the COVID-19 app, the announcement of which has been done in conjunction with the ICO. I previously raised questions with the Minister about the legal advice that was given about the roll-out of the app and data protection. Will the Minister confirm that the collection and storage of data in the app will be based on a decentralised model, whereby data is only held locally on your phone?

**Mr Swann:** It is fortunate, because I had a prepared answer for that question, unlike most of the questions that were asked in the rest of the hour.

The data will be stored on your phone, and information will be shared only when you enter and fire the key. The information will be shared with a secure server in the Business Services Organisation that has been specifically developed and will be managed for that. The



interoperability with the system in the Republic of Ireland is also done by secure measures to make sure that they talk and act together. We have undertaken wide engagement.

I reassure the Member that the draft data protection impact assessment for the proximity app, while it is being finalised to take account of comments from the Information Commissioner's Office, will be available and will be published to give users and those who know what that means the ability to have a look at it before we go live. That gives that reassurance. One of the things that I, as the Minister, and we, as an Assembly and an Executive, want is for as many people as possible to use that app. It will start to open up many other avenues as we ease restrictions.

**The Temporary Speaker (Mr G Kelly):** I call John Blair for a very quick question.

**Mr Blair:** Thank you for your patience, Temporary Speaker. I also thank the Minister for his perseverance. In his statement, which we are grateful for, the Minister touched on the resumption of cancer services. It has been reported that cancer diagnoses are down by somewhere around two thirds, and Cancer Research UK says that as many as 200,000 people across the UK are not being screened for cancers such as bowel, breast or cervical cancer. Can we have any more information on what is being done to prevent the non-detection of a high number of early cancers?

**Mr Swann:** I thank the Member for his point. It is valid and ties in with the point that was made by Dolores Kelly. In relation to screening, the strategic framework for rebuilding HSC services was launched in June with the direct aim of rebuilding health and social care services in prevailing COVID-19 conditions. It outlines a phased restoration of screening programmes as quickly and as safely as possible. The PHA is leading on the restoration of screening and has produced a recovery plan for each of the paused programmes to ensure that they are reintroduced safely and that the benefits of screening are greater than the clinical risks associated with COVID-19. Given the ongoing pandemic and the continued need for enhanced infection control measures, screening throughput is likely to be slower, and it will therefore take some time to catch up on postponed appointments and to restore services to pre-COVID levels of activity. I assure the Member that that work is ongoing to make sure that we catch up on what has been missed.

**The Temporary Speaker (Mr G Kelly):** That concludes questions on the statement from the Minister with some second questions to deal with. I thank the Minister for his indulgence.

I ask Members to take their ease while we get ready for the next item.

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

## Executive Committee Business

### Executive Committee (Functions) Bill: Final Stage

**Mr Deputy Speaker (Mr Beggs):** The Speaker has received a letter from the Secretary of State signifying that he is content to grant consent for the Bill to enter its Final Stage.

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

*That the Executive Committee (Functions) Bill [NIA Bill 08/17-22] do now pass.*

**Mr Deputy Speaker (Mr Beggs):** The Business Committee has agreed that there should be no time limit on the debate. I call the junior Minister to open the debate on the motion.

**Mr Lyons:** The Executive Committee (Functions) Bill will provide greater clarity for Ministers on the circumstances in which they must refer matters to the Executive Committee for agreement; in particular, it provides an exemption from referral to the Executive Committee for certain decisions taken by the relevant Minister under the Planning Act (Northern Ireland) 2011. The Bill is not concerned with the detail of the planning process but, instead, seeks to clarify who is responsible for making decisions.

Section 20 of the Northern Ireland Act 1998 states:

*"The Executive Committee will provide a forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers".*

Additionally, the Executive Committee has

*"the function of discussing and agreeing upon ... significant or controversial matters that are clearly outside the scope"*

of the Programme for Government. Those functions are also reflected in the obligation placed on Ministers to bring certain matters to the Executive Committee under paragraph 2.4 of the ministerial code. It is important to note that the Bill would not change the obligations on Ministers to refer to the Executive Committee or the role of the Executive Committee in considering cross-cutting matters. However, it would address the implications of the Buick judgement, and it is informed by the legal advice of the Departmental Solicitor's Office (DSO) and the Attorney General, which, as Members will be aware, related to the decision of the Department for Infrastructure to approve a planning application for a waste disposal incinerator in Mallusk in 2017.

The Bill addresses the implications of the judgements in the following ways. First, the Bill fully protects and maintains the requirement of section 20 of the Northern Ireland Act that any matter that is "significant or controversial" must continue to be brought to the Executive. It further clarifies that that requirement is also on Ministers even if there is no Programme for Government in place. That means that the absence of a Programme for Government, for whatever reason, cannot be used as a reason for not referring a matter to the Executive Committee for a decision. That is the purpose

of clause 1(2), and it not only protects but enhances the St Andrews Agreement.

In relation to the implications of the wider definition of “cross-cutting”, this had been interpreted as applying only to matters that cut across the statutory responsibilities of two or more Ministers and did not encompass those in which they simply had an interest, although the matter might, as in this case, be supportive of other Ministers’ aims or objectives. The judgement means that the range of matters that would require referral to the Executive could be widened substantially, with the inherent difficulty of measuring the extent and nature of the interest that another Minister might have in the matter. It could also undermine the executive authority of individual Ministers in their areas of responsibility. Specifically, it means that planning decisions that were considered the sole responsibility of the relevant Minister and were not referred to the Executive Committee for agreement would henceforth need to be, to remove the risk of legal challenge on the cross-cutting principle. That would make the Executive Committee the de facto planning authority rather than the Minister for Infrastructure, in whom the statutory power is actually vested. The Bill addresses that implication by providing that a Minister does not need to refer to the Executive Committee a matter where the effect on another Minister’s statutory functions is only incidental; for example, a statutory requirement for one Minister to consult another would not be considered to affect the exercise of statutory responsibilities more than incidentally. That reflects the practical application of the cross-cutting requirement by the Executive since St Andrews but prior to the Buick case.

Finally, to place the responsibility for planning decisions beyond doubt, the Bill provides an exemption from referral to the Executive of certain decisions made by the Department or Minister for Infrastructure under the Planning Act (Northern Ireland) 2011 or regulations or orders made under the Act. Therefore, the Bill would bring into statute the implications of the Buick judgement in respect of the Programme for Government while providing much-needed clarification to Ministers on the extent of their obligations to the Executive Committee. That will preserve an appropriate degree of ministerial authority while placing reasonable limits on the extent to which ministerial decisions, including essential planning decisions, could be challenged on the grounds that they are cross-cutting. I commend the Bill to the House.

### 1.30 pm

**Mr Stalford:** I do not intend to detain the House for long, because the arguments around the Bill are well rehearsed and were discussed at length yesterday in the Chamber.

I think that everyone can recognise that the advances that were made at St Andrews represented an enormous improvement on how this part of the United Kingdom is governed. It was an important principle that the Government should function collectively and in a spirit of cooperation, and the changes that were made as a consequence of the efforts of the Democratic Unionist Party at St Andrews facilitated that positive change to how this part of our country is governed. This proposal is completely consistent with St Andrews, and it is important that that is noted.

We have had arguments thrashed out between differing interpretations. The Government act on legal advice

given to them by, among others, the Attorney General and the Departmental Solicitor’s Office. That is why they are there. That is one of the reasons why the office of the Attorney General exists and one of the reasons why the Departmental Solicitor’s Office exists. In recent days, Members have questioned the advice that has been given by both those organs of the state. It is their right, in a democracy, to do that, but, if we question the validity of that advice, we are effectively saying that we should abolish those offices. What is the point of their existence, if we simply decide that we prefer the advice of someone else outside of —

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

**Mr Stalford:** No — we prefer the advice of someone else —

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

**Mr Stalford:** No.

**Mr Wells:** Petrified.

**Mr Stalford:** I am not petrified of you, Mr Wells.

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Stalford:** You believe that if you want to.

The consistent position of those who have opposed accelerated passage of the Bill —.

**Miss Woods:** Will the Member give way?

**Mr Stalford:** Speaking of which, I will give way to Miss Woods.

**Miss Woods:** I thank the Member for giving way. Will the Member agree with me that not all Members have had sight of the legal advice that he refers to?

**Mr Stalford:** Absolutely, and that is standard custom and practice in government. Even those who have served as Ministers will be able to attest to the fact that the legal advice that they are given is not publishable. I will accept criticism of the accelerated passage procedure from Miss Woods. I will accept it from Mr Carroll, from Mr Allister or from Ms Bailey, because they are the only four Members who have maintained a consistent position on the issue. They were opposed to accelerated passage from the very start, and I accept and acknowledge their right to be.

I give way to Mr Wells now.

**Mr Wells:** Will Mr Stalford accept that the very same legal advisers gave advice to the Department of Enterprise, Trade and Investment on the renewable heat incentive (RHI) scheme and that the advice was found to be very wanting indeed?

**Mr Stalford:** If Mr Wells wishes to take to his feet in the Chamber and consistently denigrate the professionalism and the standards of the Departmental Solicitor’s Office, that is his right. I am merely pointing out that the DSO and the Attorney General exist as organs of this state to advise Members.

The provisions that the junior Minister outlined actually strengthen the concept of collective responsibility, because they provide clarity around the areas that are defined as significant, controversial or cross-cutting. That is important, because this is an issue that, as Members will be aware, has been argued out in the courts on numerous occasions. If provisions are being put in place that provide

clarity and mean that we do not have a situation where, as has had to happen in the past, Ministers in the same Executive end up on opposing sides in a court case, that should be welcomed. It encourages the smoother and more effective operation of our Government, it encourages Ministers to work together and it encourages people to act in a collaborative fashion. That was the vision of St Andrews: a collective Government.

It is also important to note that, under the provisions, Ministers will not be able — Members know this — to go off on so-called solo runs, as happened in the past. Under these provisions, for any decision that is deemed to be significant, controversial or cross-cutting, if a Minister unilaterally assumes the power to themselves to take such a decision, that decision is not valid. It has no standing, because of the provisions that have been outlined by the junior Minister.

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

**Mr Stalford:** Yes.

**Mr Wells:** Let us envisage a situation, Mr Stalford, in which we have a pro-choice Minister of Health who exercises his authority in a way that is repugnant to many Members of the House. How do we bring his or her activities to the Executive? For it to be significant or controversial, the matter has to be clearly outside the ambit of the Programme for Government. Should it be cross-cutting, under the old law, it is very clear that it has to be brought to the Executive. However, under the new law, unless it affects significantly any other Department, it cannot be brought before the Executive. Now, abortion is a controversial issue, but it is difficult to see how it affects anything significantly in the work of the Department of Agriculture, the Department for Infrastructure or the Department for the Economy. Therefore, it fails those two tests. How do you bring something that many Members of the Assembly and in the Executive find utterly repugnant to the Executive under your legislation?

**Mr Stalford:** Because it also falls under the remit of the Department of Justice.

It is important that any decision —.

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

**Mr Stalford:** No. I have been very generous. The Member accused me of being terrified to give way to him. I think that I have given way three times; certainly twice. I was generous with him yesterday as well.

Any decisions taken by a Minister outside the scope of the provisions will not be valid and will not have force, and that is clear to anyone who reads them.

The arguments have been well rehearsed; indeed, to some of those who protested yesterday that there had not been enough scrutiny, I say that, for a three-clause Bill, one of which is the title, the Assembly has exercised a very decisive level of scrutiny of this legislation. The arguments have been thrashed out. It is important that we move forward together.

**Mr Sheehan:** I agree with the Member who spoke previously that all the arguments have been rehearsed and ventilated in the Chamber in a number of debates. I will not detain the House long, but I will reiterate where we came from and how we have arrived at this point.

The Buick judgement, which no one expected, has made the potential of people bringing the Executive or Ministers to court an ever-present danger in its context. That needs to be changed. There is no point in having Ministers end up in court over practically every decision made. As has been pointed out, the Bill is short, but it recalibrates the legislation back to what, everyone believed, it was prior to the Buick judgement. The safeguards are there. If a decision is significant, controversial or genuinely cross-cutting, it is for the Executive to deal with. That seems to be absolutely clear.

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

**Mr Sheehan:** The advice from the Departmental Solicitor's Office and the Attorney General is crystal clear.

I will give way.

**Mr Wells:** Let us move to consider another situation. One of your Ministers is responsible for infrastructure. He decides to implement Irish language road signs throughout Northern Ireland. Clearly, that is entirely within the ambit of the functions of his or her Department. Unless there is a policy forbidding it in the Programme for Government, how does that policy go onto the Executive table? What is to stop his Minister simply proceeding to introduce Irish language signs throughout Northern Ireland?

**Mr Stalford:** Will the Member take an intervention?

**Mr Sheehan:** Yes. I will.

**Mr Stalford:** That would arrive at the Executive because it touches on two Departments: Infrastructure and Communities.

**Mr Sheehan:** Go raibh maith agat. Thanks for both interventions. Mr Wells's intentions are to spook the horses. They are simply that. The question was answered clearly, so I do not have to answer it.

We needed accelerated passage for the Bill. That has been an issue, and I accept that some Members here are opposed to accelerated passage as a general principle. I also accept that accelerated passage does not allow for the depth of scrutiny that would normally be the case. We are, however, in a crisis situation. We are in the middle of a pandemic that has, of course, affected the health of our citizens, but a consequence of that has been the damage done to the economy. We need to get the economy going, and one way in which we can do that is that through major infrastructure projects. They are sitting in the Infrastructure Minister's in tray, which is probably overflowing at the minute. We need to get those projects going, get people back to work and get the construction industry back to work. For that reason, I support the Bill.

**Mr McGrath:** I continue to support the Bill. It is a sensible one that will allow, amongst other things, the Minister for Infrastructure to make decisions. They will not be small decisions. They will be about regional applications that will deliver jobs, boost the economy and get the North's economy moving again. We have coronavirus, and we have Brexit. The two combined have had a major impact on the economy, and, when the economy is in a bad way, our communities are in a bad way. Fewer jobs means less money in our communities, and that has ramifications that go beyond mere planning applications.

The Bill will also help the Executive to work better and help stop paralysis. Time and time again, doorstep after

doorstep, election after election, the people told us, “Get up there and do your work”. “Do your job” is what we were told. How many years have gone by in which people struggle to think of decisions that have been taken here that have truly and positively impacted on their lives?

There will be significant and controversial decisions — I have mentioned Brexit — and such decisions may create division. Different approaches will be difficult to unite, but the procedures are there to call in such matters and to help the Executive search for consensus and compromise to ensure that delivery takes place. To me and my party, the Bill is about action. It is about getting things done. It is about delivering for people and delivering for communities. Some may not like to cede a little power. Some may not like to devolve a little bit of decision-making. Some may whiff a few stray votes in the air, and that may be a little more what is happening here than having any problems with the Bill. I want to see action. I want to see activity. I want to see autonomy, where appropriate. I want to see this place delivering for people and truly serving people’s needs by helping them and through us doing our job. I am happy to support the Bill and look forward to seeing it pass today.

**Mr Beattie:** It is a short Bill but a far-reaching one. We should not really look at how few pages or how few clauses it has but at the effect that it will have. I thought yesterday’s was a good debate. It was an important debate, and people got their points across well. I will not rehearse any of the arguments from yesterday, because the outcome was clear and I accept what the outcome was.

#### 1.45 pm

However, during yesterday’s debate, I had to bite my lip somewhat when I was accused of being insulting, when my moral integrity was questioned, when MLAs made the assertion that 11 minutes of scrutiny at a Committee was good enough and when MLAs questioned the whole planning part of the Bill but absolutely ignored my amendments. How dare I change my mind. How dare I, as an MLA, say, “Actually, I got it wrong, and I’ve changed my mind”. How dare I question a Bill that is a carve-up between two parties. How dare I.

When I take part in debates on important matters like this, I genuinely try to hold the hand of friendship out to everybody here and listen to the points that they are trying to make. I genuinely try. Let me make it clear, however: do not confuse friendship with weakness. This Bill is bad legislation, and there are people in the Assembly who know that it is bad legislation and are still going to vote for it. Shame on them. It has not been scrutinised to the level that it should have been. MLAs have not had the opportunity to question all the experts about it. We do not know the effects of the legislation in the medium to long term. No idea.

It will create a combative Executive. When pretty petty decisions are made outside the Executive, it will allow other Ministers to participate in a pile on. That is dysfunctional government. It will allow Ministers to step outside of collective government to get themselves away from any controversial decisions that are being made.

The Bill is a U-turn by the DUP on the core argument that it made to its electorate for its being able to share office with Sinn Féin. At St Andrew’s, the DUP said that it had fixed the Belfast Agreement, and stopping Ministers from

going on solo runs was one of the core tenets for it saying that it had done so. Yet, here it is, doing a U-turn and backtracking on that very principle.

Section 2.4 of ministerial code of conduct is nearly a direct extraction from the St Andrew’s Agreement — nearly a direct extraction — and yet section 2.4, which was designed to keep the bar low for cross-cutting measures, is going to be overturned. I am in no doubt whatsoever that, after the summer recess, we will have the ministerial code before the Assembly, and section 2.4 will have been changed.

The junior Minister’s assertion that every Minister is stuck in a quandary because of the Buick judgement, which means that they have to bring all decisions before the Executive, is just not true. We have had an Executive for six months, and Ministers have not brought all the issues before the Executive. In fact, the Health Minister reduced the ban on gay and bisexual men giving blood from one year to three months. He did not bring that before the Executive, and not a single Minister raised an issue with it. That could be viewed as being controversial, as it was controversial enough for previous DUP Ministers to take it to court.

It is a fallacy to say that, for the past six months, we have been running contrary to the Buick judgement. That raises the prime question that has never been answered: why are we rushing this through? What is behind the rushing through of this legislation? Somebody needs to answer and say, “This is why we had to do it”, because if we were able to operate for six months with Ministers making decisions outside the Executive, why do we now have to rush it through?

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

**Mr Beattie:** I certainly will.

**Mr Wells:** That question was asked [*Inaudible*] in the Chamber yesterday, but it is the one question that —

**Mr Deputy Speaker (Mr Beggs):** Order. I ask the Member to speak in front of the microphone so that everyone can hear.

**Mr Wells:** That question was asked by so many Members yesterday. It is the one question that was evaded on every occasion by the proponents of the Bill. What would be wrong with parking the Final Stage of the Bill until October to allow a cool-headed reflection of its implications? I am perfectly happy for Mr Lyons, Mr Stalford or anyone else to stand up and answer these questions. Why the rush? Why did it have to be handled this way? If they do not answer those questions, I am afraid that many of us have deep suspicions around what is going on.

There is silence.

**Mr Beattie:** I thank the Member for his intervention. It is a really important point, and I hope that the junior Minister can address it in the winding-up speech. It is incredibly important. I believe that this is a dangerous carve-up between the DUP and Sinn Féin, aided and abetted by some of the other parties, without looking into it in any depth. They are doing this because they want to distance themselves from some controversial issues that are about to come before the Executive.

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

**Mr Beattie:** No, I will not. Sit down and take your medicine.

I think that controversial issues are coming before the Executive, and they will try to distance themselves from them. For example, the armed forces commissioner, the Irish language commissioner and abortion legislation. Just watch and see people dive for cover when they start coming out, as they try to hide and distance themselves. There is not a chance that I will support this legislation, not a chance that my party will support this legislation, but there is every chance, in the future, that I will point out the folly of this legislation.

**Mr Muir:** My party will vote for the Bill today. The Bill gives the Minister for Infrastructure the power to make planning decisions, as was always the intention.

**Mr Stalford:** I am grateful to the Member for giving way. No matter how intemperate or ranting Mr Beattie chooses to be, the fact of the matter is that, when he says “aided and abetted by some parties”, he needs to look at the result of the Division yesterday. I think it was 73 Members to 10. When Mr Beattie talks about aided and abetted by other parties, I suggest that he does some basic mathematics.

**Mr Muir:** I find Mr Beattie’s argument — that it is a DUP/Sinn Féin carve-up to give power to other Ministers, including those from the three smaller parties — rather strange. That is something new and revealing, perhaps. The Bill allows Ministers to take decisions that are not cross-cutting, that are within their sole statutory authority and are not significant or controversial, without the need to bring them to the Executive Committee first. Without the legislation, Executive Committee would become the de facto planning authority for Northern Ireland. The Minister for Infrastructure only deals with regionally significant and called-in planning applications. Therefore, if all significant decisions have to come before the Executive Committee, it would follow that all the Minister’s planning decisions would fall into that category. The Executive Committee being responsible for all regionally significant planning decisions would only make the current delays in the system worse.

Yesterday, Mr Wells stated that there is not a huge stack of applications waiting to be processed. To clarify, on 15 June, the Minister for Infrastructure confirmed with me that there were 38 applications still to be determined, with the top two stuck in the system for 698 weeks and 695 weeks.

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

**Mr Muir:** Yes.

**Mr Wells:** The Member is making a valid point that there are 38 applications in the system. How many of those would be determined before October? Given that we are in the COVID-19 crisis and in the middle of the holiday period, if we decided to halt the consideration of the Bill to allow for cool heads to sit down and think through its implications, would any of the 38 applications be affected if we had the temerity to sit down and have a long hard look at what we are about to do?

**Mr Muir:** I thank the Member for his intervention. It will be for the Infrastructure Minister to clarify what decisions can be made over the weeks and months ahead. After three years of no Government in Northern Ireland, and in the middle of an economic crisis, we can ill afford to wait even further. The people of Northern Ireland, as the other Member outlined, have been saying to us “Get back to work. Get decisions made.” The message from today is to delay and think about it. We have done enough thinking

about things here. We need to start taking decisions, The facts in relation to delays in planning applications and those needing to be determined speak for themselves.

It was always the intention that decisions would fall under the powers of the relevant planning Minister. It is my opinion that the legislation takes us back to the position that all parties had accepted before the Court of Appeal’s judgement in the Buick case. As the judgement states:

*“No previous Environment Minister or Infrastructure Minister had ever referred an individual planning application to the Executive Committee for agreement prior to its determination.”*

In addition, the legislation will go some way to allowing Ministers to make decisions that are neither significant nor controversial — decisions that are their sole statutory responsibility and which are not cross-cutting — without having to refer them to the Executive Committee. Legal opinions are just that: opinions. I have heard one opinion that the cross-cutting element will be largely unaltered as a result of the legislation, with the Infrastructure Minister again able to determine regionally significant applications. Essentially, pre-Buick, post-St Andrews. I have read other opinions on social media that are contrary to that opinion, but, ultimately, the decision to be made is whether this legislation is the best response to the Court of Appeal’s Buick ruling.

I feel that it strikes the right balance between necessary collective decision-making and granting Ministers the power to make judgements. I know, from reading the Buick judgement, that failure to act would lead not only to unnecessary ministerial inertia but successful legal challenges that Northern Ireland can ill afford. We cannot afford to ignore Buick. We have to act.

However, I have raised the issue of the wording of the ministerial code, as it will need to be updated to reflect the provisions of the legislation. The ministerial code is a very necessary piece of the statute book, designed to hold Ministers to account for their actions. It is important that it be updated in line with the legislation, if passed today, so that it continues to be an active document that reflects the law of the land rather than being a set of alternative rules that add unnecessarily to legal uncertainty. However, I seek clarity from the Ministers in their response on whether planning decisions can be made before the code is updated.

How Ministers and the Executive act, individually and collectively, is the most important factor in whether these institutions can survive and regain the trust of the people of Northern Ireland. We need Ministers who will apply planning policy objectively when making their judgements. In the Executive, we need Ministers who work together collaboratively to deal with the significant and controversial issues that need to be tackled. That is what I believe today’s legislation allows for. Ultimately, however, it will be up to Ministers to make it work.

**Mr O’Toole:** As many Members, particularly the Member for Upper Bann, have said, the length of the Bill is in inverse proportion to its importance. It is, first of all, worth saying, as all other Members have, that we need a legal remedy to the precedent created by the Buick judgement. That judgement created enormous uncertainty in our planning process, leading to stasis in our planning system,

which added to a broader policy and decision-making stasis in our politics and public sector.

We need our planning process to work effectively in order to make decisions that will be vital to our economic recovery. That point was well and emphatically made by Members from multiple parties. In short, the Infrastructure Minister needs to be able to make decisions, and the Bill achieves that. Andrew Muir outlined the volume of decisions before the planning Minister.

However, that is not to say that the Bill, or the process surrounding it, has been ideal. Since re-forming the Assembly, we have been asked, more than once, to compress our scrutiny and to grant accelerated passage to legislation that, in normal times, would and should receive more attention, including multiple Budget Bills. Agreeing to accelerated passage for the Bill was far from ideal, and I say that in full recognition that I was not here to speak against it when it was first debated. Like Mr Beattie, I am happy to acknowledge where I should have spoken up earlier about a process not being ideal. I am happy to take anyone's criticisms today about not speaking up. I do not think that it is ideal that a Bill like this receives compressed scrutiny.

## 2.00 pm

It is, however, welcome that, once passed, the legislation will enable planning decisions to be made promptly after years of uncertainty. For that reason, I and my party are supporting it, but, as I said yesterday, in doing so, I am keen to ensure that we have clarity from the Executive Office on one particular area of concern: the issue of Brexit and in particular the implementation of the Ireland protocol.

Proposed new subsections (8) and (9) have been the subject of particular controversy and appear to give much more sweeping power to individual Ministers to make decisions without reference to the Executive Committee. The Bill retains the provision that "significant or controversial matters" must be brought before the Executive. We do not yet have sight of the updated ministerial code that has been mentioned frequently. That document, as others have said, will need to provide real clarity on how the provisions in the updated Bill interact with the responsibilities of Ministers.

As I said yesterday, if any issue qualifies as fundamental, cross-cutting, significant and controversial, it is Brexit and the implementation of the protocol. The junior Minister helpfully confirmed to me yesterday that the Executive and their Brexit committee remain core to dealing with Brexit-related matters. Though I have been disappointed with and critical about the level of scrutiny the Assembly has been able to give to the subject of Brexit and specifically the implementation of the protocol — indeed, I was very frustrated — I was glad and grateful for that from the junior Minister. The 'New Decade, New Approach' document references the importance of Brexit by setting up a Brexit subcommittee. Indeed, that is now a straightforward Executive committee, with representation from all parties.

As we give our support today to the intentions the Bill, with my careful caveats about the frustration with accelerated passage and the acknowledgement that there are legitimate criticisms of the Bill and, indeed, while acknowledging much of what Mr Beattie and others have said, I would be grateful if one of the junior

Ministers could today confirm again that nothing in the Bill undermines the decision-making power of the Executive as a whole in relation to Brexit or the implementation of the protocol, and nor does it give individual Ministers the right to take decisions about protocol implementation that are significant, controversial or cross-cutting. With that request, I will draw my remarks to a close.

**Dr Aiken:** As I look around the Assembly, I am reminded, if we look back in history, of when RHI was being debated in the Assembly. Even though there are reduced numbers here due to COVID, the number of Members who have been able to take part in this debate on what is, quite frankly, bad legislation is particularly disappointing. I do not wish to make this into a moment where we harangue each other on particular issues, but there are some significant issues here. The first question, and we have not had the answer, is: why this legislation and, more particularly, why now?

Mr Lyons, thank you very much indeed for your very fulsome description and your briefing when we were talking about the amendments yesterday. You talked extensively about the legal opinion from the Departmental Solicitor's Office to the Executive and the views of the last Attorney General. We fully accept — it is a pity that Mr Stalford is not here — the fact that privileged information to the Executive is, indeed, privileged and should not be subject to further discussion. We do, indeed, welcome the offer that you made yesterday that the solicitors will be available to brief us in more detail. It is just a pity that, in the 11 minutes that the Committee for the Executive Office took to decide on the Bill, there was not the opportunity to get some more guidance and advice, particularly on the legal aspects.

We know that, because of the unique situation in Northern Ireland, our party is in a mandatory coalition. We also know that many of the reforms that were mentioned in and were supposed to be part of New Decade, New Approach have not yet been brought to the fore or actioned. Here we are in a situation where we are looking at a piece of bad legislation, with the impact that that will have. It will have an impact not just this year but next year and in the years to come. As some of the learned Members who have been here much longer than I said, we will be dealing with the implications of this not just in the short term but in the medium and much longer term. Many MLAs need to reflect on that.

Mr Lyons referred yesterday — this is quite important — to three key issues about the checks, balances and controls, and that is one of the main reasons why this is bad legislation. He mentioned the three Ministers rule and how that will be referred to in the ministerial code. However, we have been informed that there is going to be an update to the ministerial code. We are being invited to look at this legislation before we know what the changes to the ministerial code are going to be. Indeed, where New Decade, New Approach is concerned — like many others in the Chamber, I sat through hours and hours of turgid discussion behind the scenes in Stormont House and beyond — we still have not seen the updated ministerial code. Being asked to take this legislation through on the basis of something that we have not seen smacks again of the RHI inquiry and some of the issues to do with that.

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

**Dr Aiken:** Certainly.

**Mr O'Toole:** I was not involved in those turgid discussions, but he is right about New Decade, New Approach and, indeed, the ministerial code. Given that everybody in the House wants to see Brexit, including the implementation of the protocol, dealt with in a way that protects the Northern Ireland economy in the fairest way, does he agree that it is particularly important that we get clarity that because the implementation of the protocol and Brexit are such cross-cutting, fundamental and inherently controversial issues — that is why they were included in New Decade, New Approach — they will not be subject to ministerial solo runs?

**Dr Aiken:** I thank the Member from South Belfast. He must have been reading my notes, because those are, indeed, the very words that I was going to discuss now. Not only do we not have any view of what the updated ministerial code will be like, we need to understand clearly the definitions of the words “significant”, “controversial” and “cross-cutting”. We talk about improving clarity for Ministers, but when are we going to see this information so that we are able to assess whether it is appropriate to test whether this law is good law? We have not seen that. If we look back at some of the things that happened in the past and at some of the reasons why the Assembly did not sit for three years, we can see that that lack of scrutiny has been very clear.

I ask the First Minister and the deputy First Minister these questions: how does the Bill help to restore trust in the Northern Ireland Assembly? Does it restore openness and transparency? Does it address the democratic deficit? They should ask themselves very clearly whether any of those questions have been answered.

There was a note in one of the newspapers asking whether MLAs are “incurious” and “inept”. I am quite insulted by that, because I am not incurious. I might be inept in some things, and I do not think that people in the Assembly would consider that to be the case. However, there is a real issue here. We have a precedent of legislation coming through the Assembly that has brought this place into disrepute, and, Members, we are doing that again.

How does the Bill respond to the challenges of our unique legislative system? This was introduced to sort out a planning issue in a series of planning issues. My honourable friend from South Down has said this on many occasions: what is the rush? Indeed, my honourable friend Mr Muir said that some planning applications have been in the system for more than 650 weeks. One of the great things about being a submariner is that I am quite good at mental maths, and that shows that these planning applications have been in the system since long before the Assembly was shut down for three years and long before Buick. There is something more fundamentally wrong with our planning system than was going on with Buick, and I am not sure that this legislation in any way is going to address those fundamental issues.

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

**Dr Aiken:** Certainly.

**Mr Wells:** The junior Minister Mr Lyons is obviously quite shy when it comes to me, because he has been offered many opportunities to come to his feet to explain the rush, and he has sat quietly, as has Mr Kearney, and we have —

**Mr Deputy Speaker (Mr Beggs):** Could I again ask the Member to use the microphone?

**Mr Wells:** Mr Lyons must be very reticent to speak when I am on my feet, because he has been given many opportunities through yesterday's debate and today's to explain the reason for the rush, the reason why less than 24 hours was given for amendments and why we are heading at breakneck speed down a road that may prove disastrous. He has not on any occasion been prepared to intervene when I have been speaking, so I am offering him the opportunity, since you have raised the question, to explain why we are doing this.

**Dr Aiken:** Thank you very much for that intervention.

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

**Dr Aiken:** I shall indeed.

**Some Members:** Hear, hear.

**Mr Lyons:** I am very grateful to the Member for giving way, although I will point out that I did give way multiple times yesterday to the Member. I have no problem in doing that, and I may even seek to make an intervention when he is speaking later on.

The Members want to know why it is that we are taking forward this legislation in the way that we are today. One issue has already been touched on, and that is the issue of planning. Regardless of the fact that some applications have been in for a long time, it is still important that we get the process right. The second issue that we want to make sure that we address is that the significant and controversial issues are not currently allowed to be used. The Member should be aware of that. Why? It is because we have no Programme for Government in place. So, without this Bill today, Ministers will be free to do things in their own Department that are significant or controversial, and it is important that we do something about that.

The third reason why we need to bring this Bill in is to make sure that there is clarity. I think that some are of the opinion that the judgement might mean that we will have to bring all these decisions to the Executive but they are saying, “Don't worry about it. We will just let that go. Just because it was the practice and custom previously, we do not need to bring it in now”. That would be wrong because, as Mr Stalford has already said, if a Minister has to take something to the Executive, he cannot make that decision by himself. It becomes an invalid decision, and there is no legal certainty around that. Those are three reasons why we are bringing this Bill in.

**Dr Aiken:** I thank the Minister very much indeed for doing that, but his intervention continues to raise fundamental questions about why this is bad legislation and a bad law. I am sure that the junior Ministers, when they are briefing the Assembly at the end of this debate, will talk fairly clearly about the definitions that we require for significant, controversial and cross-cutting. Maybe we will also get an update on the proposed new ministerial code because, indeed, junior Ministers, we are being invited to agree this legislation before we even know what the proposed changes in the ministerial code are.

I will conclude fairly shortly. We do have a choice. We, as Members of the Assembly, can meekly accept bad legislation, which the Ulster Unionist Party will not be doing. Do we really seriously say that we will allow the

so-called smartest lawyers in the room to set the agenda? This is all that I have heard. I have heard everybody say that we need to agree with this because the best legal minds, from the government lawyers to the Attorney General, tell us that it is the right thing to do. We do not have to go back very far in the Assembly to see the last time that we had lots of advice and guidance from departmental solicitors and where that led us to. That should be the touchstone that we look to as we go through.

Finally, how does the Bill actually give us clarity? I have not heard anything from any Ministers or from any of the more eloquent people from the Back Benches. *[Interruption.]* Christopher is very eloquent, and I quite enjoy his interventions.

**Mr Stalford:** Elegant?

**Dr Aiken:** No, eloquent. You are never getting “elegant”.

The real issue, ladies and gentlemen, Members of the Assembly, is that this is bad legislation. In the future, when this comes back, which it will, and creates enormous problems, we will have to ask ourselves, with our conscience, whether we had the ability to stop this bad legislation at this stage. Or are we going to go through another whole rigmarole that is going to create all sorts of impediments to the future good governance of Northern Ireland? It will probably not even make sure that we get the York Street interchange built on time. We need to have good legislation. We need to have good scrutiny. We may not have made the amendments yesterday, but the Ministers still have an opportunity to delay this process so that we can look at the Bill properly.

## 2.15 pm

**Mr Wells:** Mr Deputy Speaker, if you hear a hissing sound during my speech, it is me burning many bridges between me and my erstwhile party. I am fully aware of the consequences of what I am about to say, but it has to be said. I simply cannot stand by and watch the House take a decision that will have — could have enormous implications for the governance of Northern Ireland without at least standing up and warning of the consequences. It is often said that opposing the Executive is like jeering at a passing steamroller — that is probably about as much impact as I will have — but I want to be able to look the people of South Down in the face, maybe in 18 months’ time, when this radically unravels, and say that, at least, I had the courage to stand up and say that we should not have done it.

Before I go into my speech, I say that I am glad that Mr Stalford is back. He answered a question that I raised about a rogue Sinn Féin Minister on a solo run wanting to inflict Irish-language road signs on the people of Northern Ireland. He stood up and said, “Oh, but that is cross-cutting, because it also impinges on the role of the Department for Communities”.

**Mr Sheehan:** On a point of order, Mr Deputy Speaker. Yesterday, we heard intemperate and inflammatory language from the Member who was speaking there. I see that, today, he is back at the same old lark, talking about “rogues” and so on. Is there any chance he could be asked to restrain his intemperate language, please?

**Mr Deputy Speaker (Mr Beggs):** I am sorry, I have not heard any intemperate language thus far today. I can assure the Member that, if I do, I will intervene.

**Mr Wells:** I use “rogue” in the sense of someone who is totally out of control, rather than someone of doubtful moral background.

The point I am trying to make is that we have seen this, of course. Mr Conor Murphy introduced legislation to impose Irish-language road signs on the people of Northern Ireland. The reason that he got absolutely nowhere with that Bill was that it was pointed out to him that, under the existing legislation, it would get absolutely nowhere.

Now, I will give way to Mr Stalford on this point. He said, “Ah, but that affects the work of the Department for Communities”. Now, if a Sinn Féin Minister or, indeed, an SDLP Minister for Infrastructure decided to have Irish-language road signs between Newcastle and Kilkeel, it would be difficult to argue that that is a genuinely cross-cutting measure that will have an impact on the Department for Communities. It will not really matter, because a court will decide that it has no real impact on the work of the Department for Communities.

**Mr Stalford:** The Member will also be aware that it has section 75 implications and equality implications. If people object to such provision, as, I am sure, they would — he mentioned the town of Kilkeel, where, I am absolutely sure, they would — they have recourse to the law. Ministers have to act within the statute. Ministers are creatures of statute. They also have to act within the law, and the parameters of the law are clear around the specific issue that the Member has raised. This is becoming a pattern with the Member: setting up theoretical examples that are designed to frighten people. It is becoming boring.

**Mr Wells:** Gosh, Mr Deputy Speaker. I have been described as many things in my life, but never “boring”. I say to the Member that the people of South Down already have experience of this, because the district council has imposed Irish-language signs throughout the district and all attempts to invoke section 75 have failed miserably. The council has full authority to impose those on communities that do not want them, so I wish the Member well in trying to stop Irish-language road signs within similar restraints.

The Member says that I am throwing up, in a rather boring fashion — I will really have to up my ante, if I am being boring — false alarms about situations where people will feel worried and concerned, but my 22 years’ experience in the Assembly has shown that such situations do arise. There will be maverick — I will use “maverick” rather than “rogue” — Ministers on the nationalist side who will attempt —.

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

**Mr Wells:** I certainly will.

**Mr Muir:** Will the Member accept the Equality Commission’s finding in relation to Paul Givan’s decision to cut Lóifa funding? That was another way in which the legal system found in relation to decisions made by other Ministers.

**Mr Deputy Speaker (Mr Beggs):** Order, Members. I remind everyone that this is not a debate about the Irish language. I draw everyone back to the Bill that we are considering today.



**Mr Wells:** My point is that a court could well decide that a Sinn Féin or SDLP Minister or even an Alliance Minister who wished to impose Irish-language road signs on the people of Northern Ireland would have the power to do that under the Bill, because it is not cross-cutting. Unless there was a clause in the Programme for Government expressly forbidding that, the Minister would be well within his powers to proceed with that policy, which would be anathema to a large proportion of the people of Northern Ireland. They do not want Irish-language road signs.

The Bill purports to update the legislation to reflect the Buick case. Everybody here knows the significance of the Buick case, but, over the last 24 hours, I have received many hundreds of emails from individuals, from people who are even concerned about giving the Minister for Infrastructure the power to unilaterally make a decision on controversial planning applications. I am sure that other Members have also received emails, for instance from the group opposed to the Dalradian gold mine application in west Tyrone or the application for a similar development in Armagh.

**Mr O'Toole:** I am grateful to the Member for giving way. Several Members have issues with proposed subsections (8) and (9), and several Members have had issues with accelerated passage. I can understand those. He now seems to be drawing a broader issue with the Infrastructure Minister having the ability to make such decisions. Does he have a fundamental problem with the idea that the Infrastructure Minister should have, post-Buick, a clearer ability to make planning decisions?

**Mr Wells:** I am saying that the Bill has caught many people in Northern Ireland unawares, and many people would like to have had an input to a proper consultation on it through the Committee. I presume that Mr McGrath's Committee would have been the appropriate Committee to deal with this. They have been denied that opportunity. The Bill has gone from the printer's to ratification and, presumably, Royal Assent in less than a month. There have been 11 minutes of consultation about it in the relevant Committee. Members were given less than 24 hours to submit amendments. I sat in the Chair, Mr Deputy Speaker, and had to read out to Members that, if they wished to table amendments, they had to be in by 9.30 the following morning. That is highly irregular.

I thank Mr Lyons for the fact that, at last, he has explained the need for the rush, but can he tell me of one decision that would definitely have to be made between now and the first week of October? Mr — the gentleman from North Down, I have forgotten his name. I am awfully sorry. The new Member for North Down — somebody remind me.

**A Member:** Mr Muir.

**Mr Wells:** Mr Muir listed 38 planning applications that were sitting in the system, but what he did not say and what nobody said is that, on planning application A, we want to make a decision in August, and, on planning application B, we will definitely need to make a decision in September. I suspect that the reality is that, when we come back in October, there will still be 38 planning applications sitting there, because that, unfortunately, is the way that things work in the system at the moment. I will give Mr Lyons the opportunity to name me the applications that are so urgent that they have to be processed over the next 8 weeks.

**Mr Lyons:** I am happy to take up the offer of an intervention. The Member has not addressed my other two

points yet; I hope that he will. Surely, the Member believes that it is right that we have the proper processes in place and that we have the legal certainty that the decisions that we make are made in the right way?

**Mr Wells:** Yes, if that is what he is doing, but he has not convinced me that he is. I gave him the opportunity to say that application A and application B will have to be processed between now and the first week of October. If he is saying that there is no prospect of that happening, what would be wrong — he has not answered this point — in allowing the Assembly, the community groups that have been caught unaware, the general public and the legal profession an opportunity to have a few weeks — I mean “a few weeks” — to sit down and to consider the Bill more carefully? Nothing could be lost. However, what if he is wrong and Mr Stalford is wrong? The implications for the governance of Northern Ireland are immense, because it could lead to judicial review and a legal situation where Ministers can prove that, under the legislation, they have a right to proceed in whatever way they jolly well like. When things are being done and Ministers are out of control, it will be difficult for them to meet members of our community and say that they sat in the Chamber and allowed themselves to be whipped to vote for something that they did not approve of.

Having been a member of the DUP for 46 years, I am aware of the internal workings of the party. I know that there was no consultation on the Bill in the largest political party in the Chamber until yesterday morning. There was no discussion on it until one prominent member of the party pleaded with the Chief Whip to have a meeting. That was denied. It was only when several members of the party pleaded for a meeting that a meeting was held yesterday morning at 10.30. Please feel free to contradict me, if that is not true. At that meeting, a lot of concern was expressed, as a lot of concern has been expressed to me by Members from across the board. In the absence of someone much more capable, in the form of Mr Allister, unfortunately, they have had to turn to an obscure Back-Bencher. “Obscure Back-Bencher”: is that unparliamentary, Mr Deputy Speaker?

**Mr Deputy Speaker (Mr Beggs):** I want to draw the Member back to the Bill rather than the internal workings of a political party.

**Mr Wells:** Mr Deputy Speaker, I think that most Members are fascinated to hear about the internal affairs of the DUP, but they have turned, I am afraid, to an obscure Back-Bencher marooned in the desert, who, unfortunately, is today ensuring that he will remain in that desert for a long time.

There was an intense discussion. Assurances were given by those involved that, legally, the Bill was an enhancement rather than a weakening of the St Andrews Agreement. On the basis of that verbal assurance, people have allowed themselves to be whipped to go into the Lobby to vote for something with which they are extremely unhappy but are scared to say so, apart from saying it to me. There are many people out there this afternoon whose names are on a piece of paper held by the Chief Whip, who will stand in that Lobby and shout out those names, when many of those people are very unhappy with being asked to vote for the Bill.

Mr Deputy Speaker, may I suggest that I have unlimited time because this is legislation?

**Mr Deputy Speaker (Mr Beggs):** The Member is right: there are no time limits. However, I gave the Member some direction to move on from the internal workings of a political party and to refer to the Bill.

**Mr Wells:** Mr Deputy Speaker, Members are still assuring me that they are hanging on my every word, so it cannot be that boring. However, I will not wander any further into the internal machinations of any political party in the Chamber, but I note that none of the Members to my left has stood up to contradict anything that I have said.

Following yesterday's debate, there has been a huge adverse reaction from the community on what happened. Many people have put pen to paper, either on social media or in newspapers, to indicate that they are deeply concerned. Most significantly, one of those is Mr Richard Bullick. There was concern yesterday that we quoted Mr Bullick so often. Frankly, I have enormous respect for the judgement of Mr Richard Bullick. The fact that he has now gone public on three occasions to express his concerns about what we are doing holds a lot of water as far as I am concerned. No one in the Chamber has really answered his concerns. Many of the younger Members — there are people who were not born when I first sat in the Chamber; not you, Mr Deputy Speaker, I assure you — will not be aware of the significance of Mr Bullick; in fact, people have asked me, "Who is Mr Bullick?". I can assure you, from my experience of St Andrews, even though I was not there, that Mr Bullick played an absolutely crucial role in the negotiations at St Andrews to establish the protections that have served the Assembly so well; indeed, it is noticeable that what was agreed at St Andrews has saved our community from some really strange proposals, many of which still sit in a store in the Executive Office. We know that, under the St Andrews Agreement, they have absolutely no prospect of seeing the light of day. That has given us protection for 13 or 14 years. When the author — the person who was so instrumental in the drafting of that document — says that he is still extremely concerned, despite the eloquent defence by Mr Lyons yesterday at the end of the debate. Mr Kearney was remarkably quiet, but Mr Lyons has been given the job of defending this document. Having listened carefully, as many did, to Mr Lyons, I feel that there is still an element of concern. The issue is so important to me and the people of Northern Ireland, that, even if I harbour a 10% doubt as to the effectiveness of the legislation, I think that we need to have another look at it.

### 2.30 pm

I plead with Mr Lyons, who exercises a powerful position in the Executive Office, not to go over the cliff this afternoon or to go beyond the point of no return but to accept, as Mr Stalford said yesterday, that there is conflicting legal advice. That is the only thing that we agreed on yesterday; there is that conflicting advice. If there is that element of doubt that all the MLAs I have spoken to have, what would be wrong in allowing this item to be rolled over to the first sitting day of the new session?

I will gladly give way to Mr Lyons, Mr Stalford, Mr Dunne or Mr Harvey to tell me what could go wrong by doing that to allow us to forensically examine the comments of those opposed to the Bill, to see if they hold water. I believe they do, but maybe they do not. Would there be massive

planning applications that have to go through by the first week of October?

I am waiting, Mr Stalford or Mr Lyons.

**Mr Lyons:** I appreciate the Member giving way. Perhaps I can issue a challenge to him to set out why he believes that what we have in front of us is in any way a move away from the St Andrews Agreement. We have talked about three main issues. The first is that an issue might be controversial, and that remains. Something might be significant, and that remains. In fact, those two are enhanced, because, after the Bill is passed, not only will they apply when a Programme for Government is in place, they will apply when one is not in place. That is important. In terms of the cross-cutting issue, we have moved to what was clearly the position back at St Andrews. It is not whether we cut across the interests of other Ministers — I do not know, by the way, how you measure that — but their responsibilities. That is important because "responsibilities" is the key word. It is found not only in the St Andrews Agreement and the ministerial code but in the words of the then Member for East Belfast, Mr Peter Robinson, when, during a debate in the House of Commons, he talked about issues "beyond a de minimis level" — more than incidental — that are:

*"regarded as cutting across the responsibilities of two or more Ministers."*

Can the Member explain how the Bill is a move away from St Andrews?

**Mr Wells:** The honourable Member for South Down, who probably just about has CSE woodwork, is not the person to comment on that. The point is that, when Mrs O'Loan from Tughans, Mr Jim Allister QC and Mr Richard Bullick, who is the author of the protections that we are debating, have considered all he said yesterday and all the comments from other Members and are still alarmed, that doubt comes into my brain.

If this was the District Council Dog Fouling Bill or the Litter Picking Bill and we got it wrong, it would not be the end of the Earth. However, this is so fundamental to how we govern Northern Ireland that, if we allow it to go through, when many of us still have doubts, and it all unravels, we will never retrieve the situation. One thing is certain: the Members to my right will never agree to an amendment. It is like the definition of victims. We can never amend that definition. We are stuck with it, and it requires cross-community support to bring it back to something that people are comfortable with.

In a few minutes' time, if the honourable Member for East Antrim, the junior Minister, moves the Bill to a vote that, of course, he will win because of the Whip system — there are scars on the backs of all the Back-Benchers who have dared to oppose it — he will have a list of, I assume, 26 names that will be called out, and people will be dutifully registered as voting for something with which many of them feel uncomfortable. If he goes over that cliff and I am right and he is wrong, there will be a terrible consequence of what is about to happen.

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

**Mr Wells:** Yes, certainly.

**Mr Lyons:** I appreciate the Member giving way again. Is the Member saying that, right now, he is comfortable being

in a position where there is no Programme for Government and Ministers are free, until the Bill passes, not to have to bring controversial or significant issues to the Executive?

**Mr Wells:** I am suggesting that the present legislation has served the Assembly and the community well. He has not answered the question: will anything drastic happen between now and the first sitting of the Assembly in October? He has power to delay the Final Stage of the Bill for a very short period to enable Members to have a good, long, hard look at it. He has it within his power to do that today. I am pleading with him not because I am a dissident DUP Back-Bencher or because I have an axe to grind with the party or, indeed, any other party in the Chamber. I say, "Let us make certain that we have got this absolutely right before we go beyond the point of no return". I am not asking him to concede the merits of the Bill. I am not asking him to accept any amendment to the Bill. I just ask him whether, given the extraordinary way in which it has been handled, the total lack of scrutiny that it has enjoyed, the widespread community concern about it and the issues that have been raised long after the Bill was dealt with and published by the Committee for the Office of the First Minister and deputy First Minister, he will consider a short — I mean "very short" — delay to enable cool heads to sit down and get this absolutely right. Those are my comments: I hope that they have not been dull.

**Miss Woods:** Earlier, Mr Stalford kindly gave way to me, and I was able to mention not having had sight of the legal advice from the DSO and the Attorney General, like the majority of Members. It is difficult for my party colleague and me to see the merits of this accelerated legislation, so I will take some time, despite having spoken on the Bill and the amendments yesterday, because this, for us, is important legislation.

I, along with others, have asked why the Executive are intent on pushing the legislation through at this time and asked whether consideration has been given to what this means for the powers of the Executive. Certainly, there is still no clarification of the timing issues and no reason given why we must have the legislation for the summer. The issue has been continually raised, and I will continue to ask, like Mr Wells and Mr Beattie, "What is the rush?"

We are told that the Bill is necessary to clarify the circumstances in which a Minister is required to refer a matter to the Executive Committee where that matter may be cross-cutting, significant or controversial. We are also told that it is about planning. Now, we are also told that it is about getting clarity, of which I see none here. Who decides what is cross-cutting, significant or controversial? Will that be set and clarified? Is there an appeal mechanism? What, in this case, is "more than incidental"? What is an "interest"? How does this relate, for example, to climate commitments and our environment? Would an impact on climate and the environment be considered a cross-cutting matter requiring a decision to be taken by the Executive rather than one Minister? Planning decisions that have significant climate impact would naturally cut across many departmental interests and across their statutory duties, such as the Agriculture, Environment and Rural Affairs Committee and Minister, and the Economy, Finance, Infrastructure and Health Departments. One can make the argument that all planning decisions on our built environment can have climate impacts. Where does that

lead to in the context of the Bill? What about the Aarhus convention?

On 6 July, we were told that a number of significant planning decisions are expected during the remainder of this year that could lead to significant investment and employment opportunities that are being deferred or lost because of the Bill not being enacted, but is there any information on what they are? Do they actually lead to employment opportunities, which is how this has been sold to us, and for whom? The Bill is being proposed as necessary to help government to function quicker and more efficiently. However, without an agreed Programme for Government, all potentially controversial decisions will still have to go to the Executive for approval. What if one of those controversial decisions is on a planning matter? Would it still be within the remit of the Minister for Infrastructure to take that decision on their own? That was famously and controversially invoked five years ago over the Belfast metropolitan area plan (BMAP), yet that planning policy is still waiting for Executive approval and is now out of date.

The process is here yet again. Accelerated passage has been sought for legislation that has had limited scrutiny and no consultation. That has been a recurring pattern over the past few months with regard to mostly coronavirus-related legislation. Now, we are told that, if it is not resolved quickly, that could have important consequences for the economy and, particularly, the pressing need to promote investment in our infrastructure. We are told that the Committee agreed the need for accelerated passage in part because of the current COVID-19 pandemic. If that is so and the Bill is that important for investment in our infrastructure, why was it not brought forward as soon as the Executive were reformed earlier this year? Why is it being brought forward now, during what is supposed to be recess, and we are here attempting to pass the Bill with no time for scrutiny?

On the surface, the Bill is about planning decisions. It has been stated that it stems from the Buick judgement on the incinerator. However, could the passage of the legislation open up unintended consequences? Has that been considered? As I said, when Mr Stalford was kind enough to give way to me, we have no information. I cannot make a judgement on that because I have not seen the legal advice.

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

**Miss Woods:** I will.

**Mr Wells:** As a former Minister, I accept what Mr Stalford has said: Ministers do not normally release the legal advice that they have been given. However, does the Member accept that not only have we not been given the legal advice but we have not seen the wording of the ministerial code or many of the definitions that are crucial to the Bill's implementation? We are being asked to vote for the Bill blind, and the important bits will come along afterwards. That could create chaos. Again, surely, that is an argument for a slight delay.

**Miss Woods:** I thank the Member for his intervention. I accept that we do not have the legal advice, as he already knows, and that the code is crucial. It seems to be a case of putting the cart before the horse. I am sure that the Member would agree.

Does it deepen the silo mentality and silo decision-making by Ministers and their Departments? Many Members commented at Second Stage on the need for quick decisions to be made on planning applications that are in the system and those currently on the Minister's desk. However, are quick decisions the best decisions, especially when it comes to the planning system and developments of the scale, size and impact that we are discussing?

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

**Miss Woods:** I will.

**Mr Carroll:** I am sure that the Member shares the concerns that I and others have that the planning process often excludes people and ignores their voices.

**Miss Woods:** I thank the Member for his intervention. I absolutely share those concerns about the planning process. There are too many barriers for people, not enough consultation and not the right sort of consultation. Certainly, my party would push for equal rights of appeal in the planning process.

I will continue. The Bill is not actually about the planning process. We have a lot to do on that. Yes, we have experienced long waits for planning applications through the system. Mr Muir has outlined some specifics that are currently with the Minister for Infrastructure. Most Members will have experience of other issues with the Planning Service, of which there are many. However, the Bill will not change that. Mr Wells is correct. It is probably the first time that I have agreed with him in the Chamber. What major planning applications will be made in the next few weeks that could not wait until after the summer recess? Are the Executive telling us that hugely important planning applications are waiting to be signed off by the current Minister for Infrastructure that cannot be done without the legislation?

**Mr Stalford:** I appreciate the Member's giving way. In yesterday's debate, Mr Wells referenced the Casement Park development. I am sure that the Member would agree that what happened in that case was not that a ministerial decision was made but that local residents, in conjunction with their Assembly Member, campaigned and used the planning system to prevent a bad application going ahead? Therefore, the suggestion that a Minister could simply impose such a decision is not valid.

**Miss Woods:** I thank the Member for his intervention. Mr Wells can reference whatever he wants, as we know, and has already done so. I do not have the specifics on Casement Park, even if it is part of the elusive list that is on the Minister's desk.

## 2.45 pm

Just to reiterate, if it was so important for all these long-standing applications to be progressed and for the legislation to be passed, why was it not one of the first pieces of legislation brought by the Executive in February? Why was it not in New Decade, New Approach? I see no reference to it there.

The role of the House is to scrutinise legislation and take decisions that need to be taken throughout these so-called unprecedented times. We have been denied our full scrutiny role through the use of accelerated passage. Now, some legislation needed to be enacted quickly over the past few months. However, I do not see the urgency

of this Bill being needed in the same way as the Private Tenancies (Coronavirus Modifications) Act was needed to ensure that people were not evicted during the COVID-19 pandemic and lockdown. That was an immediate and very real threat faced by many people here as we implemented the health protection regulations. This has, again, been presented as a technical Bill that is only about planning issues, but —.

**Dr Aiken:** I thank the Member for giving way. As the debate has gone on, one of the key things that we have seen is that it is about the planning process. The planning process needs to be —.

**Mr Deputy Speaker (Mr Beggs):** I ask the Member to address the Chair.

**Dr Aiken:** Sorry. My apologies. The planning process is the problem. It is not about giving ministerial authority for it; it is about the planning process. Why are we introducing bad legislation that will not even deal with the problem?

**Miss Woods:** I thank the Member for his intervention, and I agree that the planning process does need to be completely reformed. I look forward to any engagement on that and any input that I can make to that.

Again, the legislation has been posed as being about planning issues, but, in my opinion, it opens up a very big can of worms down the line that we might not be seeing now.

The Bill will change the Northern Ireland Act, yet we have little detail on what the consequences of it might be, apart from it being painted as a great opportunity for future employment, which is highly questionable and raises more than a red flag. Is that it? What else does it do? Through the Bill, if the Executive have reduced cross-cutting to mean only when there is a significant impact on another Department's statutory responsibility, what does that mean for previous legal obligations to work together, such as on the Children's Services Co-operation Act? What impact at all, outside planning, has been looked at and adequately tested legally? Have unforeseen circumstances been correctly thought out?

As I stated yesterday when speaking on the amendments, we should be encouraging better collective and collaborative working, not giving Departments cover to plough ahead with working in silos. 'New Decade, New Approach' stated:

*"parties are committed to working together ... This will reflect new ways of working that ensure the Executive is transparently and collectively accountable to the Assembly and to citizens."*

However, for me, that is not what this legislation is an example of. This is bad government, and bad policy will flow from it. We have had no time to consider the full implications that this might have. It is supposedly to prevent the Executive from becoming de facto a decision-making body for planning applications, so why was the entire Bill not limited to planning. This is bigger than it has been made out to be, and we need time to properly consider it. There is still no justification for accelerated passage.

The Green Party does not support the Bill. There are too many questions and far too few answers.

**Mr Carroll:** I am not going to repeat the many concerns that I have raised repeatedly about the Bill. However, at

Final Stage, it has to be stated that it is very concerning that not only is the Bill being proposed but it was debated at breakneck speed and is likely to be passed. The junior Minister stated, or certainly indicated, that controversial planning decisions will still be heard at the Executive Committee, and, much like my colleague Miss Rachel Woods, I do not believe that this question has been answered: who determines what is controversial and therefore properly discussed by the Executive?

Since yesterday, I and many other Members, I assume, received a lot of emails from groups and individuals — some have been referred to already — who have concerns about this Bill. It is notable for two reasons. First, so many people are raising serious concerns with their MLAs about the environment, and the skipping over of an element of the scrutiny process has also raised concerns about the Bill. Secondly, that so many people have contacted me before the Final Stage of a Bill is no accident. To me, that indicates that the public —

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

**Mr Carroll:** I will.

**Mr Wells:** Does the Member accept that, in many of those emails, the Aarhus convention was cited, and yet, in none of their contributions has Mr Lyons or Mr Stalford actually sought to deal with that issue? Are we in contravention of the Aarhus convention by doing what we are about to do? I would be very interested to hear whether Mr Kearney or Mr Lyons will answer that fundamental point at the end of this debate.

**Mr Carroll:** I thank the Member for his intervention. They did. I do not claim to be an expert on the convention, to be frank, but it was raised with me, and the question needs to be asked: are we in breach of that convention if we pass the Bill? Many people raised that concern, and it needs to be directly answered by the junior Minister.

I refer back to my point before the intervention. The fact that so many people contacted MLAs the day before the Final Stage of the Bill, indicates to me that most of the public did not understand the content or the ramifications of the Bill. Even some MLAs have stated honestly that they did not understand the full ramifications of the Bill, and fair play to them for being honest. There are serious concerns, and the fact that people are raising so many the day before Final Stage should be a warning sign to MLAs.

We heard from Pat Sheehan about the economy needing to get going. In abstract, that sounds correct, and, in abstract, there is no problem with it, but you cannot rip out an important aspect of accountability when decisions are made by Ministers. We have to emphasise the fact that there are fundamental problems with planning, and some have been referred to already.

The main problem with planning is that people are excluded from the process time and time again. Objections are often ignored or not addressed properly, and the Bill does nothing to deal with those issues. Residents are often ignored. Casement Park residents for one. Environmental campaigners are often ignored and dismissed as well, and the Bill compounds that problem and does nothing to address it.

What I am hearing from some in this debate is make building decisions, build things, and if there are concerns, so be it, or, best case scenario, we will deal with them

after. That is not good enough for making decisions around planning or anything else. Somebody once said, "Never waste a good crisis". It seems that Stormont has not wasted the opportunity to use a health pandemic to remove an important aspect of scrutiny when it comes to big decisions. For those reasons, I oppose the Bill.

**Mr Deputy Speaker (Mr Beggs):** I call on the junior Minister, Declan Kearney, to conclude the Final Stage of the Bill.

**Mr Kearney (Junior Minister, The Executive Office):** I acknowledge and thank the Assembly for its willingness to consider the Bill by accelerated passage. It is certainly not the preference of the joint heads of government to progress legislation in this way. However, due to the urgency of the need for decisions on planning applications in particular, it has been necessary to bring the Bill forward in a much faster time than would be ideal or desirable. Even in that short timescale, a number of important issues have been debated, and Members have been given the opportunity to voice both concern and support.

This final debate will bring to a close the Assembly's consideration of the Bill, which remains unamended following yesterday's proceedings. In so doing, it will help to enable the appropriate decision-making by the Minister for Infrastructure on planning applications that, as others have pointed out, will aid our economic recovery from the midst of the health emergency caused by —

**Dr Aiken:** Will the junior Minister give way?

**Mr Kearney:** If you just let me finish my sentence. It will aid our economic recovery from the midst of the health emergency caused by COVID-19.

**Dr Aiken:** I thank the junior Minister for giving way. He has alluded to planning decisions that are in the process of coming through. Many Members have asked for guidance from either him or the other junior Minister on what some of those planning decisions may be. Will he give us some information on that, which may help us to make up our minds around the debate?

**Mr Kearney:** I thank the Member for that intervention. I will take it at face value that it was a genuine question, and I was intending to revisit those issues as I respond to his intervention and those of other Members who have spoken during the debate.

I thank all Members who have taken the opportunity to speak. Gabhaim buíochas leis na Comhaltaí ar fad a ghlac páirt sa díospóireacht seo. I am grateful to you all, regardless of what position you took in relation to the issue, for your contribution. A Leas-Cheann Comhairle, déanfadh mé léargas ar an méid a dúirt Comhaltaí. I will take this opportunity to briefly address a number of comments that were made by Members during the debate.

Christopher Stalford commenced the debate and stated that the legislation that has been brought before the House is consistent with the St Andrews Agreement. He affirmed the legal opinion that has been received. I agree with you that Members are entitled to challenge and critique; that is the challenge function of the Assembly. I also agree that the legislation provides clarity and has the potential — I believe that it will be seized as potential — to increase collaboration in our five-party, power-sharing Executive. I would go further. The legislation will be enabling in that respect, and if all five parties who have seats at the Executive table

— most of them are represented in the Chamber today — take that opportunity in a positive, constructive way, the legislation can assist in that process. Mr Stalford also observed that all the relevant arguments have been made and that, in his view, scrutiny has been achieved.

Pat Sheehan spoke next. He began by highlighting the consequential legal hazards that were created as a result of the Buick ruling. In his view, the Bill recalibrates the legislation, and I agree with him in that respect. However, as many other Members on both sides of the debate said today, particularly Mr Beattie, there are limitations to accelerated passage. He noted the limitations of that. In the circumstances that we face, it is a necessary position to adopt.

**Mr Wells:** Will the honourable Member give way?

**Mr Kearney:** Yes. Go ahead.

**Mr Wells:** Does the honourable Member accept the points made by Mr Carroll that, for hundreds of community groups —

**Mr Deputy Speaker (Mr Beggs):** Order, I ask the Member again to ensure that he stands beside a microphone.

**Mr Wells:** Sorry, Mr Deputy Speaker. I keep making the same fundamental error. Does the honourable Member accept the information given by Mr Carroll that, for hundreds of community groups throughout Northern Ireland, the first that they were aware of the legislation was when they turned on their TVs yesterday and heard the debate on it? They have been caught totally unawares and have had no opportunity whatsoever to have an input into this vital piece of legislation. How can he defend his premise that there has been adequate consultation?

**Mr Kearney:** I thank the Member for his intervention. The point that I made was that Mr Stalford had opined that we had subjected the legislation to substantive scrutiny, notwithstanding the fact that we are operating with a system of accelerated passage. I remind the Member that we are all representatives. We are all constituency MLAs and all have a duty, not only to be accountable to our constituents but to inform them. Given the fact that the legislation has been in the making for weeks, we have all, individually, collectively and as parties, had ample opportunity to apprise our constituents of the pending legislation.

Colin McGrath spoke next. He began by reminding us of the multifaceted nature of the emergency and the need for us to reboot our economy by finding stimulus measures, particularly large-scale capital infrastructure projects, which we hope will have the desired effect of creating much-needed and new employment as we move through the torrid times that we have been living through. He believes, as I indicated earlier, that the legislation will help the Executive to work better, but he emphasised the importance of action and of the Executive being seen to deliver for the benefit of wider society. On that basis, he indicated his willingness to support the Bill.

Doug Beattie spoke next. I want to affirm his opening remarks. He noted the quality of yesterday's debate, to which he made a very substantial contribution. He expressed offence at some of the comments that were made yesterday, which he felt were personalised. He suggested that the Bill was a carve-up between the two largest parties in our Assembly.

I know that Mr Beattie will accept my response in the fraternal matter in which it is intended, but I remind him that our power-sharing Executive and Government are made up of five parties of which his party is one. All Ministers supported the Bill as it proceeded through the Executive and all Ministers had sight of the advice that was provided to the Executive on how to deal with the issues that are required to be remedied.

**3.00 pm**

He did however say that —

**Mr Stalford:** I appreciate the junior Minister giving way. Will he return to the comments that he has just made? In the debate yesterday, it was implied, if not stated directly, that one Minister in the Executive was not in agreement with the Bill. Is the junior Minister stating now that there was unanimity in the Executive about the Bill coming before the House?

**Mr Kearney:** Certainly, I can. With respect to the confidentiality of Executive business — I would not betray any such confidences — I have no record of any discord or rancour within the Executive relating to discussions on these matters.

**Dr Aiken:** Will the junior Minister give way?

**Mr Kearney:** Yes.

**Dr Aiken:** This is important. We have already had discussions about the internal workings of the Northern Ireland Executive. We have already had discussions about privileged Executive information — legal information — that we do not have sight of. Are we in a situation whereby two parties are trying to use the situation to demonstrate that they will use the internal information of the Executive, which is supposed to be confidential, for this debate, when the conventions are that they must not do that? For clarity and the record: it is a mandatory coalition. It is not a normal democratic situation. The Ulster Unionist Party has a seat in the Northern Ireland Executive because of the Belfast Agreement. That is why we are there. That is why.

**Mr Kearney:** I thank the Member for his intervention, and, on that point, we will depart. I am pleased to be a member of our power-sharing Government. My party is pleased to be sharing power with other parties. Clearly, the leader of the Ulster Unionist Party has some qualification, reservation or doubt about the issue of power-sharing and the logic for our having power-sharing and doing politics on a consociational basis. I hope that it does not telegraph an intention on behalf of his party in maintaining the collegiality of our power-sharing Government.

To return to Mr Beattie's comments, he said that, in his view, it is bad legislation. He expressed a concern that, if the Bill is passed, it will create a situation where the Executive and their business may become more combative. On that point, I seek to reassure him that with the commitment of all the Ministers and all five parties with seats at the Executive table, I believe that power-sharing works.

Making our power-sharing Government work is not so much about whether we pass the legislation or not — although I believe that it will have an enabling function — but about the will and the spirit that Executive members bring to the Executive table to try to map out a better future for our society. It is on that basis, on many

occasions over recent months, that the Minister from the Ulster Unionist Party has stated that he appreciates the level of collegiality, support and assistance — from all other Executive Ministers, within and outside Executive meetings — that has been provided to him in his important work in leading the fightback against COVID-19.

**Mr Beattie:** I thank the Member for giving way, especially because he has given way quite a few times already.

I take at face value his belief that the legislation will keep that collegiate Executive, and I accept that in good faith. Our Executive have been doing a good job, but they have been underpinned by a ministerial code that is quite expansive. The cross-cutting issue is quite expansive in there. The junior Minister must agree that, when the Bill is passed, paragraph 2.4 will have to be changed to be less expansive, and its being less expansive, may lead to more conflict in the Executive. That is the point that I was trying to make.

**Mr Kearney:** I thank the Member for his intervention and I thank him for taking what I have said at face value. I can reassure him and his party that it is my resolve and intent, and that of my party, to seek to continue to work in a collegiate way with other members of the Executive, including his party colleague, the Minister of Health.

I intended to address the ministerial code later in my remarks. Yes, there are matters pertaining to the ministerial code and, yes, the ministerial code will be required to be amended. The ministerial code cannot be amended until the legislation completes its passage. An example of how we will address the ministerial code and the required amendment, consequential to the passage of the legislation, relates, for example, to functions. We will need to amend the functions in the Executive to ensure that that is reflected in the statutory functions.

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

**Mr Kearney:** Just let me finish, please.

It is, in the context of this discussion and with regard to a Minister's adherence to the ministerial code, for Ministers to make their assessment of what is deemed controversial and significant. The First Minister and deputy First Minister will determine whether an issue is significant and they will retain, in the context of the legislation, the capacity and the prerogative to call matters in.

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

**Mr Kearney:** Yes, briefly, please.

**Mr Wells:** The honourable Member for South Antrim, the junior Minister, should not be concerned about there being numerous interventions because this is such a crucial issue.

He made a couple of points. First, he said that the First Minister and deputy First Minister could make the decision but, of course, they would have to agree jointly to make the decision to call a matter in. They could not disagree on the issue. So, in other words, if one party decides that it is not appropriate to bring it in, it will not happen.

Secondly, he made a point that I found somewhat surprising. He said that it is essential that the legislation is passed — I presume that he means today — in order for there to be discussion on the ministerial code. What would be wrong in delaying the final implementation of this legislation to allow the revised ministerial code

to be published, and also for the definitions, which are so important to this legislation, to be out for public consultation? Neither he nor Mr Lyons has answered that fact, and nobody has produced the mythical planning applications that have to be dealt with between now and October. Will he answer why it is inappropriate to have a short delay to allow more scrutiny of the legislation?

**Mr Kearney:** I thank the Member for that intervention. At no stage did I imply that I was concerned or frustrated about the number of interventions at all, I simply suggested that it might be helpful to be brief in order that I could finish making my remarks in response to Mr Beattie. However, he is absolutely right: there is a requirement for us to use every opportunity in the process of the legislation's passage to subject issues to the appropriate scrutiny and debate. This is an opportunity for additional scrutiny, and I absolutely agree with him on that point.

Returning to Doug Beattie, he and Steve Aiken raised the issue of timing and the fact that we are using accelerated passage, and, to that extent, this point refers back to one of the elements of the last intervention. I think that we have to set all of this into the context of the last period of months. Our power-sharing Executive was re-established in the second week of January, and we are now at the end of July. Within a matter of weeks, the new Executive, the new power-sharing Government, were engulfed with the scale of managing COVID-19. The consequence of that was that 'New Decade, New Approach' and all the provisions in that document, to which every party in the Chamber made a contribution, has effectively been placed on ice. We have not yet had the space to design a Programme for Government. That also has been effectively placed on ice. The existential catastrophe of COVID-19 has effectively absorbed the focus and the attention on a whole-of-government basis. I say that with respect to the fact that every Member elected to the Assembly, on the basis that they are constituency representatives, has also been absorbed with the scale of demand arising from COVID-19.

It has only been in recent weeks that, with the imminence of the transition period for Brexit coming to a conclusion — I refer back to a point made by Mr O'Toole — the Executive have managed to start to address the scale and complexity of issues relating to withdrawal from Europe; five months before the transition period concludes.

The Minister for Infrastructure brought this matter to the Executive a couple of months ago as an issue that she believed required attention for remedy. She made the point that it was essential that legal clarity was obtained and the Executive discussed that matter, and, in turn, the Executive commissioned the legal opinion that was required in order to try to position ourselves to have the clarity and the ability to address planning issues with the Minister for Infrastructure. As Mr Muir pointed out, there were 38 applications in her in tray, some of them obviously being of greater imminence and significance.

As I have said already and said previously, using accelerated passage is not the ideal way of doing government, but it is the mechanism that exists to assist government in trying to navigate and manoeuvre circumstances created as a result of unintended consequences, and, for that reason, accelerated passage was commended, with a view to ensuring that

the legislative basis existed, and specifically to avoid a situation where planning issues would drift into next year.

That takes me to Mr Muir's contribution, during which he pointed out that almost 40 applications are sitting parked with the Department for Infrastructure at this point, along with so many other elements of government that we have not had the capacity or the ability to address as a result of everything that has impacted us over the last four to five months. Mr Muir pointed out that we cannot afford to wait any longer on this matter. He made the point, echoing what was said by earlier contributors, that this legislation goes back to pre-Buick and post-St Andrews Agreement. I agree with him that it strikes the correct balance between the role of Ministers and the collective and collegiate basis of how the Executive should do their business. I have already touched on this matter, but he raised the issue of the ministerial code, and I can assure him that, yes, it will be updated. However, on his question as to whether planning issues can proceed prior to the amendment of the ministerial code, the answer to that is no. The ministerial code must be adjusted in order for the planning issues to proceed.

When we factor in time frames and timescales to how we are trying to do our business here, there is a process that we are following *[Interruption.]* There is a process that we are following, which is an attempt to try to get things expedited but mindful of the point that there are a number of steps that need to be taken. The danger in not proceeding with accelerated passage is that the can is kicked up the road until later in the year and we are left with the prospect, in 2021, of only then having the ability to deal —

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

**Mr Kearney:** When I have finished my sentence, Mr Wells, if you do not mind.

**Mr Wells:** It is a very long sentence.

**Mr Kearney:** I am sorry?

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Kearney:** If you keep interrupting me, Mr Wells, I will forget what sentence I am trying to articulate. Please.

We will end up with a situation, in 2021, where we have not advanced any of the planning issues that we hope to address.

**3.15 pm**

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

**Mr Kearney:** Yes.

**Mr Wells:** The honourable Member has let the cat out of the bag. The Member has said that planning applications cannot be considered until the new ministerial code has been adopted. Therefore, there is no rush. Obviously, it will take significant time to devise, publish and consult on that, so there is no reason why we cannot have a delay in the passage of the Bill to enable adequate consultation and public debate on it and analysis of the various legal opinions. At the end of the day, pushing it through today will not facilitate any planning application because it has to run in tandem with the new ministerial code. Why can he not allow the issue to be discussed again in the first week of October?

**Mr Kearney:** I thank the Member, once again, for his intervention, but he misses the point. The legislation must be passed and adopted in order for us then to make the necessary adjustments to the ministerial code. On the basis of making the adjustments to the ministerial code, when we have concluded that process, we are in a position to start to address a number of the planning issues coming through from the Department for Infrastructure.

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

**Mr Kearney:** Yes.

**Mr Muir:** This place came back at the beginning of January this year. If the Bill is passed, the ministerial code will have to be updated, and that will then have to be passed. Some Members talk about delaying things and the passage of the legislation until October. Does the Minister agree that it would be a damning indictment of this place if, for the whole year of 2020, the likelihood was that not one regionally significant planning application would be passed?

**Mr Kearney:** I thank the Member for his intervention. He makes an entirely valid point, which is the point that I have been trying to make. I have attempted to respect the issues raised by Members in relation to timing and accelerated passage. Some have asked, "Why the rush?". The Member makes the point that, when the amendments are made to the ministerial code, they will be put to the Assembly for scrutiny and potential amendment, which further adds to the process that we are involved in to get us to the stage at which we are, in fact, on a fit-for-purpose basis, in a position to deal with a number of the planning issues that remain extant.

Matthew O'Toole expressed caveats about accelerated passage. I have already indicated that I agree that it is not the best and ideal way of doing business. He also raised a question about the Irish protocol and whether it, in turn, also carried cross-cutting implications. He asked whether the legislation would impinge on the collective decision-making process relative to the Irish protocol. I think that the Member has raised that point before and perhaps he has received a response to it. The Executive deal with Brexit in a collective format. All the issues relating to withdrawal are brought to the attention of all Ministers in the Executive. We deal with them on the basis that it is an issue that requires the collective focus of all Ministers. Notwithstanding differences in the Executive in relation to withdrawal or otherwise, Brexit or otherwise, the reality is that we are where we are. We have the Irish protocol that needs to be implemented. It has cross-cutting ramifications, and the Executive are focused on dealing with those discussions collectively.

Steve Aiken began by expressing his concern that the legislation is bad and has long-term consequences, in his view, on the basis that, if bad legislation is passed, there can be unforeseen circumstances with negative results. He expressed doubts about what changes to the ministerial code would entail. I have attempted to address that issue with regard to remarks made by other Members. I make the point again: we are not in a position to amend the ministerial code, which will require amendment, until we have changed the law. As I said a short while ago, however, our Assembly will have the ability to approve the amendments.

**Mr Beattie:** I thank the Minister for giving way. I guess that the ministerial code is becoming quite an important



part of this. If you look at section 28A(3) of the Northern Ireland Act 1998, you will see that there is nothing in there that states that you have to wait for legislative change before you can amend the ministerial code. You can change the ministerial code now. You can put a draft before the Assembly to allow Members to see what it will look like. Doing that would add to the Bill. Can you see the concerns? The more we dig into this, the more that it smacks of there being more scrutiny required, if we are pulling out things like that.

**Mr Kearney:** Yes, I accept that the Member has his own specific concerns about the legislation. He has made that clear. You made fulsome contributions yesterday. You tabled your amendments. Regrettably, from your point of view, those amendments were not agreed, because they did not secure the majority required. You did not persuade Members that the amendments would be of benefit to the quality or the substance of the Bill.

**Mr Wells:** Will the Minister give way?

**Mr Kearney:** Yes, Mr Wells.

**Mr Wells:** I am sorry to be awkward, junior Minister, but we have homed in on an absolutely vital issue here. You have said and Mr Lyons has said that you cannot amend the ministerial code without passing the Bill. There is no legal advice and no law that says that you cannot amend the ministerial code, regardless of what you do with the Bill. What is also important to note, however, is that, if you amend the ministerial code, that has to be approved by the House. That will, obviously, not be done until the autumn. There may well be amendments. There will be several stages to that. The main rationale therefore for you rushing the Bill through now, which is to get planning applications, falls in its place, because you cannot do so without an amended ministerial code. That cannot be done until the autumn, so why can you not allow the Bill to be scrutinised further and bring it back at the stage that you are dealing with the ministerial code?

**Mr Kearney:** I thank the Member for his intervention. Again, he misses my point. We are attempting to create a situation in which we are in a position come the autumn and early winter to address the extant planning issues that have been congesting the Department for Infrastructure. Amendments to the ministerial code need to be brought to the Assembly for agreement. They must reflect the law, Mr Wells; otherwise, they will have no standing. You, in fact, are attempting to take the cart and put it before the horse.

**Mr Wells:** Will the Minister give way?

**Mr Kearney:** No, Mr Wells. I want to continue with my response to Mr Aiken.

Mr Wells's intervention was on the very point on which I left off. The examples that will require to be addressed in the context of changes to the ministerial code relate, for example, to those statutory functions and specifically to the provision of the exemption of certain planning decisions from the cross-cutting issues affecting the Executive. Mr Aiken, echoing what Doug Beattie said, was emphatic about seeking further delay to the legislation. Like Mr Wells, he suggested that there was no valid basis for not allowing further delay.

**Dr Aiken:** Will the Minister give way?

**Mr Kearney:** Yes.

**Dr Aiken:** The crux of the discussion so far has been about the ministerial code. If you have gone to the bother of rushing through this Bill via accelerated passage, there must be a draft ministerial code out there that you are expecting to come through. Can the Minister therefore publish that draft ministerial code so that all MLAs can have a look at it and decide where this needs to go? From what we have heard today, that is something that we at least need to see from the Executive.

**Mr Kearney:** I thank Mr Aiken for his intervention. I have instanced two of the examples that will require amendment and will be subject to discussion and will need to be brought to the Assembly for its assent. In the event that Members feel that there is a requirement for a more expansive amendment to the ministerial code, the opportunity will exist through scrutiny and debate in the Chamber for that to be done.

Jim Wells then spoke and conflated his concerns about the legislation with the potential for a Sinn Féin, SDLP or Alliance Minister to erect Irish-language signage without community support. Once again, he raised the haste of the Bill's passage. I absolutely respect his democratic right to do so.

**Mr Wells:** Will the Minister give way?

**Mr Kearney:** Excuse me, Mr Wells. You have an awful habit of trying to make an intervention when I am halfway through a sentence.

I was trying to say that he once more raised his concern, as he has done throughout this debate and as he did yesterday, about the haste of the Bill's passage and expressed misgivings about the manner in which that is happening.

**Mr Wells:** The Minister is articulate, but he uses long sentences, so it can be difficult at times to ascertain when he is about to finish a sentence. It is not my intention to disrupt his flow of thought, as it were.

He raised the point that I alluded to about a Minister wanting to inflict Irish-language road signs on a community without its support. That has happened already in South Down with the district council. Mr Stalford said that a solo run could not be done on that because it was also an issue for the Department for Communities. He did not answer adequately how exactly that was significant to the Department for Communities or any other Department or how in court it would stand up as being significant and how we could stop a Minister doing that. The Minister now has a good opportunity to explain how my concerns and those of many unionists in South Down can be assuaged and why that could not happen because of this legislation. I just do not see it, and nor do many other legal experts.

**Mr Stalford:** Before the Minister resumes, may I respond?

**Mr Kearney:** Yes.

**Mr Stalford:** The Member referred to road signs and then to the experience of his constituents. He knows that he is comparing apples with oranges. He is referring to the corporate marketing used by the council. That is a council decision. They are not the directional road signs. The sign that points people to Kilkeel is not in two languages. The Member knows that, and he is conflating one with the other.

**Mr Wells:** That does not answer my point.

**Mr Stalford:** It does.

**Mr Kearney:** I thank both Members for their interventions. Go díreach chun seo a rá mar Ghaeilgeoir agus mar Ghael leat, ionas go bhfullimid ar an aon leathanach amháin. Ní ghlacaimse ar chor ar bith gur cheart go gcuirfí suas comharthaí sráide ná comharthaí bóithre in áit ar bith nuair nach bhfuil an pobail áitiúil toilteanach glacadh leis na comharthaí sin. Go díreach chun sin a rá leat. I will briefly translate: as a Gaeilgeoir, for not one moment would I countenance the notion of erecting Irish-language signs or bilingual signage in locations where they would be against the will of the local community, so it is entirely fallacious for you to conflate your concerns about the Bill with the issue of Irish-language signage. It betrays more about the approach that you have brought to the debate than about any serious thought or consideration to ensuring that we have good legislation. In fact, you are not too bad yourself, Mr Wells, at making long-winded statements and filibustering. You made a fair good fist of filibustering your way through yesterday and, by the appearance of things, today.

The context of the legislation has been set out. You will also know, due to your concerns and criticisms about the use of accelerate passage, that the scheduling of the Bill is a function of the Assembly of which you are a Member. Characteristic of your approach to the debate was your suggestion that some members of the DUP preferred to speak to you instead of their party officers. People will make of that statement what they will, but it is absolutely immaterial to this discussion. You repeated the view that the Bill should be parked because you are persuaded by the legal opinion of some. Of some.

### 3.30 pm

Of course, as has been said throughout today, yesterday and previously, everyone is entitled to their opinion, including lawyers. You have posed many questions, but, notably, you have not answered the question relating to the logic of the legislation in the absence of a Programme for Government, which, I explained earlier, was part of the context that led us to the invidious situation where we were absent the legislation that was required to ensure that we could, in fact, proceed with the planning issues that remain extant.

Rachel Woods spoke and, as she has done before, reiterated her concerns about accelerated passage; she did so in a very succinct and clear way. I agree that climate issues are, and can be, of a cross-cutting nature. The sentiment of that is reflected in New Decade, New Approach. For the first time, we are seeing a whole-of-government focus on the climate crisis that affects our society and our global village. She asked “why now?” for this legislation and not at an earlier stage. With the indulgence of Rachel Woods, I hope that she accepts that I have tried to address that. She raised the issue of the ministerial codes and amending it subsequent to the legislation being passed. As I explained for a number of Members, it is not possible to make amendments to the ministerial code unless and until the amendments are consistent with the nature of the law that they are designed to reflect.

**Miss Woods:** I thank the Minister for giving way. The junior Minister stated earlier that all parties in the Chamber had input to the ‘New Decade, New Approach’ document, which is incorrect. Not all parties were part of that.

To get back to the matter at hand and the comments made by Mr Beattie, Mr Wells and Mr Aiken, what is the basis or advice to the Executive stating that this legislation must be enacted before the ministerial code is amended? Given that no application can actually progress without this, what happens if the ministerial code is not changed in the way that is needed for further scrutiny of the House, given that a change in the code can be subject to amendment?

**Mr Kearney:** I thank the Member for the intervention and she is right, but, again, I made the point that the issue of amendment to the ministerial code will be required to be subject to scrutiny by the Assembly, and that provides Members with an opportunity to assess whether those amendments are, in fact, robust and effective or require further alteration.

**Dr Aiken:** Will the junior Minister give way?

**Mr Kearney:** Yes.

**Dr Aiken:** Can the two junior Ministers assure the Assembly that, when this revision of the ministerial code comes forward, there will not be any form of accelerated passage on the discussions?

**Mr Kearney:** I thank the Member for his intervention. I am sure that his own Minister, in our power-sharing Government and under the advice of his party leader, will ensure that those remarks are passed on to the Executive to be heard collectively.

Rachel Woods suggested that the legislation is not about planning and she criticised the planning process. I agree with her. I am on record as saying, in the Chamber and outside, that every aspect of our governmental process, including planning, which is so essential, needs to be further democratised and subject to greater levels of transparency and scrutiny. The point is to overlook the fact that the scrutiny process to which the Minister for Infrastructure will be subject, on any issues that he or she brings forward at any time in the future, including addressing the extant issues in their inbox.

I point the Member again to the context of recent months; that is not camouflage, that is reality. Everybody here has lived it, and it has put a cart and horse through our normal approach to good government and how we make decisions.

**Mr Wells:** Will the Minister give way?

**Mr Kearney:** No, I will not, Mr Wells.

Miss Woods is right to emphasise the need for better and more collaborative working. Even though her party is not a member of the Executive, it has a challenge function to perform in these institutions to ensure that that better, collaborative working is continuously maximised and achieved, and, to that extent, I draw a correlation to Mr Beattie’s position, because, while we disagree, I absolutely affirm and agree with his right, whether as an individual MLA or on behalf of his party, to provide the challenge function in this debate. However, I agree —.

**Mr Wells:** Will the Minister give way?

**Mr Kearney:** No, Mr Wells, I will not give way. I am trying to bring the debate to a conclusion. You have had a fair crack of the whip several times.

I disagree with the Member that this is going to incentivise —.

**Mr Wells:** On a point of order.

**Mr Kearney:** That this is going to —.

**Mr Wells:** On a point of order.

**Mr Kearney:** That this is going to incentivise silo working in the Executive.

**Mr Deputy Speaker (Mr Beggs):** Point of order, Mr Wells.

**Mr Wells:** On a point of order, Mr Deputy Speaker. Throughout the debate, the Minister has failed to produce the advice that he has received that states that this legislation must be passed before the ministerial code can be amended. Will he produce that advice? It is an absolutely crucial aspect of the debate.

**Mr Deputy Speaker (Mr Beggs):** The Member ought to know that that was not a point of order.

**Mr Kearney:** I understand the Member's concerns about silo working. That is something that the Executive, on a collaborative basis, need to ensure does not happen. I believe that the legislation, if it is embraced in the correct spirit, will go some way to ensuring that we do not revert to silo working.

Gerry Carroll was the last Member to speak in the debate. He pointed out multiple concerns that had been raised with him over the past 24 hours about the imminence of final decision-making in relation to the legislation. He said that he does not believe that the Bill remedies the lack of transparency in our planning process. I have already made the point that we always need to do better in respect of scrutiny and transparency in planning issues — and much more. He suggested that the pandemic was being used to camouflage some sort of sleight of hand. I disagree with the Member on that. I do not see where he is coming from. We will agree to disagree politically, but, on this particular point, I just do not understand his logic. However, he does raise —.

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

**Mr Kearney:** Yes.

**Mr Carroll:** I appreciate that we disagree on that point, but I would like to ask the Minister whether he has any concerns that health decisions could be taken down the line that are not considered significant or controversial, but which could be, and that such decisions may not be discussed at the Executive Committee and that his party would not have the chance to disagree with those decisions, vote against them or challenge them. I am not privy to the inner workings of the Executive, but it is a concern that has been flagged with me.

**Mr Kearney:** I thank the Member for his intervention. I am content that the clarity that will be introduced on cross-cutting issues will provide the reassurance that I hope that the Member will be content with.

He also asked a question about the Aarhus convention, which requires consultation on a range of environmental matters. This Bill reaffirms the position of decision-making on planning pre-Buick.

I want to conclude by commending all Members for their contribution to the debate. I hope that my fellow Minister

and I have done our best to allay concerns, provide additional information and persuade Members that this is the correct position to take. I appreciate the fraternal manner in which the debate has taken place. Mar gheall air sin, molaim-se an Bille don Tionól.

**Mr Wells:** On a point of order, Mr Deputy Speaker. I believe that, unlike my last intervention, this actually is a point of order. Can you explain the ramifications of what is about to happen? Is it possible for the Bill to be put on hold and a final decision delayed until October? Are we putting ourselves on a trajectory that means that, if we go to a vote now, there is no way back and this Bill will become law? To put it another way, is it possible for the two junior Ministers to adopt a procedure that would enable us to come back to this in eight weeks' time?

**Mr Deputy Speaker (Mr Beggs):** The Member should be aware that, at the start of the debate, the motion was moved. Given that it was moved, we now face a decision, and Members have to take their decision accordingly. I am not aware of a procedure to stop a vote once a motion has been moved.

*Question put.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Deputy Speaker (Mr Beggs):** Clear the Lobbies. The Question will be put again in three minutes. I remind Members that they should continue to uphold social-distancing measures and that those who have proxy voting arrangements in place should not come to the Chamber.

Before I put the Question again, I remind Members that it would be preferable if we could avoid a Division.

*Question put a second time.*

**Some Members:** Aye.

**Some Members:** No.

**3.45 pm**

**Mr Deputy Speaker (Mr Beggs):** Before the Assembly divides, I remind Members that, as per Standing Order 112, the Assembly has proxy voting arrangements in place. Members who have authorised another Member to vote on their behalf are not entitled to vote in person and should not enter the Lobbies. It is important that, during a Division, social distancing in the Chamber continues to be observed. In order to facilitate that, I ask the following: any Members in the Chamber who are not due to vote in person should consider leaving the Chamber until the Division has concluded. Those Members who wish to vote in the Lobbies on the opposite side of the Chamber to which they are sitting should leave the Chamber via the nearest door and enter the relevant Lobby via the Rotunda. Those remaining Members who are sitting closest to the Lobby doors should enter the Lobbies first. Any Member who has voted may then wish to leave the Chamber until the Division has concluded. Any Member who needs to vote in both Lobbies should not leave the Chamber.

I remind Members of the need to be patient at all times, to follow the instructions of the Lobby Clerks and to respect the need for social distancing.

*The Assembly divided:*

Ayes 58; Noes 13.

**AYES**

*Ms Anderson, Dr Archibald, Ms Armstrong, Mr Blair, Mr Boylan, Ms S Bradley, Mr K Buchanan, Mrs Cameron, Mr Catney, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Ms Ennis, Ms Flynn, Mrs Foster, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Ms Ni Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stafford, Mr Weir.*

*Tellers for the Ayes: Mr Harvey and Mr Sheehan.*

**NOES**

*Dr Aiken, Mr Allen, Mr Allister, Ms Bailey, Mrs Barton, Mr Beattie, Mr Butler, Mr Carroll, Mr Chambers, Mr Nesbitt, Mr Stewart, Mr Wells, Miss Woods.*

*Tellers for the Noes: Mr Carroll and Mr Wells.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mr Easton, Mr Frew, Mr Hilditch, Mr Humphrey, Miss McIlveen, Mr Storey*

*The following Members' votes were cast by their notified proxy in this Division:*

*Ms Armstrong voted for, Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr Beattie voted for Mr Allister.*

*Mr K Buchanan voted for Mrs Cameron, Mrs Dodds, Mr Dunne, Mrs Foster, Mr Givan, Mr Harvey [Teller, Ayes], Mr Irwin, Mr Lyons, Mr Poots, Mr Robinson, Mr Stafford and Mr Weir.*

*Mr Butler voted for Mr Nesbitt.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ni Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan [Teller, Ayes], and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

*Question accordingly agreed to.*

*Resolved:*

*That the Executive Committee (Functions) Bill [NIA Bill 08/17-22] do now pass.*

**Mr Deputy Speaker (Mr Beggs):** Before I put the Question on the Adjournment, I remind Members that it is anticipated that the next plenary sitting of the Assembly will be on Monday 7 September. The Business Committee will meet on Wednesday 2 September, after which the Order Paper will be issued. During recess, meetings of the Ad Hoc Committee on the COVID-19 Response may be scheduled. Should that occur, Members will be notified in advance in the usual way.

*Adjourned at 4.07 pm.*

Ad Hoc Committee on the  
COVID-19 Response

Official Report  
(Hansard)



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# Northern Ireland Assembly

## Ad Hoc Committee on the COVID-19 Response

11 June 2020

### Ministerial Statement: Economy

#### Members present for all or part of the proceedings:

Mr Roy Beggs (Deputy Chairperson)  
Dr Steve Aiken  
Mr Jim Allister  
Dr Caoimhe Archibald  
Mr Cathal Boylan  
Mr Gerry Carroll  
Mr Pat Catney  
Mrs Diane Dodds  
Mr Gordon Dunne  
Ms Sinéad Ennis  
Mr Harry Harvey  
Mr David Hilditch  
Mr Chris Lyttle  
Mr Declan McAleer  
Mr Daniel McCrossan  
Mr Colin McGrath  
Mr Philip McGuigan  
Ms Sinead McLaughlin  
Mr Justin McNulty  
Mr Gary Middleton  
Mr Andrew Muir  
Mr Mike Nesbitt  
Mr Matthew O'Toole  
Mr John Stewart  
Ms Claire Sugden  
Miss Rachel Woods

**The Deputy Chairperson (Mr Beggs):** Welcome to this meeting of the Ad Hoc Committee on the COVID-19 Response. Item 1 on the agenda is the minutes of proceedings of the previous meeting, which was held on 21 May. Members are asked to note those minutes, which have been agreed. The minutes from that meeting have been published in the Official Report and are available on the Committee's web page.

Agenda item 2 is a statement from the Minister for the Economy. The Speaker received notification on 9 June that the Minister wished to make a statement to the Ad Hoc Committee at today's meeting. A copy of the statement that the Minister intends to make is in your pack.

I welcome the Minister for the Economy to this meeting of the Committee. Before the Minister makes her statement, I remind members that, following it, there will be an opportunity to ask questions, not to make speeches. Members who ask short, sharp, focused questions will be invited to ask a supplementary question if they wish.

Members who engage in preambles, however, may find that they do not get to put a question or a supplementary. I ask members for their cooperation, and I will, of course, expect the Minister to also give succinct answers so that everyone will be afforded an opportunity to ask questions.

I invite the Minister to make her statement, which should be heard without interruption.

**Mrs Dodds (The Minister for the Economy):** Thank you, Mr Deputy Speaker. Thank you for the opportunity, once again, to address the Committee.

No one needs to be reminded of the devastation that the COVID-19 pandemic has caused to our economy. Only this morning we have had very regrettable news of 600 redundancies at Bombardier. My thoughts are with the people who are directly affected and their families. As members will appreciate, that was a commercial decision reflecting the global market conditions as a direct result of COVID-19. My Department's careers service is available to support those who are impacted by offering free professional and impartial careers information. That advice and guidance are tailored to individual needs and are designed to help people to explore future training and employment opportunities.

I and my officials in the Department and in Invest NI have been in constant contact over the past few months with firms such as Thompson Aero Seating and Bombardier. I have raised my concerns about the impact of COVID-19 on the aerospace sector with Minister Zahawi in the Department for Business, Energy and Industrial Strategy (BEIS) in London over the past number of weeks, and I expressed the urgent need for a national strategy to support the sector.

Locally, I have asked Invest NI to convene a group of parties involved in the wider aerospace sector to consider what additional support they require and what the Governments at national and devolved level can do to help them through this very turbulent period. I fear that this will not be the last day that we have bad news on the economy.

Thousands of businesses have temporarily shut their doors, our tourism industry was put into deep freeze and it is estimated that the jobs of over 200,000 people in Northern Ireland have been furloughed as a result of COVID-19. That represents nearly a quarter of workers here having been furloughed and almost three quarters of the self-employed having to avail themselves of the support scheme that is open to them.

From these most difficult of circumstances, Northern Ireland has responded and adapted. Essential businesses modified their premises and introduced strict hygiene practices to enable us to continue buying vital items like food and other supplies. Front-line workers played a very important role.

We have adopted social-distancing rules and limited our contact with others; college and university students have moved to online learning; and many people have been working from home. Everyone has sacrificed a lot and given a lot of themselves to enable us to live alongside the virus while it is here. I thank everyone for everything that they have done.

Government has also stepped up. So far, we have paid out £300 million in support grants to thousands of businesses. Those grants have protected jobs, prevented business closures and provided vital temporary support. A rates holiday was agreed, and extended, to help businesses survive into the future, and the UK Government's job retention scheme took the unprecedented step of paying 80% of people's salaries, up to £2,500 a month.

All of the hard work of the past few months means that we have reached the point at which we can focus on the recovery phase and rebuilding of the Northern Ireland economy. We need to take action to rebuild a more competitive, inclusive and greener economy. We will have the safety of people at the heart of everything that we do. The hard days are not over, but we are taking steps forward. It is time for the pace to accelerate.

At the end of May, I published 'Charting a Course for the Economy — Our First Steps' an outline for economic recovery. It is the first in a series of publications by my Department that look at how to move forward from the economic damage caused by the COVID-19 pandemic. Other important issues, including childcare, public transport and the management of the footfall on city centre streets, need to be considered alongside our work.

We are working to extend confidence in the construction and manufacturing sectors as they continue to move out of lockdown while staying safe and working safely. Many firms have adapted their working practices and protocols, or are preparing to do so, particularly in the wider manufacturing and food production sectors. All employers need to ensure that their workplaces are safe. That may include the increased cleaning of premises, the addition of Perspex walkways, the splitting of work patterns or having appropriate PPE.

The engagement forum has published workplace safety guidance for employers, employees and the self-employed. The tourism recovery steering group, which I chair, has been engaging with stakeholders to plan for a new future for tourism here. We received a boost, last week, when it was agreed that hotels, caravan sites, guest houses and B & Bs could reopen on 20 July. That is conditional on the transmission rate remaining low. Tourism will not be the same as before, but I am optimistic about what is to come.

I was pleased to be at Debenhams, this week, for the reopening of its store, and I was delighted that I was able to make an internet star of Shirley Roberts, who was caught moonwalking in the background of the interview. From tomorrow, all goods retailers can reopen, as long as they adhere to the necessary safety measures, and

provided that there is no increase in the spread of the virus. It is hoped that further announcements can come soon on dates for the reopening of service providers and the hospitality sector.

I have written to the Health Minister to ask for a review of the physical-distancing advice to stay two metres from other people. That needs to be debated, and people need to recognise the positive impact that moving to the World Health Organization-recommended one metre would have on various sectors across our economy and education sectors. I stress that people who can work at home should continue to do so.

Unfortunately, government grants, homeworking and the reopening of some sectors cannot protect all businesses or all jobs. I have said many times that each month of shutdown has been akin to a large recession. We know that the impact of the virus will be long-lasting in homes across Northern Ireland. That will have a knock-on effect on people's mental health, physical health and family life.

The claimant count rose by almost 90% in April, and unemployment increased by over 26,000 to 56,200. Six years of labour market progress was lost in a single month.

We need to look out for one another. Going forward, we must protect the vulnerable. Restarting the economy safely, as we are doing, allows people to get back to work. We also need to address the persistently high levels of economic inactivity in Northern Ireland. We want to give those who have lost their job the opportunity to seek new employment elsewhere.

Skills has been a priority area for me since I took up office, as I recognise that skills will play a key role in our economic recovery. I have supported thousands of learners across the system, from further education (FE) and higher education (HE) students to apprentices and trainees, as well as a great many others engaged in skills.

We have been working through real challenges, from protecting the skills infrastructure so that it will be there to play its place in our recovery to the very practical issues of supporting learners to adjust to a new way of learning. That work is particularly important to those participants who are the most vulnerable in society, as it will ensure that their studies are completed and their qualifications gained. We know already some of the future challenges that we may face. Studies suggest that 16- to 24-year-olds, such as those who are apprentices, are particularly vulnerable. That is why we are developing initiatives to help sustain apprenticeships and to support the apprenticeship pipeline for new apprentices.

In the longer term, we want to make sure that we have a system that promotes upskilling and reskilling, in order to allow individuals to move into areas in which there is greater demand. As Minister for the Economy, I want to support individuals on their journey and ensure that they are equipped to avail themselves of new opportunities. Just this week, I approved an investment of £1.7 million to support 2,000 online accredited courses. We will focus on sectors that can deliver high-paying jobs. Those jobs are likely to be in big data, health and life sciences, clean energy, advanced manufacturing, materials and engineering.

There are different phases involved. This is a long-term aspiration and requires a change in the skills base. There are currently disproportionate numbers with low or no skills



in the labour market. Our initial objective is to stabilise the labour market and ensure that we retain as many jobs as possible. We will be developing our new 10-year plan for skills.

City deals and growth deals also have a significant part to play in supporting sustained subregional growth, with capital investment of nearly £1.5 billion from the public and private sectors. I remain committed to continuing the excellent collaboration and partnership work that there has been to date with local councils and their delivery partners to deliver the city and growth deal programme across Northern Ireland. The reconstituted Economic Advisory Group (EAG), chaired by Ellvena Graham, will help us to plan ahead. Next week, I will be unveiling the full membership of the group and the work that it will be engaged in.

People in Northern Ireland are resilient and innovative. I have no doubt that we will rebuild and redesign our economy, and we can all help in the recovery. I encourage everyone to consider a holiday at home this year, when the time is right. Please also support our local businesses, hotels and retailers as they reopen. Doing that will help us to rebuild from the inside and will put strength in our core. As we plan for the future, everyone must continue to work safe and stay safe.

**The Deputy Chairperson (Mr Beggs):** We will now have a period of about one hour for questions to the Minister. I remind members that they should be concise in their questioning. This is not an opportunity to make a speech. I encourage the Minister also to be concise in her answers to members' focused questions. In that way, members will be afforded supplementary questions, and every member will be allowed to ask one.

I invite the Chair of the Committee for the Economy, Caoimhe Archibald, to ask the first question. As is normal, the Chair will be given more latitude.

**Dr Archibald (Committee Chair - Committee for the Economy):** I thank the Minister for her statement, and I send my solidarity to the workers and their families at Bombardier, Thompson and elsewhere who have lost their jobs this week. It is a big blow to our local economy. I know from speaking to union reps this morning that they are emphasising that it is not just the loss of those jobs in those companies, it is the impact on our local supply chains.

In planning for the economic recovery, is the Minister looking at how to support strategically important sectors to our local economy as well as expanding others? Is she making the case to the British Government for an economic stimulus in respect of that? Of course, there would need to be some conditionality with any intervention that is going to companies in respect of meeting targets, for example on decarbonisation, and in respect of upholding workers' rights.

**Mrs Dodds:** I thank the Chair for her question and for her continuing cooperation on these very, very important measures. We need to reopen our economy. We need to reopen for businesses. That, I think, will need two phases to what we do. The first phase will be trying to reopen and to work with the impacts that COVID-19 has had on our economy. We have seen that very dramatically with the job losses in the aerospace sector at Thompson and at Bombardier and the potential for the fragility of that supply chain into those very big companies to be impacted by it.

The next phase will be about rebuilding and reinventing, making sure that we have an economy for Northern Ireland that is fit for the next phase of its development and, indeed, for the next century of Northern Ireland. I am pretty positive that we will continue to support and work with those sectors — agri-food, tourism, manufacturing and the service sectors — that are the staples of our economy. Northern Ireland is a very large service economy, and those will all be the staples of our economy. I also want us to look at those areas where we can bring in new and additional benefit to our economy. We already have a reputation as being world-class in the cybersecurity area, and I want to build on that. I want to build on the green economy, and I want to work alongside our universities, where we can use their innovation, research and knowledge to try to help us to boost the economy and grow it so that we are not just getting jobs but are getting better jobs and are retaining our young people here in Northern Ireland and giving them prospects for the future.

**Dr Archibald:** I thank the Minister for her response. Minister, it was reported in today's 'Irish News' that the hardship fund is undersubscribed and there may be an underspend from that. Will you be looking, therefore, to redirect that towards additional support for other businesses that have been missed out so far?

**Mrs Dodds:** The hardship fund will close tomorrow, and, using this public platform, I appeal to anybody who thinks that they may be eligible to check that criteria and get the application in. We will be looking at the applications and how that rolls out, and then we will be assessing whether there is an underspend in relation to that. Any underspend in relation to these funds is ring-fenced. It will go back into the centre, and it will then be for the Executive and the Finance Minister to say how much is being made available for further help to businesses. As soon as that process has concluded, I will be very happy to identify other areas of the economy to the Executive and the Finance Minister where help will be needed.

**Mr Middleton:** Minister, there have been discussions recently around social distancing and moving from 2 metres to 1 metre. The WHO points to 1 metre. How would that help the local economy in rebuilding?

**Mrs Dodds:** There has indeed been much discussion around this, and I thank the member for bringing this up. This is really key to the reopening and development of our economy. Before I go any further in all of this, in everything that we do, we must make sure that we are acting safely, in the best interests of protecting lives and in line with the scientific and medical advice. However, if we are to open up our economy and our schools and create capacity, we will have to have an open and honest discussion with ourselves about the issue of 2 metres versus 1 metre. Many countries across Europe have already adopted 1 metre. It is the World Health Organization standard, so, in Scandinavian countries, in France and in other areas, 1 metre is now the standard accepted rule; in other countries, like here, the Republic of Ireland and, I think, the US — in some pictures from there, there is not a lot of social distancing — the desire has been to keep the 2-metre rule. Think about it in terms of businesses and schools. People who own restaurants tell me that, at 2 metres, they are running at about 30% of capacity but, at 1 metre, they will run at 75% or 80% capacity. That gives them a decent chance of survival.

This is something that we as an Assembly and the Executive will have to have that open and honest discussion about. I have thrown it out there. I have been honest, as Economy Minister, and said that this is what we need to do to get our economy up and running, but it must be in line with the transmission rate of the virus and where, the Chief Medical Officer and Chief Scientific Adviser tell us, it is safe.

**Mr Middleton:** Some of the hospitality groups have suggested open-air or outdoor spaces to manage social distancing. Is that something that you would support?

**Mrs Dodds:** Yes, of course I would. As we move to open up our hospitality sector, I have been doing an increasing amount of work with it in the last number of months. In March, it had to close down, and that was that. It was an enormous sacrifice that the hospitality sector made during this really extraordinary time. We need to work with it to make sure that it can get back on track. I cannot see that we will not have social distancing and the need for good hand hygiene in restaurants, shops etc. To help them to utilise their space, there is an argument for allowing people to use outdoor space as part of that. I have written to the Department for Communities and the Department for Infrastructure, because, as I was saying to the Executive when we were talking about the issue earlier, if you have been a councillor you will know how complicated and complex the whole area is. It seems simple, but it has impacts on licensing and planning, and, of course, there are impacts for people with disabilities if we go for something akin to the pavement café culture that we might look at. Yes, I think it will help with the viability of the hospitality sector and is something that we should absolutely look at, but we need a little work in-house with Infrastructure and Communities to make sure that we can do it successfully.

**Ms McLaughlin:** I am glad that you got through that statement today, Minister, without any interruptions either before you or behind you.

The UK has traditionally been particularly bad at dealing with insolvency. In the US, about 25% of businesses that are insolvent are rescued: we are way below 10%. Can the Minister give a commitment to help and support businesses, particularly SMEs, that face insolvency, so that they too are protected and rescued to the best of her Department's ability?

**Mrs Dodds:** This is an important area of work. We have, as she will know, recently passed a legislative consent motion giving consent to elements of the insolvency Bill that is currently before the House of Lords. That should help us and help firms to stay on track for a little longer as well as being fair to creditors and ensure that we have a fair process for insolvency.

It would be regrettable and very difficult to explain to firms suffering from cash-flow problems as a result of the COVID-19 crisis if the mitigation measures were not in place. I thank the House for its support for the legislative consent motion. Many of the measures were originally designed to be in place until June, but they can roll forward to make sure that we can deal with a crucial area of business.

**Ms McLaughlin:** A recurrent theme among the many industry and representative bodies that have spoken to the Committee is that the support of Invest NI goes particularly

towards large businesses. In the current circumstances, Invest NI needs to concentrate on SMEs if we are to support the recovery and prevent insolvency in that sector.

**The Deputy Chairperson (Mr Beggs):** Can I have the member's question?

**Mrs Dodds:** I will reply to that, because it is an important issue. Northern Ireland is a small-business economy, so it is very important that we take steps to support small business. That is why the access to finance scheme, the job furlough scheme and the self-employment income support scheme are vital in getting us through the current situation. I have been talking to businesses regularly, and they have indicated that, without those extraordinary interventions from government, they would not have stood a chance.

The best thing that we can do is to try to reopen our economy safely, sensibly and in a staged manner. I have been trying to do that. I am glad that we have dates for hotels. I will bring forward more papers next week on the tourism sector, focusing on how we can get an early recovery and maybe make something out of what is left of the home market and the summer season. The Executive today agreed that all retail across the board, including shopping centres, should reopen. Those are important steps, but we will also need to work with manufacturing and construction to ensure that we have a holistic approach.

**Mr Stewart:** I join the Minister in sending our best wishes and thoughts to the families of those who, potentially, have their lost their jobs at Bombardier. I fear that there could be a lot more, if we do not have a robust recovery strategy in place. Hopefully, the Government will do all that they can to intervene.

I thank the Minister for her intervention so far and for her work to get retail reopened. Hospitality looks as if it is coming back, and we await big announcements today on —

**The Deputy Chairperson (Mr Beggs):** Can we have a question?

**Mr Stewart:** — that taking place. One of the sectors that have not had any support, guidance or clarity is the health and beauty sector. Our salons, hairdressers and barbers provide vital support to town centres. Can the Minister do anything to outline a pathway for them and give them guidance on what safety measures they can put in place ahead of reopening?

**Mrs Dodds:** Along with many others, I would give anything to have the hairdressers open again. It has been one of the trials of life.

The member makes an important point. We need not just to get not general retail open again — our food sector functioning well, our non-food retail open and functioning well — but to get the service bit of the economy working again.

As the member knows, in all the plans that we have had throughout the British Isles, that is the sector, because of the nature of the work that it does, that has been a little later in everyone's plan. It is certainly the next piece in the jigsaw to get our town centres revitalised and to get a sense of normality back for people who have found it very difficult.

**The Deputy Chairperson (Mr Beggs):** Mr Stewart for a brief supplementary.

**Mr Stewart:** Thank you for your indulgence, Mr Deputy Chairperson. The Chair raised the issue of the micro-hardship fund, as it looks as if a significant amount will be returned. Is there a shovel-ready package that could be released, should more money become available in the June monitoring round to help social enterprises and the sole traders who, to date, have missed out on everything?

**Mrs Dodds:** The issue of grants funding is slightly different to the June monitoring round in that it is ring-fenced, COVID-specific funding that will go back to the Executive for the Executive to make a further decision on how that will look. I will, of course, prepare an options paper that includes all the options that you have indicated.

**Mr Lyttle:** We are all reacting to the devastating news of significant job losses at flagship manufacturer Bombardier, which will affect hundreds of families in my constituency of East Belfast. What action is the Minister for the Economy taking to support the company to mitigate redundancies and provide retraining and re-employment opportunities for a highly skilled staff?

**Mrs Dodds:** I thank the member for his question. I understand very well the significant distress that today's announcement will cause for Bombardier and the shockwaves that it will cause within the wider manufacturing supply chain. In recent weeks, I have been to Bombardier to talk to its chief executive, as I have done with Thompson Aero Seating. The issue in aerospace is a global and national issue as well as something that will disproportionately impact on us in Northern Ireland. If we think that Boeing and Airbus have reduced their purchasing capacity by over 40%, we understand not just the short-term, but the long-term challenges for the aerospace industry.

I hold a weekly meeting with BEIS. In fact, last week Minister Zahawi, Michael Ryan and I had a specific meeting to discuss the challenges for not just Bombardier, but aerospace in general. If you look at the redundancies in Rolls-Royce and across the country in this sector, you will see just how difficult it is. Nationally, although BEIS tells me that this is red-flagged and a sector that it knows will need intervention, I think that the Government now need to accelerate that intervention plan. I will be doing everything that I can to make sure that that happens.

Locally, Invest Northern Ireland has obviously been talking to both Thompson and Bombardier. These are innovative, research-and-development-orientated and export-orientated client companies of Invest Northern Ireland, and we will continue to work with them to see what we can do to help them diversify. The most important thing that Bombardier needs to do is conclude the deal with Spirit and get everything back on track.

I, of course, will work with those among the workforce who have received this devastating news and those who will potentially be impacted on by it. I understand that the 90-day redundancy procedure will go into operation today. As this progresses, my Department will organise help in terms of other employment opportunities or retraining and upskilling for those who have been impacted.

**Mr Lyttle:** I thank the Minister for her detailed answer. As she says, Bombardier COO, Michael Ryan, has called COVID-19 an existential crisis for the aerospace industry. What specific support has the Minister secured from the UK Government for our aerospace sector? What

actions has she taken to advance a regional aviation and aerospace recovery strategy for Northern Ireland?

**Mrs Dodds:** As I said in my previous answer, this needs to be taken forward at a national level. I am hopeful that Minister Zahawi will, indeed, conduct that. Of course, I will continue my conversations with him to ensure that it happens. I hope to meet the broader sector next week, because that sector itself needs to identify where the opportunities are and how we can sustain not just the larger aerospace companies, but the small manufacturing companies, some of whom I met earlier in the week, and the part that they play in the aerospace industry supply chain.

**Mr Harvey:** Thank you, Minister, for your statement. When caravan parks reopen soon, will it be only static caravans that are allowed to be occupied, or will touring vans be permitted if they are self-contained?

**Mrs Dodds:** Thank you very much for that question. I can understand why that is of particular interest to you, coming from the Strangford constituency. We have already identified 20 July as the date for reopening. However, I am hopeful that we would be able to bring that date forward, recognising that static caravans and touring caravans are self-contained units, as are other elements of self-catering holiday accommodation in Northern Ireland. Therefore, for those that are self-catering and self-contained, I would hope that we would be able to bring forward a proposal. I certainly intend to bring a paper to the Executive next week on that specific issue.

I am keen to allow people to return to their caravans, whether they be touring vans or static vans. However, I see that there is an issue for caravan park owners with regard to how common areas and shared facilities, such as showers, toilet blocks etc are treated. I suspect that the return to caravan parks will be for those who own static caravans, because they are self-contained, and those who can plug their touring caravan into the amenities on their pitch. Medical advice shows us that it is pretty difficult to manage the sharing of services without really deep cleaning in between. That is what I see for that sphere. I hope that we will be able to make an announcement on that fairly soon.

**Mr Harvey:** You mentioned 20 July as the opening date. Are you hopeful that it would be sooner than that? You mentioned that it was possible that it could happen sooner.

**Mrs Dodds:** The member is persistent in his question for his constituents. Executive colleagues recognise that self-contained units are different to hotels, restaurants etc. I am keen to see the wider tourism and hospitality sector open. It has had an exceedingly difficult time. It closed down in March off the back of the very long autumn and winter period, when it is much more difficult to successfully operate financially. Now, it has been closed for three months. I would really like to see it get some of the summer back. I know that communities in Northern Ireland will support it in doing that. Therefore, I am hopeful. However, it is, of course, for Executive colleagues to decide and to do so, of course, on the advice of the Chief Medical Officer and Chief Scientific Officer.

**Mr McAleer:** In these difficult economic times, many employers are struggling to hold on to their apprentices. Has the Minister any ideas or has she given any consideration to how she can support employers and training providers to hold on to their apprentices at this time?

**Mrs Dodds:** I thank the member for that question. It is very timely. I have just looked at the reprioritisation of funding in the Department for the Economy. The skills agenda, retaining skills and upskilling young people are really important to me. In the last downturn, we know, 16- to 24-year-olds were impacted disproportionately to any other part of the economy. At one stage, we had unemployment in that sector running well above 25 to 27%. I do not want to see that happen again. I have just taken measures in my Department — we will make announcements on them fairly soon — to specifically target apprentices, retaining apprenticeships and supporting employers to retain those young people as they try to continue with their career path.

**Mr McAleer:** I believe that the Minister has also answered my supplementary. I was going to ask about the possibility of introducing an interim apprenticeship programme. Minister, is that what you were talking about in your answer?

**Mrs Dodds:** Yes. I am very concerned. I do not want a lost generation of young people who go through similar trials and tribulations. Of course, I am also really supportive of apprenticeships at all levels, right through to those higher-level apprenticeships. I have had many conversations with the education sector and with the Minister, stating that those higher-level apprenticeships are a really important pathway for young people and that schools need to highlight them as alternatives to the traditional A level and university route. The answer is yes. We are working on this as a proposal, we have set aside some money for it and we will see how it works out.

**Mr Dunne:** I thank the Minister for coming here today. We all understand the massive impact on tourism that COVID-19 has had and on Northern Ireland. However, there are opportunities, and I am sure that the Minister will take the opportunity to highlight those with regard to holidaying at home, staycations and promotion of our local tourist attractions.

**Mr Beggs:** Can we have your question?

**Mr Dunne:** We need to fill the empty bed-spaces in our hotels and B & Bs.

**Mrs Dodds:** Yes, this is important. As I have said, the opportunity for our sector to make something of what is left of this summer season — of course, being Northern Ireland, we do not get a long summer season — is that home market. I have been talking to Tourism NI around some marketing and publicity on this specific issue. Obviously, we want to get the issues out of the way of opening and all of the challenges around that. We want to get that sorted out and have a marketing campaign aimed not just at the island of Ireland but at the wider British Isles, so that we are looking to Scotland, England, Wales and the Republic of Ireland and to target and market what tourists can do, see and enjoy in Northern Ireland.

**Mr Dunne:** Air connectivity is a huge issue as we try to attract tourists. What conversations has the Minister had and what work has she done around getting our three airports up and running and getting the planes back in the air?

**Mrs Dodds:** That is an essential part of where we need to go. For business, family life and the wider tourism sector, air connectivity is absolutely essential. We need to connect to our biggest market. GB is that market, and we need to do

that. We also need to connect to that market in a way that takes us to the regions within that market. Air connectivity to all parts of the United Kingdom is extremely important. You will know that we worked hard, between Finance, Infrastructure and Economy, to make sure that there was a package in place for our airports during the worst of the pandemic. With regard to connectivity to London, I am glad to say that Aer Lingus has increased the number of flights very significantly. My information is that BA will soon start its flights again. Last week, I spent some time talking to the chief executive of Belfast City Airport and asked him what further support was needed and how they were working to fill the routes that were lost with the demise of Flybe. The good news is that they are pretty confident that they will be able to fill those routes once again and that we will get back to a much more stable place in our connectivity with the rest of the United Kingdom.

It is a work in progress. We will need to, perhaps, ensure that there is further support for those airports and we are engaging with the Department for Transport, as it is a national issue, to see if they can do that. We never fail to point out that connecting the regions of the United Kingdom is supposed to be a priority for the Conservative Government.

**Ms Ennis:** Following on from Declan McAleer's question about the apprenticeship recovery initiative, industry providers have suggested that the Department for the Economy should help pay apprenticeship wages in the short term. Will the Minister ensure that the apprenticeship recovery strategy includes those proposals?

**Mrs Dodds:** As I said, we are working on the proposals. We will bring them forward shortly. We have identified funding for them, and I see it as a huge priority. By the way, we are not only working on apprenticeships proposals but want to make sure that we retain and stabilise the wider training sector, so it is really important for all of our young people, whether they are doing an apprenticeship or are part of Training for Success, that they have a pathway for their career. To try to stabilise that sector, we have continued to pay those training providers even while young people have not been operating in them. We have continued to pay young people all of their training allowances so that we retain young people and give them purpose, direction, pathways, choices and opportunities in life.

**Ms Ennis:** Again, I piggyback on another member's question. You said in your statement that tourism would not be the same as before, and I am glad to hear that. I wonder if the Minister or the tourism steering group has considered the possibility of extending Ireland's Ancient East to the two north-easterly counties of Ireland — Down and Armagh — with the great economic benefits that that would bring to our tourism product.

**Mrs Dodds:** We are, of course, always open to looking at how we can extend the tourism product in Northern Ireland. To be specific to my constituency, I have been exploring how we can do further work on the 'Game of Thrones' proposal that there is for that area. The work of the tourism steering group so far has been on trying to get the tourism and hospitality industry up, running and open again. That has been our focus. We will then turn to the long-term challenges that we have not just about what we have in product terms but about the marketing of that product.

A couple of weeks ago, I conducted a conversation by Zoom — the great thing that we are now all connecting with — with some tourism operators in North America. They said that, while they had cancelled many of their tours, many of those had been rebooked for 2021. Therefore, while I recognise the real challenges, difficulties and distress that some of the people in that sector have at this minute in time, we will recover, and we will come back. We need to make sure that we have everything with the building blocks in place for it. Some of them were also talking about our golf offering, because a lot of the Americans who come here want to play at Royal Portrush Golf Club, Royal County Down Golf Club and all of the other courses that are so amazing. Of course, we will try to identify further opportunities to enhance that golf offering and promote it across the world.

**Mr O'Toole:** 'Game of Thrones' tourism does not happen without an ecosystem of creative professionals and artists who are make-up artists, costume designers, camera technicians, grips and video designers, but our creative industries in Northern Ireland feel left behind, I am afraid. Will the Minister urgently work with the Communities Minister to develop a long-term strategy to revitalise and protect our arts and cultural sectors in Northern Ireland, which are not just economically important but socially and culturally critical to our whole island?

**Mrs Dodds:** Sometimes people try to figure out how quickly we will mention the creative industries in Northern Ireland, even 'Game of Thrones', in a debate like this, but that is because it is really important. It is really important to individuals and to the success of Northern Ireland. Some of the wonderful things that have been happening with the creative industries have showcased this part of the world right across the world. That is why we have tourists coming from the Far East etc. So, I absolutely recognise the importance of the creative industries to Northern Ireland. That is why I have been working with Northern Ireland Screen around how we support those industries going forward and how we open up those film projects again and get them back on track so that we can continue not just for the creative industries' sake but for the wider economy to get those elements of our economy back on track.

The member will know that, at Belfast harbour a few months ago, there was a project to double the amount of space and investment in the creative industries there. Those things are important for the economy but they are also important for us as a people.

The Minister for Communities has more responsibility for the individual arts projects than I do. My element of it is tourism and how it impacts on the economy, and I see a great future ahead.

**Mr O'Toole:** Thank you, Minister. You mentioned some of the big ticket creative industries and the big productions that are happening. Those are great and we want those to continue, but it is really important to say that this is about joining that up and protecting our small-scale arts and cultural sectors. It would be good if you could commit to that.

Very briefly, will the Minister join me in asking the BBC to clarify its position on the £77 million investment that it is supposed to be making in my constituency in inner South Belfast? It is supposed to be investing £77 million in a new digital hub and refurbishing Broadcasting House. I have written today to the director general. This is vital

investment. Will she join me in urging the BBC to make sure that that proceeds?

**Mrs Dodds:** I am always looking for opportunities for investment in Northern Ireland. I will ask my officials to come back to you and talk to you about that particular project and see how we can help in ensuring that that type of investment goes forward.

**Mr Nesbitt:** In the past 55 minutes, there has been one very brief mention of the social economy. Will the Minister agree that that does not do justice to that sector and that, coming out of COVID, the social economy will be even more important than ever?

**Mrs Dodds:** I thank the member for his question. The social economy is incredibly important. It is a diverse range of businesses within our economy, but, most importantly, some training providers who are part of that social economy, which my Department funds and has continued to fund, are able to bring people into the labour market who previously would have been very distant from that market, and I know that the member will know many examples of that. It is an incredibly important part of our economy. They have been able to access the furloughing scheme. As I said, my Department has continued to pay training providers those training allowances. They are able to be part of the microbusiness scheme, and should there be any other opportunities to support the sector, we will, of course, look to that.

**Mr Nesbitt:** I thank the Minister for those words. With regard to the micro scheme — the micro fund available to social enterprises with nine or fewer employees — is she aware that the criterion that you had to be a social enterprise without charitable status has knocked out a huge number of those organisations? Will she rectify that situation?

**Mrs Dodds:** Of course, there are many social enterprises that do not use charitable status, and they are willing to apply and have applied to any or all of the schemes. The Minister for Communities is about to bring forward a scheme for the wider charity sector, and, of course, that will be open to the social enterprise sector.

**The Deputy Chairperson (Mr Beggs):** Members, we are just about halfway down the list. I look for your continued assistance in asking concise questions and for concise answers from the Minister, so that everyone will be afforded an opportunity.

**Mr Hilditch:** I thank the Minister for attendance today. She has answered quite a few questions that I would have looked to ask. We all join in her concerns about the situation in the aerospace industry and the bad news at Thompson's and Bombardier. There are a few thousand jobs throughout the wider aerospace sector in Northern Ireland and quite a few companies, and, unfortunately, everybody is looking nervously at that sector today. Has there been any wider engagement, Minister, at this stage?

**Mrs Dodds:** As I have said in previous answers, I am not concerned just about the larger aerospace companies. Of course, we are very concerned about them. Some of them are our flagship companies for Northern Ireland, and are recognisable across the world for the product, skill and the craftsmanship of what they have produced, but I am equally concerned for the smaller manufacturers who are part of the supply chain into the wider aerospace industry. I

recognise that many of them are small businesses that rely on the supply chain into the wider and larger sector. Yes, I am engaging, and they will be part of our discussions on how to maintain the supply chain or diversify it, going forward.

**Mr Hilditch:** Childcare is another sector that has been raised recently, particularly with the First Minister yesterday, maybe not directly with you. Will the Minister work with Executive colleagues to provide support for further initiatives in childcare as we move forward, because that is equally important to the economy?

**Mrs Dodds:** We spent a long time on that issue at the Executive meeting this morning. We need to get back to some semblance of normality on the childcare issue. Issues such as social distancing impact on the provision of childcare and on people getting back to work. We cannot get our economy back up and running if we are not providing people with adequate and appropriate opportunities to have their children looked after safely and appropriately as we go forward. That is a hugely important area that we look at.

As we travel forward in reopening the economy, we will need to balance all those competing needs, so that we have some semblance of a road map that helps everything to converge at the right time. Childcare is one of those, and opening up education and allowing our young people to get back to school is another that we will have to look at carefully.

**Mr Boylan:** I welcome the Minister's statement. I am glad to hear the Minister mention the issue of working from home and online. She is well aware that Project Stratum will be a major project. Will she give a wee update on it, and will the project prioritise the notspot areas and the areas with the poor broadband that people have experienced over this COVID period when trying to work from home and everything else?

**Mrs Dodds:** I thank the Member for his question. That is a very important area. I spoke to representatives from one of our flagship tech companies yesterday and they are planning to have most of their staff working from home for the rest of the year. They see that as the most efficient approach for what they do and in keeping their staff safe from the virus. Of course, things will change as the economy opens up — if we can stay safe and control the transmission of the virus — but working from home will be part of the future programme for work in Northern Ireland and, indeed, throughout the world. We will probably not do things in the same way as we have done heretofore. Therefore, it is really important that we focus on how to connect people through good broadband.

Project Stratum is at the procurement stage. I hope that the assessment of the bids that have come in will be made and that we will be able to announce how to take it forward by September. That will give us £165 million to invest in connectivity throughout Northern Ireland. Around 80,000 properties in Northern Ireland have broadband speeds that would need the intervention of Project Stratum, and 97% of those are in rural areas or areas with fewer than 1,000 houses. I see it not just as an important connectivity project but as really important in levelling up economic opportunity across Northern Ireland.

**Mr Boylan:** I welcome the Minister's comments. Minister, I have been contacted, and I know that many other

members will have been contacted, about ongoing engineering work by BT and other contractors. People are watching others being connected 100 metres down the road and are frustrated that they do not have broadband. In the interim, will the Minister commit to engaging with providers so that, where possible when they are on the ground, they will look at whether they can facilitate those people and provide better broadband?

**Mrs Dodds:** A range of initiatives are available, including community initiatives and different types of initiatives, to help upgrade broadband for individuals and, indeed, small community areas. I know of some small rural areas that have taken advantage of those initiatives. I will ask my officials to write to you after the meeting and give you a list of the types of initiatives so that you might pass them onto your constituents.

**Mr Muir:** I raised the following question with the Health Minister on Tuesday. He batted me over to you, Minister, so I am going to have a go at it now. It is about allied health professionals' businesses and independent practices. They provide a very valuable role in supporting people and will continue to do so in the future. What financial assistance will you be able to give them in the form of grant support, as many of them have missed out on that? There is also the issue of their ongoing operating costs, because they will be unable to operate using the model that they have used in the past.

**Mrs Dodds:** I recognise the issue. I hate to tell the Health Minister, but I will be writing to him again because I think that he needs to plot a course for the reopening of allied health professionals. For those who go to physiotherapy or wherever else to have those things sorted out, we need to pursue a strategy that allows those people to get back to opening up safely and in line with the advice of their professional bodies. I am in the process of writing to the Health Minister about that issue because it is the most important thing that we can do.

Physiotherapists are not just for hospitals. Many of them operate in our communities and pick up services that hospitals, because of long waiting lists etc, simply cannot get to. We need to work with them and their professional bodies to make sure that they can open again safely. Many of those people have been able to avail themselves of the £10,000 grant, and if they employ people, they can avail themselves of the microbusiness grant. They all tend to fall into that category. The greatest help that we can now give them is direction, guidance and help to open safely.

**Mr Muir:** I thank the Minister for her response. I urge you to come together to get a solution to that, particularly the ongoing operating costs. I go regularly to a physio because of my running injuries, so it is self-inflicted.

Just one other thing, the 10K and 25K schemes closed a while ago. Was there any underspend in those? If so, could that be used to help those who were excluded from assistance, such as bed and breakfasts that are paying domestic rates or businesses that have multiple properties but got only one grant?

**Mrs Dodds:** As I have said before, the funding for those schemes is held centrally, as part of the COVID funds. We will submit a paper to the Executive, giving the detailed figures on how much the schemes have spent and where there are underspends, and the Executive will then take a decision as to what to do with that further funding.

**Mr McGuigan:** I thank the Minister for her statement. She mentioned a few times so far the tourism recovery steering group that she chairs and the engagement that it is having to plan for recovery. Given that I represent North Antrim, a constituency heavily reliant on the tourism sector, will the Minister give me a few more details about the type of issues that the recovery group is considering and when it will report?

**Mrs Dodds:** I thank the member for his question. Last Friday, I had a Zoom call with many tourism businesses, including hotels in his constituency. Of course, the work of the tourism recovery group has been focused on how to get tourism up and running again. The first product, if you like, or report of that group will be the guidance offered to hotels and the wider tourism and hospitality sector on reopening. I hope that the group will report with that next week, and we will publish it as soon as we can thereafter.

**Mr McGuigan:** Thank you for your answer, Minister. Obviously, there will be short-term challenges in the tourism sector as it plans its recovery. You mentioned marketing earlier. Do you agree that Tourism Ireland is key as we try to recover from the pandemic? You talked about engagement with American tourists. When people travel to this island, they do not recognise borders or separate jurisdictions; they recognise a single island and travel from one part to the next, and Tourism Ireland is key in marketing that.

**Mrs Dodds:** Of course, I have no desire to make tourism into any political agenda, and I think the member should reflect on that. I regularly speak to the chief executive of Tourism Ireland because he is charged and payed by the Executive to market Northern Ireland, for example, in Great Britain. Just the other day, I was talking to him about a marketing campaign that Tourism Ireland should be carrying out for the benefit of Northern Ireland in Great Britain. I did not design the structures, and I would have designed them differently had I been allowed to do so, but we are where we are, and that is where his responsibility lies. The responsibility for marketing Northern Ireland on the island of Ireland is, of course, a matter for Tourism Northern Ireland, and I have been talking to it about marketing campaigns that we can use for the immediate future.

In the wider range of issues around tourism, I think that we should also reflect on the fact that many of our international tourist visitors feel unprepared and unsafe, and people are really unwilling to travel. That is why I was engaging, through Tourism Ireland, with the North American tour operators, many of which bring tours into Northern Ireland, whether those are around worship and churches, golf, history or many other things. I will continue to do that because I think that we can see growth in the North American market on many sectors; not least, in Ulster Scots heritage, which is also very important in Northern Ireland.

**Mr McNulty:** Following on from my colleague's statement on tourism, I note the Minister's work on reopening the tourism industry and the date of 20 July for the reopening of hotels, caravan sites, guest houses and B & Bs. Given the Taoiseach's announcement that the same sectors will open in the South on 29 June, and given the Minister's comments about people's unwillingness to travel for international tourism, should we try to avoid an even greater exodus than is normal in July and invite some

people from the South to the North to avail themselves of our tourism offerings?

**Mrs Dodds:** I thank the member for his question. We need to do what is right for Northern Ireland, which is what the Executive have been focused on doing, as have I, as Minister for tourism. Part of that will bring us into line with what is happening in the wider British Isles. The member is quite right in what he says: I was very busily engaged with sector and the Executive in trying to get a date for the opening of hotels, which was around 20 July. I am preparing another, separate paper for the Executive through which I hope that they will reconsider that date, not just for hotels but for the wider tourism and hospitality sector, and, indeed, set a separate date for the self-catering and caravan sector. Those are all really important issues.

I do not want our industry to be uncompetitive or at a competitive disadvantage compared with other parts of the British Isles, and I will do whatever I can to make sure that that is understood and that we are able to operate safely and to open as soon as is practicable.

**Mr McNulty:** Thank you, Minister. You mentioned that the Executive met today. Did you make a recommendation on the reopening of shopping centres such as the Buttercrane or The Quays in Newry or The Mall in Armagh?

**Mrs Dodds:** The member will be really pleased to know that that was one of the items that the Executive agreed today. All of retail will be open.

**Dr Aiken:** Thank you very much indeed, Minister, for your statement. On behalf of the Ulster Unionist Party, I express the party's concerns about the aerospace industry and the loss of jobs.

I welcome your forming of an economic advisory group. Ellvena Graham has done much very positive work for Northern Ireland. However, my question is this: how can an economic advisory group work effectively if we do not have a fiscal council, or fiscal commission, which has been much promised but much delayed?

**Mrs Dodds:** The fiscal council is an NDNA commitment. In my role, as the Minister for the Economy, I am doing what I am responsible for and that is forming an economic advisory group. I hope to announce the names of the individuals who will form that group. We want to look at a future economic strategy for Northern Ireland. That future economic strategy should support the industries that are part of our core and our fabric: our agri-food industry, our tourism industry and the things that are absolutely core to Northern Ireland. It should also look for new opportunities to develop Northern Ireland, not just into new markets but into new sectors. I mentioned cybersecurity. There is also our tech sector. We will have an opportunity with some of the really innovative work that is happening in our clean, green energy sector to bring forward really good proposals.

It is a really good time to re-establish the economic advisory group, and I hope to connect it to the east coast advisory group that I re-formed when I was in the States in March. That group comprises individuals who come from Northern Ireland, have done really well in their careers and lives on the east coast of America, and want to give back to Northern Ireland. We want to harness and utilise their energy in trying not just to promote Northern Ireland but to bring foreign direct investment, jobs and better jobs to Northern Ireland. If I may be permitted, this is something I

am quite passionate about and on which I want to set the direction before this Assembly finishes its term. Members' cooperation, help and conversations about this are really important. We need to get our industry working really well alongside our universities because research and innovation is key to where we pitch our economy in the long-term.

I spoke to the chief executive of Cygilant, a Boston-based company that is bringing 65 cybersecurity jobs to Northern Ireland. Even in the midst of our pandemic, he was saying, "I am investing in Northern Ireland. I see great opportunities in Northern Ireland". He said that primarily because we have an MA in cybersecurity and because our industry and universities are working hand in hand. It is really important.

**Dr Aiken:** Thank you very much, Minister. I have met the east coast group many times and extolled the virtues of Northern Ireland; it is an excellent group.

At present, when there are so many different innovative ways to gather funding, will you ask the economic advisory group and the fiscal council — if we ever see it — to start looking at a national recovery fund? A fund that will enable Northern Ireland to pull itself out of COVID and prepare itself for next year and the rest of our second century. We have been successful, so far, during the first century, and we look forward to our second century, but let us do it with a strong economy.

**Mrs Dodds:** I absolutely concur with the member. I want Northern Ireland to be well placed for its second century, and that is hugely important. I will work with whoever to make sure that that is the case. For now, I am focusing on getting the economic advisory group up and running. My Department will service it with papers and the things that it needs to do, but we want it to be there for ideas and discussion, and to use and harness the skills of the people on the group, who are already very successful in their own right, to drive our economy forward. That will, of course, support local jobs and families, which is very important.

**The Deputy Chairperson (Mr Beggs):** Again, I encourage concise questions and answers so that everyone can be afforded the chance to ask a question.

**Mr McCrossan:** Thank you, Minister, for being here today and answering the questions thus far. Minister, I am sure you will agree that the hospitality sector has been the sector most severely impacted by the consequences of the pandemic we have faced. Many restaurants, cafe and pub owners are very concerned about the uncertainty of the date for reopening. Can you provide some clarity about the discussions you have had about when the reopening of those premises will take place?

**Mrs Dodds:** I thank the member for his question. I can confirm, and most members will acknowledge, that I have had extensive discussions with the hospitality and tourism sectors. I hope to be able to bring forward a paper to the Executive at the start of the week, and, hopefully, we will be able to give the clarity that is needed.

**Mr McCrossan:** Thank you, Minister, for that answer. As you will be aware, the Irish Government have announced dates for the reopening of such premises at the end of this month and the beginning of July. For a town like Strabane, Omagh or the city of Derry this will come as a great concern. Pubs in the South, at a distance similar to

that from this Chamber to the Senate, will be open while pubs in Strabane will be closed, and it will be the same for restaurants and cafes. Minister, will you reconsider the date in order to come into line with that announcement in the economic interests of all across this island, North and South. This is not a political point, it is a very clear point.

**The Deputy Chairperson (Mr Beggs):** The member has asked his question.

**Mr McCrossan:** If you are not going to do that, Minister, will you consider further intervention for the hospitality sector?

**The Deputy Chairperson (Mr Beggs):** The member has asked his question. Minister.

**Mrs Dodds:** Of course, it is not for me, alone, to make the decision about the dates. The Executive, on the advice of the Chief Medical Officer and the Chief Scientific Officer, will take that decision. However, the member makes my argument for me. I agree.

**Mr Catney:** Thank you, Mr Deputy Speaker — Mr Principal Deputy Speaker — sorry, Mr Deputy Speaker *[Laughter.] [Interruption.]* I am up and down here. I do not know what is happening. I have been waiting outside.

**The Deputy Chairperson (Mr Beggs):** Can you be concise?

**Mr Catney:** Minister, I apologise to you —.

**The Deputy Chairperson (Mr Beggs):** Can you be concise?

**Mr Catney:** Minister, if this question has already been asked, I apologise; I seem to have missed it. Has the Minister considered a support package for sole traders and single-person businesses that have not been able to access any of the current support programmes and have had no income for 12 weeks?

**Mrs Dodds:** I, of course, have already indicated that any funding that is available after the current grant schemes have finished and been finalised will be made available to the Executive, who will decide what further mitigations are necessary.

**Mr Catney:** As others have said, the hospitality sector and, especially, the public house sector find themselves locked into a situation in which there is unfair competition. Nothing will destroy their businesses like unfair competition. In my family, my sister has a debt of £85,000 on her business, debt that she has never had before. We need to get those businesses open. What is the Minister doing to level the playing field in Northern Ireland for small entrepreneurial publicans?

**Mrs Dodds:** Of course, I agree that we need to get businesses open. We need to get the wider economy open. We need to get business back doing business, as I said in response to questions in the House earlier in the week. It is important that we get our wider economy, as a whole, open. As I said, I have had extensive contact with the wider tourism and hospitality industry, and I will, of course, provide further information to the Executive next week.

**Miss Woods:** I thank the Minister for her statement. I particularly welcome the mention of the word "green" in relation to recovery. Let us hope that that is followed by suitable action by the Executive.



The Minister, in her statement and in the 'Charting a Course for the Economy' document, says that her Department will:

*"provide 'Forward Guidance' to businesses and employees to reduce uncertainty and facilitate planning."*

With more businesses due to reopen tomorrow, has specific guidance been published? When will it be provided to all businesses and sectors so that they can reopen safely in order to protect staff and customers?

**Mrs Dodds:** I am, of course, interested in a clean, green recovery. I recognise that technology, in improving and sustaining our climate, has been of benefit and has resulted in significant jobs for Northern Ireland. I am very confident that the innovative and entrepreneurial spirit of Northern Ireland will lead us further in that direction.

Just this week, my Department provided updated guidance on the nibusinessinfo website. That guidance was the result of documents on working safely that came to us from our national Government in London. The guidance was looked at by the engagement forum, which is a compilation of business organisations and unions that have come together for the common good in these difficult circumstances, and was amended to make it more Northern Ireland-specific. It is now available on the nibusinessinfo website and provides further clarification for businesses as we go forward.

The tourism steering group has been looking at guidance for the tourism and hospitality sector, and we will publish that in due course as well. It will be in plenty of time for the reopening of the sector.

**Miss Woods:** Who is responsible for ensuring that public health measures are followed in places where relaxation has been allowed?

**Mrs Dodds:** If you mean the policing of those areas, there will be a combination of areas of responsibility. Of course, the Public Health Agency will give guidance and support, and the Health and Safety Executive will do the same where there is an issue of safety. Of course, on the wider front, some of our councils have statutory duties in relation to food safety etc. There will be a wide range of people who have responsibility in that area.

**Mr Allister:** I have heard many comforting platitudes about the haulage sector. Even though the Finance Minister told us that there was £59.5 million that came to us as a Barnett consequential at the centre for transportation, he tells us that there has not been a single application or bid from the Economy Minister or the Infrastructure Minister for the haulage sector. What is the point of platitudes, if there is no bid?

In the same vein, will the Minister tell us why a request that I made to her private office as an MLA on 27 May — over two weeks ago — for a Zoom or conference call —

**The Deputy Chairperson (Mr Beggs):** Will the member finalise his question?

**Mr Allister:** — with representatives of the industry has not even been acknowledged? Why is that?

**Mrs Dodds:** That is the first time that I have heard of that request for a conference call. I will, of course, take that

back to the Department this afternoon and make sure that a response is issued.

In March and April, we had extensive discussions with the Department for Transport about help for the haulage industry. I have worked with many of our haulage companies to alleviate specific difficulties that they have had. The Department for Transport put forward proposals to Her Majesty's Treasury that were not then looked at. Since then, we have had a group looking, along with the Road Haulage Association and the Freight Transport Association, at the difficulties in the sector. We understand that about 80% of the sector is operating normally, but that leaves a significant 20% in significant difficulties. We continue to work at the issue, and I will, of course, revert to the member in due course about his request.

**Mr Allister:** The point, of course, Minister, was that there was a pot of money in Finance and no bid to use it. Having vented my frustration with the Department,

I will be more encouraging to the Minister on my next point. I welcome the fact that —

**The Deputy Chairperson (Mr Beggs):** Can we have a question?

**Mr Allister:** I will. Mr Deputy Speaker, I am not a second-class member of the House.

**The Deputy Chairperson (Mr Beggs):** Order. We are trying to ensure that all members have an opportunity for questions. I have been generous with many in their introductions, and, when I ask members to come to a question, I expect them to do so. I will afford you another opportunity, Mr Allister.

**Mr Allister:** In embracing the logic of moving from two metres to one metre, as has happened successfully in Denmark and France and in highly populated places such as Singapore and Hong Kong, I assume that the Minister has medical backing for that sensible proposal, so why is there feet-dragging in the Executive about it? Without it, as she said, we will never open the economy, and we will never open our schools.

**Mrs Dodds:** I appreciate the member's sentiments around the issue. It will not go away, and we will have to address it. The World Health Organization has indicated that one metre is a suitable and sensible distance. However, those are the very large balances that the Executive as a whole have to weigh up as we plot our way forward and open up the economy, which has to be balanced with the public health risks. I want to make it clear that I will take the advice of the Chief Medical Officer and the Chief Scientific Adviser, people who have worked hard to keep Northern Ireland safe in these very difficult circumstances. So, while we can have that open and honest debate and I can say to you genuinely that, to open the economy successfully and get our schools back up and running, we will need to review that issue, we will have to balance that with the transmission rate of the virus and the safety and health of the people in Northern Ireland, which will always come first.

**Ms Sugden:** There is a particular problem for guest houses in that the vehicles that the Executive have used to provide financial support exclude those that do not pay non-domestic rates. People who own guest houses do not typically employ staff nor do they pay business rates, because it is their home and is, therefore, a domestic

property. I appreciate the Minister's commitment to supporting tourism in Northern Ireland, but, in the north coast in particular, where we have a deficit of four-star, luxury accommodation —

**The Deputy Chairperson (Mr Beggs):** Can you come to the question?

**Ms Sugden:** — guest houses supplement that. When we move into the recovery phase, they will continue to have difficulties and will need ongoing financial support. Will the Minister put focus on trying to support guest houses?

**Mrs Dodds:** The member makes a really valid point. The tourism offering in Northern Ireland is not just about the five-star hotels, important as they are, or even the medium-sized hotels. Many people who visit the north coast, Fermanagh and places across Northern Ireland find themselves in really good accommodation in local guest houses and B & Bs. That is on my mind, and, as I have indicated, as we go forward, I will bring forward a paper on the options for further support.

**Ms Sugden:** I have received responses from the Finance Minister and the Economy Minister on accessing other supports, including the hardship fund. The difficulty for these guest houses is that they cannot access them, because, in order to do so, they must have employees, which, as I stated, typically they do not. The other difficulty is that the extension of the 12-month —

**The Deputy Chairperson (Mr Beggs):** We must have a question, or we will move on.

**Ms Sugden:** — business rate relief does not include those individuals either. Is there an opportunity to work with the Finance Minister to ensure that business that pay domestic rates could have access to rate relief for the remainder of the financial year?

**Mrs Dodds:** How that is set up is a matter for the Finance Minister, and I am sure that the Member has made representations to him on it. My officials can, of course, pass this on to him following this debate.

**Mr Carroll:** There has been much talk about the “new normal”, and we were led to believe that lessons had been learned from previous crises. However, it seems that the bosses at Bombardier, who are cutting hundreds of jobs, and the management of Debenhams, who are looking to follow suit, have not got the memo.

In relation to the advisory group, is it time for a totally new economic strategy that puts workers first rather than one that leaves the destiny of so many in the hands of so few?

**Mrs Dodds:** I thank the Member for his concern for the workers at Bombardier. It is very important that we provide support and help, going forward. I am, of course, keen to develop a new economic strategy for Northern Ireland, one that puts workers at its heart but also ensures that workers have jobs and businesses can flourish and allows those who can provide and support communities to get on with that job. The entrepreneurs and businesses in our society support many families across Northern Ireland, and we need to support them too.

**Mr Carroll:** Would the Minister advise all the people who are starting back to work tomorrow and are not in a trade union, especially those in retail, to join one to protect themselves and their health and safety at work?

**Mrs Dodds:** That, of course, is a matter of individual choice.

**Mr McGrath:** Minister, in reference to the B & B scheme, there is a successful scheme in Scotland that might be worth looking at to provide support for that sector.

I want to ask you about outdoor markets. If they are clear-cut, because they are outside in town centres or in open spaces, they are grand, but what if you must go through a building to get to the outside space? I have a social enterprise group in my constituency that helps to fund the work that they do. It is within a council building. Will you be advising councils that they should facilitate social enterprises for work that is permitted under other schemes, such as outdoor markets?

**Mrs Dodds:** I cannot comment on the specifics of it, but if you write to me, I will be very happy to do that or we can have a conversation about it at a later stage. I encourage all councils to work with businesses — social enterprises and the wider range of businesses — to ensure that we are opening up our economy safely in the days ahead in a way that boosts and creates jobs, supports families and keeps people safe.

**The Deputy Chairperson (Mr Beggs):** Members, that concludes questions on the statement.

**Mr McCrossan:** On a point of order, Mr Deputy Speaker. I know that other members will feel the same frustrations that I do. I travel two hours to the Chamber to represent my constituents and to be interrupted mid-question is entirely inappropriate. Also, Mr Deputy Speaker, to sit like this here behind that podium is not appropriate.

**The Deputy Chairperson (Mr Beggs):** Order.

**Mr McCrossan:** It needs to be reviewed.

**The Deputy Chairperson (Mr Beggs):** Order. If the member has any concerns, he should speak with the Speaker's Office. In my role as Deputy Speaker, I endeavour to ensure that everyone has an opportunity to ask their question and, indeed, questions. To enable me to do that, I have sought assistance from members to be concise in their introductions, and when I have felt that people have gone over that, I have drawn attention to that fact and sought their cooperation. If the member wishes to ensure that he gets two questions in the future, he, and all members, should remember that. It is also important not to challenge the Chair.

That concludes questions on the statement.

Agenda item 3 is the time, date and place of the next meeting. We have yet to receive confirmation from the Executive when Ministers will next make statements to the Committee. As soon as confirmation has been received, notification will be forwarded to members in the normal fashion.

I remind members that the next plenary sitting of the Assembly is scheduled to take place on Tuesday 16 June and that Ministers may continue to make oral statements to the Assembly on sitting days, perhaps with shorter notice.

That concludes the meeting of the Ad Hoc Committee.

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# Northern Ireland Assembly

## Ad Hoc Committee on the COVID-19 Response

25 June 2020

### Ministerial Statement: Education

#### Members present for all or part of the proceedings:

Mr Roy Beggs (Deputy Chairperson)  
Ms Paula Bradley  
Mr Jonathan Buckley  
Mr Gerry Carroll  
Mr Pat Catney  
Mr Alan Chambers  
Mr Gordon Dunne  
Ms Sinéad Ennis  
Mr Harry Harvey  
Mr William Humphrey  
Mr Gerry Kelly  
Mr Chris Lyttle  
Mr Daniel McCrossan  
Mr Philip McGuigan  
Mr Justin McNulty  
Mr Andrew Muir  
Ms Karen Mullan  
Mr Mike Nesbitt  
Mr John O'Dowd  
Mr Matthew O'Toole  
Mr Peter Weir  
Miss Rachel Woods

**The Deputy Chairperson (Mr Beggs):** We are now at the meeting of the Ad Hoc Committee on the COVID-19 Response, and everyone is very welcome. Sorry for that slight delay.

Agenda item 1 is the minutes of proceedings of the previous meeting, which was held on 11 May. Members are asked to note those minutes, which I have agreed. Members should also note that the Minutes of Evidence from that meeting have been published in the Official Report and are available on the Committee's web page. Agenda item 2 is a statement from the Minister of Education. The Speaker received notification on 22 June that the Minister wished to make a statement to the Ad Hoc Committee at today's meeting. A copy of the statement that the Minister intends to make is included in your pack at page 7.

I welcome the Minister of Education to this meeting of the Committee. There will be opportunity for questions after the statement. I will endeavour to ensure that all members get an opportunity to ask a question, but I remind you that it is questions, not statements, and if members are succinct they may also be invited to ask a supplementary question.

I have the task of chairing this meeting. As a guide, there will be approximately one hour for questions. It will be tight

allowing everyone to ask a supplementary question in that time frame, and that is why I need your cooperation. I may bring you to a question if you prolong your preamble, and you may not be allowed to ask a supplementary question. I also encourage the Minister to be succinct in his answers, so that we can deal with this in the time frame and allow every member to ask a question.

I invite the Minister to make his statement, which will be heard without interruption.

**Mr Weir (The Minister of Education):** Thank you, Mr Deputy Speaker, for this opportunity to update the Ad Hoc Committee for the third time on the work that has been undertaken in the education sector in response to COVID-19. There have been important developments over the past weeks, and I wish to consolidate matters by making a statement today.

We are now just over three months from the beginning of lockdown, throughout which all areas of society have been dealing with great challenges. The issues that we are facing in education have never been encountered before. An incredible amount of work has gone into the development of policies and procedures to ensure that we continue to meet, as best we can, the learning needs of our pupils.

I would again begin by paying tribute to school principals, teachers, classroom assistants and all those who have been working hard and with such dedication in the wider educational sector at this challenging time.

In my previous appearances before the Committee I provided updates on a range of complex issues that have been addressed since lockdown. In recent weeks, those efforts have continued as we look to the future and put in place plans for the summer and the new school day. Whilst our response is ongoing, it is important that we begin planning for restart and recovery, and a process of phased reopening of our schools in a safe and effective manner, when conditions allow. Before I get to some of the detail of those plans, I would like to provide an update on a number of key issues.

In my updates to the Committee in May, I advised members of the launch of an income support scheme for substitute teachers who have been unable to avail themselves of any financial support through Government schemes related to COVID-19. The Department launched the income support scheme for substitute teachers on 19

May, with a closing date for applications of 26 May. I can advise that 1,650 substitute teachers will receive income through the scheme in June, and the vast majority of those received payments through the DE pay run on 16 June. A process is also in place to take any individual's special circumstances into account and, where applicable, payments for those will be made in the July pay run.

While the full cost of the scheme will not be known until late July, the costs will be lower than anticipated, mainly because not all those who were entitled to apply to the scheme did so. Substitute and permanent teachers will also receive the two-years' pay arrears for the 2017-19 pay settlement in the June pay run.

On 16 April I set out the details of the alternative arrangements for awarding GCSE, AS and A-level qualifications. Those arrangements placed a high degree of trust in our teaching profession and I know that teachers were very aware of their responsibilities towards their pupils. Despite the enormity of the task, schools met the tight deadlines set for submitting the centre-assessed grades to the Council for the Curriculum, Examinations and Assessment. That data is now going through a process of standardisation to ensure that the final outcomes are fair and robust. While there is still some way to go through various stages of checking and validation, CCEA is on track to have results issued on the original published dates in August for all pupils, including private candidates. I want to thank every teacher and school leader involved in that process. It has been an enormous challenge, and I am very proud of the way that our teachers rose to it to ensure that their students will be able to progress to the next stage of their lives in September.

While the work on awarding this year has been progressing, my Department has commissioned the CCEA to bring forward proposals for examinations in the next academic year. If anything, given the uncertainty surrounding public health, this is an even more complex planning process than the arrangements for this year. Account needs to be taken of the impact of lost teaching time on students as well as the impact of any restrictions on teaching and assessment arrangements in the next academic year. For example, how will social distancing impact on the different types of assessments that make up qualifications, and what adjustments, if any, can be made without impacting the integrity and, therefore, the value of those qualifications?

Work will carry on over the summer, and more information will be made available at the earliest opportunity. However, while the work is being progressed, the starting point is that exams are the best, fairest and most accurate way of awarding qualifications. Therefore, every effort must be made to make sure that exams take place. CCEA is progressing plans for the normal November exams series, taking account of evolving public health guidance. This series involves only a small cohort of pupils, normally those taking GCSE single- and double-award science, so it will provide an opportunity to monitor any adaptations to exam arrangements.

Any lessons that can be drawn from this exam series will be used to further refine the planning for the remaining series in 2021.

Earlier this week, I published guidance for schools on curriculum planning for the 2020-21 academic year. The

guidance provides advice and support to schools as they consider how to tailor and adapt delivery of the curriculum to support recovery when pupils return for the new academic year. My Department has also commissioned CCEA and the Education and Training Inspectorate (ETI) to provide further guidance to schools on effective ways in which the curriculum could be planned for, implemented and assessed in the new academic year. Those guidance documents will set out ways in which existing resources can be used to support remote and blended learning approaches and provide exemplars of current practice and resources that schools can adapt to reflect their circumstances. The guidance will add to the wide range of resources that have been collated, developed and disseminated to support school leaders and teachers during the pandemic.

We are fortunate that the Northern Ireland curriculum is specifically designed to be adaptable and dynamic and is, therefore, the ideal scaffold to support and underpin teaching and learning. Limited prescription gives schools flexibility to choose what to teach, for how long and how often, and to use approaches that best suit their pupils. The key message across the system is that the aim for 2020-21 is to support pupils to be motivated to learn and to become competent and independent learners through a curriculum that gives equal emphasis to knowledge, understanding and skills.

I want to thank all the teachers and staff who are working so hard to ensure that our pupils are supported at this time. I hope that they will find the guidance provided by the Department and our delivery partners helpful in supporting their planning.

In my previous statement to the Committee, I advised of the £12 million emergency package for childcare provision for key workers and the associated establishment of the childcare support scheme. Application forms were issued to open and closed day-care and school-age childcare settings on 6 May. Application forms for the approved home childcarer scheme and support for childminders were issued on 7 May. In order to allow the maximum opportunity for applications to be received, the closing date for applications for closed settings was extended until 12 June. Funding for the current COVID-19 childcare support scheme ends on 30 June, and demand for childcare and expenditure across all elements of the scheme is being monitored in line with the available £12 million budget. The amounts paid out under the childcare scheme are determined by the volume and nature of the applications submitted by the sector and by the assessment of eligible costs.

However, despite support put in place to assist applicants, and the closing date being extended, only 46% of closed settings applied. The Departments of Education and Health continue to work with the childcare reference group on the reasons for the smaller than expected numbers of applications. Initial findings suggest that many settings were in receipt of financial support from other sources. A number of applications are still to be processed for April and May, in addition to payments for June, so that amount will increase over the coming weeks.

I will come to plans for childcare sector recovery later in my statement. Turning to the arrangements for the summer period and beyond, the current arrangements for the educational supervision of vulnerable children

and the children of key workers in schools will end on 30 June. Support for vulnerable children and the children of key workers will need to be reshaped for the summer. I am grateful for the support and provisions that have been provided by teachers and principals since 23 March 2020 when schools in Northern Ireland closed for all children, except for the children who were deemed vulnerable and for the children of key workers. Teachers and principals deserve a break over the summer, and we are, therefore, looking at alternative support mechanisms. The well-being of children and young people remains our primary concern and I recognise that certain groups may continue to need support during the summer months, but with focus shifting from the educational to play and leisure activities for vulnerable children and the children of key workers.

To mitigate the impact of ending the emergency educational scheme, I have gained the Executive's agreement to a number of measures that could support summer activities for those children and young people. I can confirm that the Education Authority (EA) is working with a number of special schools to make summer provisions for 2020. It should be noted that, given the impact of the pandemic, this will not be in the usual format of previous years. The EA is working in partnership with special schools to provide ideas and activities online for pupils, and also some tailored school-based summer schemes. The EA will shortly provide further details.

Although generic, non-targeted youth work provision ceased in March, the Education Authority and youth organisations have worked closely to ensure that the needs of vulnerable children and young people continue to be addressed. The statutory Youth Service will continue to provide support to vulnerable young people as part of the ongoing response.

In addition to the existing support, the statutory Youth Service will provide some small-group work, along with some further targeted outreach and detached work. There is an opportunity for voluntary sector youth providers, uniformed organisations and private sector providers to deliver limited summer programmes that prioritise the children of key workers aged nine to 13 and that are consistent with the public health restrictions that are in place. These programmes will complement existing online youth services.

Many of the voluntary youth workers who are funded by the EA are maintaining contact with their members online and they are developing creative solutions to deliver the curriculum. For example, in the creative sense. It is anticipated that that will continue during July and August.

Feedback from the youth centre indicates that youth workers are keen to support young people over the summer. We recognise that there are associated issues with adherence to the public health guidance, the training of volunteers and staff to ensure compliance, individual and personal concerns for some staff and volunteers and having the appropriate insurance cover. Departmental guidance for safe working in all educational settings in Northern Ireland was issued by the Department on 4 June. That has been shared with the youth sector and will be made available to all those who are involved in the running of summer schemes. Work has also commenced to develop additional, specific youth guidance.

The provision of summer programmes will be conditional on compliance with the Department of Education's safe work guidance and the relevant permissions with regard to the Executive's five-stage recovery plan.

The disruption to our children's learning owing to COVID-19 cannot be overestimated. I am considering how to bring forward projects to support learning for children over the summer and beyond. I brought forward a project called "Engage" to provide literacy and numeracy support, mental health interventions and the widening of nurture support for the 2021 academic year in socially deprived areas.

Free school meals have been the subject of considerable recent public debate, particularly in relation to concerns that some children will go hungry over the summer period. Direct payments in lieu of free school meals are scheduled to cease on 30 June. Subject to the availability of funding, the Executive have agreed that a similar but separate summer food scheme will be established to alleviate the hardship over the summer months for the families of children who are entitled to free school meals direct payments. Details on how the scheme will be delivered are being finalised and will be published shortly. In addition, I plan to extend and expand the EA's Eat Well, Live Well programme to provide healthy breakfasts and lunches to around 5,000 vulnerable young people.

The provision of home-to-school transport in September will be an extremely complex and challenging area of work. Any form of social distancing will have an impact on the EA's ability to transport all children to school by bus or taxi. The Education Authority is making every effort to maximise the number of children who can be safely transported, however, if any restrictions remain in place in social distancing, there is likely to be a substantial shortfall between the number of pupils who are eligible for home-to-school transport and the number of places available on vehicles, and that impact will undoubtedly be likely to be felt across all school sectors. I am looking at all options that could help to mitigate the disruption that would be caused to many families, and my officials and those of the Education Authority are working tirelessly with a range of key stakeholders on the issue.

Childcare is a key priority in Education Restart as well as being of the utmost importance in enabling parents to get back into the working environment. A paper on childcare sector recovery planning was discussed and agreed by the Executive on 18 June. The childcare recovery plan aims to restore the childcare sector to pre-COVID-19 capacity levels as quickly and as safely as possible. The aim of the plan is to ensure that parents can access childcare as and when they need it over the next few months. The widening of the key worker definition on 8 June and further on 16 June has been the first step in the reopening of the sector. In addition, in recognition of the need for childcare provision to align with Executive decision-making in relation to parents being able to return to work, from 29 June the definition of key worker will no longer apply for access to childcare, so it will be open to everyone. That will assist in the return to full capacity by enabling more providers to reopen and more parents to access registered childcare.

Childminders can care for children from four families in July and, from August, five families. There is no minimum or maximum number that a childcare setting can accommodate. However, childcare providers must adhere

to the Department of Health's COVID guidance, which sets out the expectations on providers in terms of adherence to public health and infection control advice. For childcare settings, the guidance makes it clear that children should be cared for in play pods of up to 12 children and that pods should be kept apart. The layout of a play pod should comply with the minimum space-per-child requirements in the minimum standards. That will mean that some settings will not be able to operate at full capacity, although that will depend on how they organise the setting and the extent to which they can maximise the use of outdoor space.

The childcare recovery plan includes financial support for childcare providers to reopen. Further funding will be subject to Executive agreement, and the detail of a funding support scheme is being developed. In childcare terms, the announcement by the Executive on 22 June allowing up to six people to meet indoors will provide some flexibilities for families to access childcare support from another family member or a friend, thus providing informal childcare provision.

We are all too aware of the stresses felt by our teachers, our parents and our pupils due to the ongoing disruption and uncertainty regarding the future. The COVID-19 pandemic has presented significant challenges across society and has been particularly difficult for children and young people, parents and carers and the education workforce. About half of our schools have remained open for children of key workers and vulnerable children, although, as in other parts of the UK, the number of vulnerable children has been low. Many of those children particularly benefit from the structured support of a school setting away from what is often a challenging home environment, which is why supporting such children has been a key priority.

We will not know the final impact of the current crisis on children's safety, well-being and learning at this stage, but it is clear that the longer children remain out of school, the slower the recovery of lost learning. My strategic objective is to see the full-time resumption of classroom-based learning for all pupils as soon as possible, when it is safe to do so. Education is of vital importance for our children and our young people, not only for their lifelong opportunities but for their emotional well-being and development and for the fabric of wider society, including the economy. My Department is working on a restart programme that focuses on physical protection; well-being; vulnerable learners and special educational needs services; standards and learning; the new school day; and childcare.

Education Restart involves significant collaboration and co-design, and there is ongoing engagement with school principals, trade unions, managing authorities and sectoral bodies representing the various school sectors, parenting organisations and children and young people. Education Restart is also supported by the Public Health Agency and the Department of Health. Education recovery planning is based on the broad assumption that the education system will not be able to return to business as usual from day one. An immediate priority is, therefore, the development of strategic guidance for practical arrangements for the safe reopening of schools in August.

I want to put on record my appreciation for the work of the practitioners' group, which has worked tirelessly to co-design the New School Day framework guidance by which schools will plan reopening. The group delivered

finalised guidance, which was considered and endorsed by the Executive on 18 June and published on 19 June, representing a significant step forward in the process of planning for the safe reopening of schools.

The guidance is focused on day one and will be supplemented by a range of additional operational guidance papers that cover a wide range of matters, such as transport, catering, curriculum and early years arrangements. I want to make an important clarification arising from the Executive's endorsement of the guidance and the social distancing assumptions under which planning for the reopening of schools will be planned. The Executive's decision was that schools should use a planning assumption of a two-metre social-distancing rule among adults and between adults and the pupils whom they are working with, and a one-metre social-distancing rule between pupils that, in order to limit transmission and movement within school settings, can and should where possible be further mitigated by the use of protective bubbles. The Executive have decided that the one-metre social-distancing assumption will apply to all year groups within a school setting, up to year 14 inclusive.

The practitioners' group reflected on the Executive's decision and acknowledged that, while protective bubbles will not be applied for years 11 to 14, the reduced instances of contact across the whole school, through the use of a bubble strategy in years 8 to 10, would be a mitigating factor against transmission and would, therefore, provide an appropriate rationale for applying a one-metre social-distancing rule across all year groups. I am grateful to the group for the professional insight that they brought to the consideration of the matter, which, from a practical perspective, will assist with planning decisions.

I am conscious that every school building and every classroom is different. Therefore, the guidance is not prescriptive: school leaders will be best placed to consider the guidance and implement it based on their own circumstances.

We are all aware of the challenges of physical distancing. These challenges are particularly acute within educational settings. The ongoing need for physical distancing will impact on how schools return by affecting, for example, class sizes, attendance patterns, catering arrangements and the structure of the school day. These measures are designed to be deployed when schools return in August and September and will need to be reviewed in advance of the new school term to ensure that they align with the wider public health position at that point. In all our work, we will continue to be guided by the medical and scientific arrangements.

We remain in a fluid situation. My overriding aim remains a full return, for every pupil, to full-time classroom learning. The restart arrangements that I have outlined reflect the current position but I hope that, if the wider public health situation continues to improve, further decisions will be able to be taken before the start of the new term to enable schools to resume classroom teaching for all students, full-time, subject to protections to mitigate risk and to protect public health.

In closing, Mr Speaker, the challenges that we are dealing with in education are unprecedented. Although our overall approach to managing the COVID-19 virus must, rightly,

remain cautious, the work towards Education Restart is a positive step in our wider recovery.

I would like to thank, again, all school leaders, teachers, non-teaching staff and parents for their continued work to support not just our vulnerable people and the children of key workers but the tens of thousands of pupils in our education system.

**The Deputy Chairperson (Mr Beggs):** I thank the Minister for his statement. There will now be approximately one hour for questions. I remind members of what I said at the start of the meeting: questions should not be prefaced by a speech or a statement. They should be succinct, particularly if you wish to ask a supplementary question. You should aim for a single sentence question and introduction if you wish to ask a supplementary question. Again, I encourage the Minister to be concise.

I call the Chair of the Committee for Education, Chris Lyttle, who, as normal, will be given a little more latitude.

**Mr Lyttle (Committee Chair - Committee for Education):** I also thank the teaching staff, non-teaching staff, parents and pupils across Northern Ireland for their leadership and hard work during the public health emergency.

As of today, 600 children in Northern Ireland have been waiting longer than the statutory limit of six months for a statement of special educational need. There are 285 children with statements of special educational need who do not yet have a school place for September 2020, and 156 of those children are without a place in a special school. These are some of the most vulnerable children in our community. The children, their families, their schools and the Assembly demand to know what specific action the Education Minister has taken to arrest the dysfunctionality of special educational need statementing and area planning that is failing children with special educational needs in Northern Ireland.

**Mr Weir:** I thank the member for his question. The figures that he mentioned are unacceptable. It is clear that the assessment that was done of, and the inquiry that was held into, the Education Authority produced a range of recommendations that showed dysfunctionality in the Education Authority in relation to special educational needs. Those recommendations are being implemented. There has been delay because of the COVID situation. As part of that — although, ultimately, a lot of this is internal to the EA — we are keeping a close monitoring arrangement on it and ensuring, for instance, that there is a representative of the Department on any implementation board. Those are, if you like, the systemic issues that need to be tackled in the short to medium term. There is also the very specific issue of the unplaced children. Today my officials have been meeting — the Executive have been meeting at the same time — the Education Authority to discuss the issue. We expect to see progress on that. For each family within that, it creates an enormous burden and uncertainty. It needs to be tackled as quickly and thoroughly as possible, because it is unacceptable that any child is left without a school place.

**Mr Lyttle:** Given the dysfunction of the special educational need statementing and area planning processes, does the Minister accept that his suspension of the independent review of education was wrong and that it must be restarted immediately?

**Mr Weir:** With respect, I have not suspended the independent review of education. Perhaps the member should check his facts in relation to that. The position is that the review, as well as the independent panel, is part of the New Decade, New Approach commitments, which we are progressing. There is budget for that. To establish them will require us to identify who the members will be and what the terms of reference will be — everything. Indeed, the approach that has been taken by the Executive as a whole has been to focus everything that they can on the COVID situation. Those issues will be progressed as quickly as possible and as soon as possible, but there has been no suspension of any of it, and it would be misleading to give the impression that it has been suspended.

**Mr Humphrey:** I thank the Minister for his statement. I, too, on behalf of my party, thank the principals, teachers, auxiliary staff, parents and, not least, children for their forbearance during the COVID-19 situation.

In relation to youth work and voluntary youth work, the Minister said that youth workers are keen to support young people over the summer. I raised this issue yesterday at the Education Committee with the permanent secretary of his Department and the chief executive of the Education Authority. I implore the Minister and those involved in education, particularly the Youth Service —

**The Deputy Chairperson (Mr Beggs):** Can the member finalise his question?

**Mr Humphrey:** [*Inaudible*] absolutely crucial that interface work in areas like north Belfast should continue over the summer, to alleviate problems and pressures at interfaces.

**Mr Weir:** Yes [*Inaudible*] very specifically — I do not think it was directly mentioned in the statement — particularly working with communities, working with the DOJ, working with the police in interface areas where we are seeing at-risk children, those are very much at the forefront of the interventions of Youth Service. Those programmes are being worked on on a multi-agency basis to ensure that they continue throughout the summer. That is in addition to whatever wider youth work is done throughout the summer. Certainly, there will be a focus on that, and there has been a discussion at various departmental levels to ensure that that progresses.

**Ms Mullan:** Minister, thank you for your statement. I also want to pay tribute to teaching and non-teaching staff, parents, guardians and young people at this time.

Further to Mr Humphrey's question about youth provision, you have given an update this week and you have given an update in your statement, but youth settings, particularly community and voluntary ones, are still awaiting guidance. They have not received the update. When should they expect to receive that guidance?

**Mr Weir:** Well, as part of that, which was, I think, suggested at the Executive, indeed in terms of dealing with the paper, I think it is also helpful that we are moving towards a youth sector reference group, which will mirror the childcare reference group. Youth workers and a range of agencies will be involved in that. The idea will be to have guidance available not simply for those who are directly doing youth work through the EA, but there is a very big role for the voluntary and community sector, private organisations, uniformed organisations and church groups and that there is permissibility over the summer, and that it

is done in connection with the guidance. The EA will act as a signpost for that and will make sure that any group that is doing any level of organisation is given that guidance.

**Ms Mullan:** I also welcome that teachers and sub teachers received their two-year pay accrual in the June payroll. In relation to plans for sub teachers for September, is there a plan and funding in place to allow schools to employ extra sub teachers and classroom assistants to allow as many children as possible to get back into the classroom given social distancing?

**Mr Weir:** If we face any additional costs that arise out of a restart, those will be met by the Department. I think that will be very clear. Substitute teachers will play a role when teachers are off sick.

I have made it very clear that we are preparing for the scenario in which we try and maximise that, but I am very hopeful that we can reach a situation where every child is in school, and we can find a slightly different formula. There is a range of mitigation measures already in place as a result of the guidance, which apply, to some extent, whether you have schools that are 50% full, 80% full or 100% full. I am very hopeful that we can move towards that.

There will potentially be a key role for substitute teachers if funding for the Engage programme is accepted. It might not be the exact same, but members will remember the signature projects that were done a number of years ago and which were very successful. There will be a key role as we look to widen the number of those who will be involved in the education system. That will apply to substitute teachers as well.

**Mr McCrossan:** Thank you, Minister, for your statement. When GCSE and A-level results are sent out to parents, it is largely unchallengeable if there is significant discontent among parents and schools because CCEA's untested and unbenchmarked model has changed the moderated grades awarded through teachers' professional judgement. Are you simply going to tell everyone to suck it up and make the best of it, or do you have an alternative plan?

**Mr Weir:** The vernacular that the member uses is not what I would use. While the assessment of the grades is made by individual teachers, there has to be moderation between centres. It is part of human nature that, where you get two or more people, for example in an interview situation, you and I sit on a panel and we may both decide who the best candidate is, but you may score that person 80% and I may score them 60% because one of us is a hard marker and one is not. So, from the point of view of fairness, there has to be centre assessment. That will apply across the board and across different jurisdictions if grades are being awarded on that basis. Otherwise, there would not be the level of robustness and fairness in the system to ensure that we have a reasonable position for all students.

**Mr McCrossan:** I thank the Minister for his answer. Can post-primary schools be assured that decisions around the content of the GCSE, AS and A-level curriculum and around exams, if any, that will go ahead in the 2020-21 academic year will be made well before the schools return in September so that teachers can prepare for learning and teaching?

I note in your statement that you said that normal exams will resume in November. How can it be normal when this

has been a very abnormal year and children have been out of school since March?

**Mr Weir:** Maybe normality is in the eye of the beholder. A small number of exams normally take place in November. The intention is for those to go ahead. As we scope the way ahead, it is likely that there will be a paring down to basics of the curriculum — I think that the flexibility of the Northern Ireland curriculum allows for that. We need not only that detailed advice from CCEA but, to be fair, broader advice on the curriculum. That is particularly true of public examinations at GCSE, AS level and A level. We also have to take cognisance that of the fact that it is not simply the Northern Ireland board, through CCEA, that delivers those exams. We need to ensure that, particularly where there is competition between different jurisdictions, there is a relatively level playing field, so that, above all else, none of our pupils is disadvantaged.

It is clear, and I think that there must be an expectation among parents, given the circumstances, that what can be delivered through the curriculum in the autumn of 2020 will not necessarily be the same as that in 2018 and 2019. There will also need to be a certain level of expectation management. However, the aim is to provide as broad a curriculum as possible. Where things need to be brought down to basics, they will be. We have the flexibility in the curriculum, which is not overtly prescriptive, to enable that to happen.

**Mr Nesbitt:** Can I just double-check that summer schemes or summer schools that take place on school campuses can go ahead, including those organised by the private sector?

**Mr Weir:** There is no particular problem with that. The only issue around any sort of summer scheme will be compliance with public health guidance. If the Public Health Agency puts a limit on numbers and use of space, for example, that will apply. That guidance will be there. The idea is that, provided people fulfil public health guidance and, therefore, do not step outside the regulations that are there, there is permissibility for those schemes to go ahead. That is critical because things that can be done from the broad statutory settings will take us so far, but I think that there is an opportunity and a strong desire amongst many community, voluntary and private sector organisations to provide some release for our young people, many of whom have been left in a very difficult situation since March.

It is important that that release is managed and controlled. In recent weeks, I think that we have seen, perhaps, at one end of the scale, very large gatherings of young people, which were not helpful. However, I want to pay tribute to young people. I have seen countless examples of the great work that young people have done throughout the crisis, particularly in providing support to the elderly, for instance, and in a whole range of ways. However, we need to ensure that the necessary release of tension that can happen over the summer is done in a managed and controlled way. I think that there is a key role for voluntary and uniformed organisations and private providers to do that.

**Mr Nesbitt:** Two specific questions, if I may. Is the social distance, indoor and outdoor, still 2 metres? Is the maximum group size, including an adult supervising or mentoring, still 10?



**Mr Weir:** On the basis that we are not quite at the start of the summer and issues around social-distancing regulations are evolving, it would be a matter of ensuring that what is there is compatible at the time. Again, as we are in a fluid situation, that might be something that may end up moving according to the level of easement. I think it is important that what is done is compatible with whatever the time frame is for a particular venture to take place. At the moment, the easement is going in one direction, so I think that anybody can assume that the most restrictive the guidelines are likely to be over the summer is where we are today.

**Ms P Bradley:** The Minister talked about a project called Engage; will he give us a little bit more detail on that and when it is due to start?

**Mr Weir:** We are looking at a number of things, including smaller learning interventions over the summer. Undoubtedly, no matter what great work has been done through remote learning, there will have been some loss of continuity of learning. There is a wider group in the Department looking at continuity of learning. However, it is clear that we need a focused, tailored piece of work that will stretch over most of the next academic year, where support can be put in place. That is particularly focussed, given the constraint on resources, on areas and schools where there is social deprivation. There is undoubtedly a concern that, often, those in deprived areas will have suffered most because of the lockdown and may have lost opportunities. It is critical that we have that focused level of intervention. That will focus principally on literacy and numeracy, but there will be other areas of catch-up. The detail of that is being scoped out with experts and with the likes of the ETI and teachers, so that we can have a full scheme that, assuming that there is funding for it, can kick in early in the new academic year. That could have a major impact in bridging some of the gaps and the potential loss of learning that we have faced during the spring months of this year.

**Ms P Bradley:** How up to date is the definition of "socially deprived" in the Department? I represent North Belfast, which can go from one end of the scale to the other and has lots of pockets of social deprivation. Often, identified need is not identified. In the broader sense, can others be brought into it who are not recognised as being from a socially deprived area?

**Mr Weir:** From that point of view, we will want to try to get the best possible definition to ensure that resources are most targeted. We are looking at a scheme that will be significant in its ambitions, and we want to make sure that it can be relatively widely drawn to provide that level of support.

**Ms C Kelly:** Minister, given the underspend in the childcare support scheme, will you ensure that any new financial support package is less complex to allow providers to reopen their doors and support parents returning to work?

**Mr Weir:** There have been a few problems. You are right: we need to ensure that whatever is put forward and administered by Education and Health is less complex. Therefore, moving forward, there are lessons to be learned from the scheme.

It is undoubtedly the case that there have been a number of catch-22 situations. One of those has been that the support that has been available, particularly to childcare

settings, has come from different sources and, effectively, the support has perhaps been available but has been drawn down differently. That has been significant. There have also been issues with the turnaround speed from a regulatory point of view from the Department of Health and the health trusts, and there has been a commitment from the Department of Health for that to happen much more quickly.

The critical issue is the alignment of supply and demand. You can provide all the support in the world for a setting to open, but, if it is so heavily restricted in the numbers that it can provide for, it will not be sustainable. That is why the widening of the definition of key workers and the movement to effectively open it up across the board have been critical. While public health is vital, any restrictions on numbers that are applied from a practical point of view on the ground must be sustainable to enable those settings to reopen. It is about trying to ensure that there is that alignment between supply and demand. One of the issues on the other side that, I suspect, will have some impact is that we are likely to come out of this with higher unemployment. For some families who would normally choose childcare, their most practical option may be for children to remain at home during that period. There is also an interlinkage between that and school openings.

**Ms C Kelly:** Will the Minister ensure that the community and voluntary sector, which provides preschool education in our local communities, is included in any new support package? It was not eligible to apply for the previous scheme.

**Mr Weir:** I will certainly raise that. The package is not entirely within my gift. It will need to be signed off by the Department of Finance and much of the regulatory side lies with the Department of Health, but I am happy to work with colleagues to ensure that that point is borne in mind as we move ahead.

**Mr Harvey:** Minister, will you assure us that rural country schools are invaluable, going forward? In most cases, there is more room available in them for working at the required distances, and, therefore, they make for safer working conditions for pupils and teachers alike.

**Mr Weir:** I had the opportunity to visit a rural primary school yesterday. One of the levels of complexity around what is doable is a combination of the physical size of the classes and the number of pupils. It tends to be that the smaller schools, particularly in a rural setting, are probably better placed to have a full return, even on the basis of social distancing.

I reiterate that it is important that our aim is to reach a point at which we can provide safe provision for everybody to be back all the time. I would like to feel that we are moving towards that goal as we move towards the new academic year. As part of that, we need to plan for a range of scenarios. However, I think that a lot of rural schools, particularly at primary level, are quite well placed to be able to do that.

**Mr Harvey:** Thank you, Minister, for your answer. Can the Minister assure us that the necessary funding will be available for rural schools for that purpose?

**Mr Weir:** I do not want to create a turf war between rural schools and urban schools or, indeed, those in a suburban

area. I think that the honourable Member for North Down would be growling at me at that point.

It is the case that, where there are additional resource implications in doing what needs to be done to help to reopen schools, those will be met, be that for deep cleans or the PPE required. There is a range of those types of issues.

Given the pressures on the resource budget, where additional money needs Executive support, I will work with Executive colleagues to see whether that can be found and to see what can be capitalised within the system. The pressure on capital funding, in the short term, is likely to be less of a pressure than on the resource side. I am confident that we can give assurance to schools that whatever funds are needed to be able to get them to reopen will be met centrally.

**Mr McGuigan:** As a result of COVID, blended learning is a new and sudden phenomenon for teachers, schoolchildren and parents. Despite the Minister's objective of, ultimately, getting all children back, blended learning is likely to continue. In his statement, the Minister mentioned guidance. When is that guidance likely to be made available?

**Mr Weir:** Guidance on remote learning has been given out. Having visited a number of schools yesterday, I know that a lot of work on remote learning, which forms the other side of blended learning, is being developed and supported.

The member makes a valid point about the necessity for some blended learning. Even if we are in a position, come August and September, where we have a route to get everybody back in, for a minority of children, perhaps because of a condition or a particular vulnerability, it may not be suitable for them to be in school all week. Some children may have a condition that means that they need additional protection, and, therefore, they have to work from home. It will be a necessity to have some remote learning and blended learning no matter what.

Having been thrown into an entirely unprecedented situation in March, schools have done a lot of work and a lot of thinking has gone on. I will not name the school, but I was at a school, yesterday, where a presentation was given on the various elements of preparation done, including on remote learning. The amount of work that has been put in is remarkable, as is the quality of that work.

However, I think that everybody will accept that any blended learning and remote learning is, at best, a substitute for classroom teaching. I think that everybody shares the view that we want, as soon as possible, to get children back into the classroom and back into something that, while it is not quite a normal routine, at the very least, means that they are in school five days a week.

**Mr McGuigan:** I echo the Minister's praise for the good work on blended learning that has been done in schools and by parents. Is it likely that additional training or practical support will be offered?

**Mr Weir:** Any support that is needed can be provided. Training will be more difficult at times, because we will not be getting large numbers of people into one hall or one room — the normal method of training — to do it. There are resources, and there can be a level of support.

Throughout the crisis, every school has had a link officer appointed to it by the EA or the ETI to provide that level of support, so no school will be left isolated in that sense. That route of information and help can be provided to them if they need that level of additional help and support. The flip side of that is that schools should put any innovative practices that, they think, are worth sharing out through the system. One of the positives to come out of this major crisis is the number of schools that have come up with innovative ways of doing things and thinking about things. There are lessons to be learned when we get past the COVID crisis that can lead to better teaching methods and better ways of doing things. There is always something positive to take out of this terrible and unprecedented overall position.

**Mr McNulty:** Minister, will you pay tribute, along with me, to the multitasking parents who have been juggling their careers and homeschooling? A regular occurrence of the pandemic — a ray of sunshine in the gloom of the pandemic — has been the children who have gatecrashed Zoom calls and meetings. It has been wonderful.

On a more serious note, Minister, you said that direct payments in lieu of free school meals were scheduled to cease on 30 June 2020, subject to availability of funding. That is just over four days away. Are you saying that, from Tuesday, children could go hungry?

**Mr Weir:** No. Technically speaking, the vires for free school meals is linked in directly with the school year, so a different route would be taken. There is consensus and agreement among all parties about the need for those payments to continue. The methodology for the timing of the payments would be slightly different over the summer anyway. There would probably be a payment in July and a payment in August that would cover the full period. There is no political disagreement over this; everybody is on the same page. Northern Ireland should be proud of the range of families that we support and the level that is supported, because it is on a much more extensive level than happens elsewhere. For example, we estimate the level of support that will be provided over the summer to be around £12 million or £12.5 million for a cohort of roughly 100,000 children who would be impacted. If you compare that with England, which is 30 times the size of Northern Ireland in population, you will see that, over the summer, they will provide a maximum of around £120 million. There is a much greater level of support here. We are also supporting the Eat Well, Live Well campaign. It covers 5,000 of the most vulnerable children, not as an alternative to free school meals but in addition to them.

**Mr Buckley:** I thank the Minister and the teaching staff for their hard work throughout the pandemic. I welcome the clarity in the Minister's statement regarding the desire for full-time educational provision in September. The decision to move from social distancing of one metre is key to that happening, albeit that it still has its problems. Will the Minister outline his rationale for the move?

**Mr Weir:** Following the previous question, I omitted to mention that I join the honourable Member for Newry and Armagh in paying tribute to the hard work that parents have done throughout the process in juggling and multitasking, where possible.

The move to one metre was very carefully considered. There were discussions with PHA and the Department of

Health, and we worked closely with them on the guidance. It is abundantly clear that the level of risk of illness or serious illness to children is much lower than it is to the adult population. The curve starts to move up for those of us who are 45 and over. I know that the honourable Member is in a category where the risk to him is a lot lower than it is for many others in the Chamber. There is, perhaps, a bit of a misconception about distancing. There is no such thing as a safe distance. There is not safety at one metre, there is not safety at two metres, and there is not safety at three metres. It is about mitigating risk. The first step that we were able to take was moving the distance down to one metre, which is now being replicated in other areas. If we can have alternative arrangements and make a gear change that means that we are able to provide a different methodology that enables every child, barring the most medically vulnerable, to be in school, we should try to make that gear change, the medical situation permitting, before the end of the summer.

**Mr Buckley:** To date, the Minister's approach has been informed by the scientific and medical advice. Is he aware that the Secretary of State for Education is expected to announce that pupils in England will not be expected to adhere to social distancing while in school and that the current bubbles of 15 can be increased to include entire classes? Has the Minister had the opportunity to view or request the medical advice that informed that decision?

**Mr Weir:** We are in constant contact with the Departments of Education throughout the rest of the United Kingdom and the Republic of Ireland. Bubbling will play a critical role. I think that the vast majority of medical people would accept that, from a practical point of view, particularly when dealing with very young children, the concept of, for example, five- and six-year-olds socially distancing from each other is somewhat fictional. Therefore, the bubble scenario represents a good way forward.

We will look at what happens in August, September and beyond to inform our judgements on what can be done in schools. Clearly, we are not quite at that point, so we will have to consider how this is seen in the broader medical situation in the community. We are on a good trajectory, and I believe that this will lead to different ways of providing that level of safety.

We should remember that, during the COVID situation, we have got very hung up on specific measures, even social distancing, being the means to an end rather than the end itself. The end is ensuring that we have proper protection for all our people. As the situation moves on, some things will change, and I hope, in the very near future, to see a situation that allows a full return to school, albeit with a range of mitigating measures to provide that level of protection.

**Ms Ennis:** Minister, difficulties relating to internet connectivity and the level of access that some children and young people have to appropriate IT equipment for learning have been raised consistently with you over the last number of months. You previously stated that work would be undertaken to procure laptops for every child and young person who needed one for this academic year. May we have an update on that work?

**Mr Weir:** We talked about this being done in three stages. The first stage was devices that were, effectively, in the system. Initially, back in March/Easter time, there was a

misconception that, if you simply took such devices out of schools, they would not be compatible with what had to be done at home. The system is one that can be quickly adapted by C2k, so those devices are starting to be lent out. Also around that stage, a consignment had been procured by the Education Authority, and I know, having spoken to a principal this morning who indicated that their primary school was handing out some of them this week, that those devices are starting to be rolled out. As part of that, the Department will procure additional devices as well. That should give relatively comprehensive coverage.

There is a more difficult situation to which the solution is limited to more old-fashioned methods. In some parts of the country, you could provide the best possible device but, if there is no broadband connection or a certain level of internet coverage, it will be of limited value. Schools know where those areas are. They have been working and will continue to work with fallback options. Sometimes, paper packs will be needed. There are certain things that lie under my control, and I can try to influence those. However, the extent to which I can influence broadband coverage throughout Northern Ireland may be, in all aspects, entirely beyond my control. The aim is to try to ensure that all pupils are covered. The best possible solution is if we can reach a point where a large amount of home learning is not needed, because the children are in school.

**Ms Ennis:** I thank the Minister for his response. Across South Down, I have been contacted by a wide spread of parents who are adversely affected by not having access to adequate IT equipment. Can the Minister guarantee that the parents and children who need it will have that equipment by the end of August?

**Mr Weir:** The aim is to have everybody covered. What we found, in surveying schools, was that, while some schools raised the issue of internet coverage — there will have to be different solutions to that — it was rare that there are no devices in a household. The pressure came from multiple members of a family needing to use one or two devices. That is where targeting will take place. We will roll that out as quickly as possible. With the provision of devices, there has been a structure in which priority is given to children in years 12 and 14, and then to vulnerable children. There is a range of priorities that we are trying to work through in the lending of those devices. From a financial point of view, the capital investment should not be eye-watering, unlike some other aspects of this crisis. It should be something that we can meet, and we are committed to it.

**Mr Muir:** I declare an interest in that I am on the board of governors of Priory Integrated College in Hollywood. Minister, why are 285 children who have statements of special educational need still without a place for September?

**Mr Weir:** Each year, there is a disjoint between the numbers who have applied and the number of places available. This year, it is much greater than in previous years. There has been, at times, a dysfunctionality on the placement side. While I was at today's Executive meeting, my officials were meeting with the EA — a meeting that was planned before these numbers were known — with the aim of taking whatever action is needed to help to resolve the situation.

There will always be a slight disjoint because some locations are completely full. On some occasions, a place has been offered to a parent, but the parent is not happy with the offer. It is not always as straightforward as there having been no offer made. There is less opportunity for variability, depending on the nature of the unit that a child may need to go into. There is a lot less flexibility in that than in the normal school system. As the member is aware, and as we have seen for a number of years in North Down, the demand for places has outstripped the supply. There is greater flexibility in mainstream school placements to have, for instance, temporary variations. However, if you are operating to a specific special needs unit, which is effectively restricted to, for example, 15 pupils, there is no opportunity to put in an extra couple of pupils. There is not that level of flexibility.

The numbers are unacceptable, and the Department is working with EA, which has the operational responsibility for this, to try to make sure that the problem is solved as quickly as possible.

**Mr Muir:** I thank the Minister for his response. What responsibility do he and his Department take for this area-planning failure for children with special educational needs?

**Mr Weir:** I do not necessarily accept that it is an area-planning issue. A combination of concerns has been raised. A report has been written on the functioning of the EA as regards special educational needs. The report has made recommendations, and those are being implemented. One of the problems has been that making the corrective changes has not been done as quickly and as well as it would normally be. Across a range of things in government, the shift has been to dealing with the immediate crisis of COVID. That means that not everything that can be done is being done as quickly as it could be. It is clear that that represents an ongoing need to provide a much more systemic challenge in relation to special educational needs.

We are also working on guidance. We are conscious of the fact that, as we head into August and September, there will be challenges for children with special educational needs, particularly with regard to schools. Consequently, in addition to the general guidance that has been provided to schools, the special schools' principals have been working alongside us to make bespoke guidance available to special schools. That is currently being reviewed by PHA to make sure that it is fit for purpose; I think that it should be issued fairly shortly so that we can make sure that we get things right for all our pupils this autumn.

**Mr Dunne:** I thank the Minister for his statement and for all his efforts in recent times during the COVID crisis. We all endorse what has been said about recognising the good work of teachers, especially in those schools that have stayed open for key workers' families.

I am sure that the Minister has been working on the challenge of providing transport to schools. Has he considered how he is going to transport children to schools? I appreciate that Translink has a responsibility, but he has responsibility for a fleet of yellow buses. How are we going to fit the children into those buses? Has he thought about using sanitisers or some form of mild protective equipment?

**Mr Weir:** Hygiene will be a critical issue and buses will need to be cleaned much more frequently. We are working with the Department for Infrastructure and Translink on the matter. Some of the mitigations for public transport are a live issue for the Executive and we are working to resolve them. It is clear that unless we get over those issues, that will create pressures on school transport. We need to look at where we can mitigate to ensure that we can cater for the maximum number possible. It is undoubtedly the case that children do not create the same level of risk as adults; that is something else that needs to be taken into consideration.

I anticipate that, next year, it is likely that there will be behavioural shifts in relation to travel. I am sure that many members, including me, would like to see much more active travel to school. However, in practical terms, the vast majority of additional travel will involve parents transporting their children, although there will also be a shift in that. We have to make sure that we align, as much as possible, school transport provision to what is needed.

**The Deputy Chairperson (Mr Beggs):** I will allow Gordon Dunne a brief supplementary question.

**Mr Dunne:** Thank you, Mr Deputy Speaker; you are very generous. I thank the Minister for his answer. Has he looked at using alternative transport providers? As he said, it is important that children are transported in a safe and hygienic environment.

**Mr Weir:** Yes, all of that will be considered. The only restriction on alternative providers is that the volume in the market will be such that that would add a level of easement to the situation. In and of itself, that is not a solution because I do not think that the volume that would be available could meet the anticipated need.

There is also a wider issue that the Executive need to consider. If we end up in a situation where, in transport in general, but for children in particular, there is a restriction on how many people can be on a bus, that will have major implications not just for schools but for the wider economy as well. That is why there needs to be an Executive-wide solution. If I may speak for my colleagues, the Executive are very cognisant of that and they are working hard to find a solution.

**Mr O'Dowd:** I am sure that the Minister is conscious of Mr Buckley's advice on Mr Williamson's social distancing for schools in England. It would appear from Tory media reports that Mr Williamson will be facing social distancing from the Cabinet by the autumn, so I would caution him about taking that advice on board.

I want to ask about children with profound special educational needs and summer schemes and activities for those pupils. Will the Minister outline what consultation there has been with parents and pupils in that sector?

**Mr Weir:** The Department of Health, the Education Authority and my Department have been working closely on that to scope out what can be done. It is also about what can be done by youth workers. While there has been reference, for example, to what is happening in the Republic, some of that has been a little bit over-spun. I want to see the maximum amount of summer scheme support that can be made available.

I do not know whether the Member, when talking about social distancing in the Cabinet, was offering to swap jobs or whether he feels that he is well enough out of it.

We will look at the advice coming from not only England but from other jurisdictions. One advantage of us not being in a position to implement everything is to learn lessons from outside. For example, bubbling has been used extensively in a number of European countries. I am not going to become a Europhile all of a sudden, but we can all learn lessons from different parts of the world. It is about having the maximum amount of knowledge and being able to apply it. Sometimes, things are done elsewhere that are not applicable to Northern Ireland. We have our own unique circumstances as well.

**Mr O'Dowd:** I can assure the Minister that I do not envy any of the Ministers' roles at the moment, and I wish you all well.

Is the Minister be hopeful that there will be provision over the summer for children with special educational needs?

**Mr Weir:** There will be provision but not to the same extent as in previous years. It is the same with other Youth Service availability. There will be a level of restriction caused by coronavirus, but the Department of Health, the Public Health Agency and the Education Authority will be pulling together as well as coordinating with schools on what provision can be made available.

**Mr Catney:** Thank you, Minister. I pay tribute to the Education Authority youth workers, especially in my Lagan Valley constituency, who adapted quickly to provide services and support to children online. There has been some fantastic engagement in these difficult times, and those workers deserve our thanks.

I am concerned about the Minister's comments on the impact on transport services, particularly for children with disabilities. I have asked the Minister to keep a close eye on that and make sure that it impacts as little as possible.

I thank the Minister for his clarification on social-distancing protective bubbles. However, given the ad hoc way that the Executive have been making decisions on the relaxing of restrictions, what assurances can he give to teachers and principals that they will not have to work through the summer to put those arrangements in place only for the Executive to change their mind come September?

**Mr Weir:** There needs to be a level of preparation. I am judging that the member may be adopting a one-metre rule in his distance from People Before Profit. It does not seem to be sufficiently distant.

We have to prepare for all eventualities. I take on board the point that was made. If we reach a situation in which we can make a gear change —. Given that we are two months out from the start of term, we cannot do everything absolutely 100% at this stage. The vast bulk of the preparations that are being made will apply in all circumstances. For example, with regard to how to create a bubble situation in a primary school, one school that I was at talked about base classrooms where the teachers move around rather than the pupils. There will be arrangements on hygiene and on making sure that unnecessary interactions do not happen. Arrangements on school meals will be different from school to school. There will be arrangements on dropping off and collecting children, or how to discourage parents from being in

reception. Until we reach a point at which COVID is completely behind us, those arrangements will be there, irrespective of whether we have one metre, two metres or a different form of social distancing, although it may mean that we reach a point at which some of the work gets overtaken by events.

Teachers, parents, pupils and everybody else will welcome a scenario in which we can move safely to a point at which we are able to resume something that is a lot closer to normal. If people, to some extent, then feel that some of their work was unnecessary, it will be in a benign manner that essentially says, "Actually, we are able to move forward for everybody's benefit". That would be welcomed by pretty much everybody.

**Mr Chambers:** Minister, I appreciate that you have been faced with many difficult challenges during the pandemic, as indeed have our dedicated professional —

**Mr Catney:** On a point of order —.

**The Deputy Chairperson (Mr Beggs):** Order. This is a Committee, and there are no points of order at Committee. *[Interruption.]* Order, members. I have been given the task of having the Committee last approximately one hour. We regularly go over that and I allow some flexibility. In order to do so, I need your cooperation. I indicated at the start and have indicated a number of times that, if you have a long preamble, there will not be a supplementary question. I have called that on a number of members. There is a choice for members: if they have a long preamble, they will not get a supplementary question.

**Mr Chambers:** I will start again. Minister, I appreciate that you have been faced with many difficult challenges during the pandemic, as indeed have our dedicated professional educators. I acknowledge with gratitude the work that has gone into confronting those challenges.

Human nature will dictate that some children will have worked harder at home than others during the period of school closures. Some will have received more parental support than others. Indeed, the sad reality is that some children will have received no parental support during the closures. Will schools have systems in place to gauge exactly where each child is in relation to their educational needs on their return to the classroom? Will teachers have the time and opportunity to fill any gaps that they identify?

**Mr Weir:** The answer is threefold. First, schools will be in a good position to assess where their children are. We can make presumptions at this stage, but we will not know precisely until we see the lie of the land when children return in the autumn. The catch-up required will be reflected in the curriculum. It will be about returning to the basics of the curriculum. I mentioned specific interventions through Engage. Over the summer, we will also be looking at a number of smaller projects that are more limited in scope. Therefore, it will be a combination of those measures. Undoubtedly, different pupils will be at different stages and have received different levels of support. We have to do all that we can to help pupils to catch up.

**Mr O'Toole:** Minister, in your statement, you reiterate that there is a £12 million emergency package for the childcare sector. I believe that the Education Committee heard this week that only £700,000 of that has been disbursed. Is that right? Can you give an indication of why that is? Is it that the criteria were too tight?

**Mr Weir:** There is still some money being processed as part of that. We will not know the final figure until a little bit later. I indicated a range of factors. A range of the childcare settings have been receiving financial support from other sources. In some of those cases, this package is either not needed or the other sources are seen as less cumbersome routes. The methodology that was used probably did put off some people. However, principally, there is a need for greater alignment of the supply and demand. It may be too restricted in respect of key workers, for example. There was a problem, particularly at the start, in that the Department of Health's definition of a key worker was much narrower than that of the rest of the Executive. That limited the number of parents who could avail themselves of the service. Consequently, even with financial support, the number of childcare settings in which it made financial sense to open on a very limited basis was limited. It is also that there would not be a form of double payment for closed settings and, therefore, some settings found other schemes that were more lucrative or provided that support. It is about adapting the system and making sure that, in our recovery, we widen the system to try to have that alignment between what parents need and what the economy needs and between supply and demand.

**Mr O'Toole:** Just on those numbers, the statement says:

*"only 46% of closed settings applied."*

If just £700,000 has been disbursed, that is a little more than 5% of the overall number. What will happen with the rest of that money, particularly given that the childcare sector is in crisis? Will it just be sucked back into the centre?

**Mr Weir:** Strictly speaking, any money that is unspent has to be directly surrendered to the centre, but an additional bid has been made to carry things on beyond June. I suspect that, although this is beyond simply my control, there will be some recycling of that money to make sure that it is available. We need to make sure that resources are available to meet the demand that is out there.

Mention has been made of the closed settings, for instance. The closed settings, because they were closed, got a level of support, albeit that it was at a lower percentage than was hoped for. The message that has certainly come back to me via others is that, in some cases, that has effectively enabled childcare settings to keep their head above water and to be in a position to resume when we see more of an opening up in that sector. While the level of money that has been spent is disappointing, in many cases, it has made a significant difference to the provision and will leave the childcare settings in a better position to resume as things open up and as the economy opens up.

**Miss Rachel Woods:** I will get straight to my question, as I would like to ask a supplementary. I will pick up on Mr McNulty's question. Is the Minister confident that the Executive will sign off on the continuation of free school meal payments before next week — 30 June — and has a decision been made about that?

**Mr Weir:** The Executive are meeting at the moment. Given Executive confidentiality, I am not in a position to discuss precisely what is being said, but I will say that there is all-party consensus on the issue both outside and inside the Executive. I think that there is a strong will to do this.

From the point of view of the timing, it is likely that there would be a phased payment of two instalments throughout the summer. The fact that money would not necessarily be in bank accounts on 1 July is not the key determinant; it is covering the nine-week period. I think that, in England, they are looking at a shorter, six-week period to be covered. The proposals that I put forward to the Executive covered the entirety of the summer through July and August. I believe that that will mean that the necessary support will be there. I am confident that the Executive will agree that position.

**Miss Woods:** Can clarification be given that the finances from the Department of Education that have already given for the summer preparation for youth services and the summer delivery of projects are not frozen for this year and can be spent?

**Mr Weir:** Whatever is needed to be spent will be spent. If, because of necessity, certain things have to be done on a somewhat restricted basis, that may not mean that everything will need to be spent on those things. There are plenty of pressures in the system through which we can try to provide that level of support. There is no unwillingness on our part to do the maximum that is doable during the summer, but, if, because of COVID, interventions are more limited, you will not necessarily spend the same amount. For instance, everybody who is a youth worker continues to be employed and to be fully funded. The COVID crisis across the piece means that, in some cases, there will be much greater financial pressures, but, even for schools, there will be areas where there will be less direct pressure on finances.

**Mr Carroll:** As regards the return to school, a sector that is often overlooked, undersupported and underfunded is children with special educational needs. The Children's Commissioner has said that there are systemic failures, and we have heard of hundreds of people not getting placements for September. What guarantees can the Minister give us that those young people will not be left behind, as they were in so-called normal times?

**Mr Weir:** As regards the placements, I have indicated that we are working with the EA to make sure that they are fully in place. The aim will be to ensure that there is resumption across the piece, including special schools. Obviously, the vast majority of children with statements are not in special schools; they are in mainstream schools. For all those children, the aim is to ensure that those happen at the same time.

The member also makes a point about a concern that people will be left behind. That is why, in addition to the guidance for schools in general, we have a bespoke strand on special educational needs and vulnerable children in the restart and why there will be additional advice given specifically for that area. It is important that the circumstances of every child are taken into account as we move forward to the new term.

**Mr Carroll:** Thank you, Chair. Given the news that various Irish language playgroups and naiscoileanna have lost out on Pathway funding despite meeting the criteria, what assurances can the Minister give to my constituents and their family members who use those organisations that they will not have opportunities withdrawn as a result of that decision? Will he explain the rationale for it?

**Mr Weir:** The rationale for the decision, and we have a former Minister here who will be able to bear this out, is that the Pathway Fund effectively replaced previous funding of playgroups. To be fair, there was a reasonable level of criticism of the previous methodology that, effectively, funding was pretty much ring-fenced for the groups that got it year-on-year for about 10 years roughly. It meant that anybody who did not get that funding did not have the opportunity to get it. A different system was introduced in the Department of Education roughly five or six years ago, whereby a block of Pathway funding of about £3 million is made available on a rolling one-year basis and, each year, any group may apply. Where there is more demand than funding available, which, I think, has been the case each year, criteria are used to rank organisations. The criteria have not been altered since Pathway was introduced in, I think, 2014-15. One of the products of that will be that, each year, there will be some groups that received funding the previous year who are not ranked high enough and will drop out of the system and other new groups will come in. There will be a situation where groups will go in and out. That is done entirely by officials; there is no ministerial involvement in that. I know that some groups, from different constituencies, will have missed out this year, and some will have had a degree of funding. It is not sector-specific. It is applying the criteria, and the criteria have been exactly the same for the last five years.

**The Deputy Chairperson (Mr Beggs):** Members, I hope that you will note that the Minister has been answering questions for over an hour. Some 20 members — *[Interruption.]* Please take your seat. Some 20 members have placed questions and covered a wide range of areas.

Mr Lyttle, you wish to speak.

**Mr Lyttle:** Thank you, Mr Deputy Speaker. The Education Minister said that I was wrong to say that he had suspended the independent review of education and that I should check my facts. A letter I received on 18 May from the Minister states:

*“I have temporarily suspended work on the independent review of education”.*

It is appropriate that that is read into the record.

**The Deputy Chairperson (Mr Beggs):** The member has made his point.

I thank members for their cooperation. I have done my best to do this in a fair manner.

**Mr Humphrey:** Mr Deputy Speaker, on a point of clarification in relation these COVID-19 Committee meetings, is it the case that members are not required to be here for the entire statement that a Minister makes? There is a courtesy issue about members being here and taking the time to come here, as they should, to hear statements. We have had members today who have not been here, who did not hear the statement and who came in, asked a question and left before proceedings concluded. Is that appropriate?

**The Deputy Chairperson (Mr Beggs):** This is a Committee. There are no Standing Orders over the running of the Committee, and, of course, we operate under COVID rules, where there is a necessity, on occasion, for some parties to alternate their members in order that the others can ask questions. That does happen, but I

am not aware of any rules. Perhaps you should take that up with the Business Committee or the Speaker, but I am not aware of any requirement *[Interruption.]* Order. Listen, folks: there are no points of order. This is not the Assembly *[Laughter.]* Please take your seats. I have been generous in taking a few questions. Mr Humphrey: very briefly.

**Mr Humphrey:** I asked whether it was appropriate; I did not ask for a ruling on it. I do not think that that is appropriate, no matter who the Minister is. The other point that I would make is that I did not walk out because you did not call me to ask a supplementary question. However, although some members who were waiting to ask a question or to be called to ask a supplementary question did not get their chance, other members who were not present to hear the statement were given the opportunity to ask a question followed by a supplementary question. I do not think that that is fair.

**The Deputy Chairperson (Mr Beggs):** I understand the member's concern. I have endeavoured to follow the guidance given to me. Ideally, members should start with a single sentence and then ask a question. I stretched a little to try to allow everybody to ask a supplementary question, but I have to make a judgement at some point. I have done my best. I hope that I have been fair to all sides, although I am sure that some members will be feeling sore. We have had the Minister here for over an hour for questions, and members have had an opportunity to question him.

**Mr Weir:** Can I check whether I have permission to walk out? *[Laughter.]*

**The Deputy Chairperson (Mr Beggs):** Item 3, members will be glad to know, is the date, time and venue of our next meeting. We have yet to receive confirmation from the Executive of any further meetings of the Committee. As soon as details are provided to the Speaker's Office, members will be notified.

I remind members that the next meeting of the Assembly is on Tuesday 30 June. I also remind members that Ministers may make additional oral statements. Relatively short notice has to be given, so do not assume that whatever is on the Order Paper represents all the business. Members have to watch their emails and messages. That concludes the meeting of the Ad Hoc Committee.





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# Northern Ireland Assembly

## Ad Hoc Committee on the COVID-19 Response

9 July 2020

### Ministerial Statement: Communities

#### Members present for all or part of the proceedings:

Mr Christopher Stalford (Deputy Chairperson)  
Mr Andy Allen  
Ms Kellie Armstrong  
Ms Clare Bailey  
Mr Cathal Boylan  
Ms Paula Bradshaw  
Mr Jonathan Buckley  
Mr Gerry Carroll  
Ms Jemma Dolan  
Mr Gordon Dunne  
Mr Mark Durkan  
Ms Sinéad Ennis  
Mr Harry Harvey  
Ms Sinead McLaughlin  
Mr Mike Nesbitt  
Ms Carál Ní Chuilín  
Mr John O'Dowd  
Mr Matthew O'Toole  
Ms Emma Rogan  
Mr John Stewart  
Mr Mervyn Storey

**The Deputy Chairperson (Mr Stalford):** I welcome members to this meeting of the Ad Hoc Committee on the COVID-19 Response. Before I move to the agenda, I welcome the Minister for Communities, Carál Ní Chuilín, to her post. I know that all members will join me in wishing the former Minister — I am sure that she will be the Minister again soon — a very speedy recovery from her recent illness.

Agenda item 1 is the minutes of proceedings for the previous meeting, which was held on 25 June. Members are asked to note those minutes, which I have agreed. Members should also note that the minutes of evidence from that meeting have been published in the Official Report and are available on the Committee's web page.

Agenda item 2 is a statement from the Minister for Communities. The Speaker received notification on 3 July that the Minister wished to make a statement to the Ad Hoc Committee at today's meeting. A copy of the statement that the Minister intends to deliver is included in your pack.

Once again, I welcome the Minister for Communities to this meeting of the Committee. Before the Minister makes her statement, I remind members that, following it, there will be an opportunity to ask questions but not to make speeches. Members who ask short, sharp, focused questions will

be invited to ask a supplementary question if they wish. Members who engage in long preambles, however, may find that they do not get to ask a supplementary question. I ask members for their cooperation and I will, of course, ask the Minister to return the favour by giving succinct answers. I invite the Minister to make her statement, which should be heard without interruption.

**Ms Ni Chuilín (The Minister for Communities):** Thank you very much, Principal Deputy Speaker. I am very uncomfortable standing with my back to you all. *[Laughter.]* This is my first time at a meeting of the Ad Hoc Committee and, apparently, this is the way that it works. I note that we were well and truly slapped there before we even started.

Without further ado, I want to thank the Committee for inviting me here today. I am proud to carry on the good work that my colleague Deirdre Hargey has been doing, and as we begin to move now from the COVID response into recovery and renewal, this is a great opportunity for me to update the Committee on my Department's ongoing work to support our vulnerable communities and households through this crisis and beyond.

It goes without saying that my Department's swift and decisive response would not have been possible without the dedication, hard work and cooperation, not only of my officials and those in other Departments but our partners in the voluntary and community sector, councils, sporting bodies, faith-based organisations, and the many grassroots groups and community workers who worked with each other and with my Department to put in place real, practical solutions and supports for those who are most in need. I am sure that members will join me in thanking them for the difference that they have made and continue to make in responding to the COVID-19 pandemic.

Members will be aware that, in the June monitoring round, the Department received COVID-19 allocations of £88.8 million, comprising £66.1 million that was previously agreed by the Executive and £22.7 million that was allocated against new bids of £24.7 million. At this early point in the year, it is anticipated that the COVID allocation will be spent in full. As we move into the recovery phase, it is vital that my Department's financial and staff resources are directed to delivering on my longer-term strategic priorities, while at the same time continuing to respond to the immediate needs of vulnerable people.

One of my Department's early interventions, in partnership with Advice NI, was the establishment of a Freephone

COVID-19 community helpline. That service is still available to ensure that the most vulnerable and those at risk of COVID-19 have access to practical support services and emotional support at this most difficult time. My Department also made a significant number of emergency changes to social security benefits. Those include changes to operational practices and legislative changes.

All face-to-face personal independence payment (PIP) and disability living allowance (DLA) assessments, as well as attendance allowance reviews, were paused in March, initially until June 2020. However, given the ongoing social-distancing requirements, I have extended that easement to safeguard people's health and safety while ensuring that my Department continues to provide the most appropriate support to disabled people. I will keep this position under review, and my officials are due to meet the advice sector again to keep them updated and to brief them on next steps.

At the outset of the pandemic, my Department put in place measures to provide financial easement for those with a benefit-related overpayment or loan due to COVID-19. Around 90,000 cases were adjusted, which went some way to alleviating financial pressure during the emergency period. A rolling approach will be adopted to restart deductions from this week. This will begin with off-benefit deductions, with all deductions expected to be back in place by the autumn.

To make financial assistance available to people here, 17 sets of emergency regulations, relating to social security and discretionary support, have been tabled by my Department in a compressed time frame.

To reflect the changing public health guidance, as COVID-19 lockdown measures and shielding advice is eased, amendments have been made to statutory sick pay to ensure that it continues to be available as a financial safety net for individuals who are currently shielding, or if any future periods of shielding should be needed. To help people follow self-isolation advice, if recommended, statutory sick pay has also been amended to support the Executive's contact tracing strategy. This is an important measure to provide an incentive to individuals to follow public health advice, keeping people safe and protecting our health service.

Access to food remains a critical element of the emergency response. Working collaboratively across Departments, health and social care trusts, councils, local community organisations and the private sector, my Department put in place a programme to distribute food to vulnerable people across all communities. My Department invested £10 million in this service, and over 184,000 food boxes have now been delivered.

Access to food was further bolstered by putting in place arrangements for those who are shielding to get priority online shopping delivery slots with major retailers. The food box initiative was set up as a short-term emergency response to support the most vulnerable. It will continue to be available until 31 July to those who are shielding and in critical need of support.

Arrangements were also put in place to ensure the safe delivery of medication to vulnerable and isolated people who cannot arrange for anyone to collect their prescriptions.

These vital services ensure that those in most need in our society, who do not have a support network of family and friends to help them through the emergency, have had access to basic food and medical supplies. The services also allow those at risk of social isolation to see a friendly face and know that we, as a society, have not forgotten about them. There is a tremendous amount of goodwill and generosity in action across our society, which is particularly welcome at this challenging time.

A number of other strands in the overall emergency response programme relate to food support, and my Department has provided financial support to allow councils to deliver directly or to enable the very important work of local voluntary and community organisations at grassroots level. To date, £1.5million, which included an element for food, has been distributed to the voluntary and community sector through the councils.

My Department has undertaken a review of the overall access to food programme, with the aim of supporting a more sustainable approach to help those who need help to access food.

The Department will provide an additional investment of up to £875,000 to FareShare, a national network of charitable food redistributors, to deliver an increased supply of food to community food providers. In addition, the social supermarkets pilot programme has shown positive outcomes to date and has been extended to allow for the consideration of a full programme being rolled out. This reflects the value of wraparound supports alongside the access to food programme, as well as offering a possible platform for pathways to employment. The Department is developing a supporting business case, with the aim of having the appropriate network established by October.

In the longer term, the Department will factor the findings from the emergency programme into the development of an overarching anti-poverty strategy, to include a clear set of actions on food poverty. My Department has taken the lead in responding to the challenges that community and voluntary organisations face in introducing a range of flexibilities in terms and conditions around grant funding, including advancing six months' funding for salaries and running costs, and reduced bureaucracy. To enable that to happen, my Department has prepared the necessary contracts for funding, and paid out over £13 million in grant payments to just under 400 organisations, excluding councils, since 1 April. The councils received £4.36 million. That was funded via the community support programme, which provided £1.32 million, the COVID-19 community support fund, which provided £1.5 million, advice services, which provided £890,000, and £650,000 through welfare reform initiatives. On 1 July, I was able to announce that additional funding of £4.5 million had been secured for the COVID-19 community support fund, on top of the £1.5 million that had been released in April. That has enabled local councils to directly support grassroots organisations to help those in greatest need.

I am grateful to my colleague Minister Hargey who launched the COVID-19 charities fund on 15 June 2020. Some 180 applications have been received, to date, requesting funding totalling £4.5 million, and 38 grants, totalling £643,000, have been distributed. In addition, 340 applications are in progress. That suggests that the total spend will be around £10 million, but the position will become clearer when the fund closes for applications on

10 July. I will update members on the final position and, if the fund has a remaining balance, I will present proposals on how that will be spent.

I commend our delivery partner, the National Lottery Community Fund, which has risen to the challenge of getting money, speedily, to the bank accounts of hard-pressed charities. This week, I heard, at first hand, about the impact of the emergency funding. I am delighted that my Department has been able to support Action Cancer, with a grant of £75,000. That will be greatly appreciated by 850 women who have been anxiously awaiting vital cancer screening.

I am conscious that other sectors are facing significant challenges at this time. Following the initial announcement of a £1.5 million COVID-19 creative support fund to enable artists, creative practitioners and small to medium-sized institutions to work on new projects, I have announced a further £4 million. Work is ongoing to assess where that will be best spent and to establish the requirement for recovery of the sector moving forwards.

Following the announcement, on Sunday, of a further £33 million investment in culture, arts and heritage institutions, I will be making strong representations to my Executive colleagues, at the earliest opportunity, on how that money should be spent to support the local arts, culture and heritage sector, which has a vital role to play in keeping spirits high and in promoting creativity in these difficult times.

I recognise that sporting organisations at every level, from grassroots to those who compete at an international level, are facing serious financial challenges as a result of the COVID-19 restrictions. My Department and Sport NI have supported the sports sector by providing financial and practical advice. Sport NI immediately paid to sports' governing bodies grants that were due to them under existing lottery programmes. We also launched the sports hardship fund, which, with a fund of £1.245 million, will enable 620 clubs to receive a grant of £2,000 to assist with essential maintenance costs for their facilities. I have recently secured a bid for £2 million through the June monitoring round. It will be used to continue to support those clubs, governing bodies and sporting organisations that are experiencing hardship as they move into the recovery period, and it will help the sector build resilience, capacity and capability moving forward.

In addition, Minister Hargey made the case for clubs to be included in the eligibility criteria for the £25,000 hospitality, retail, leisure and tourism scheme. That has enabled around 80 sports clubs to benefit from that funding.

On a practical level, Sport NI has developed a portfolio of advice and guidance for the sector. It is aligned to the Executive's five-step plan and is based on medical and scientific evidence. That portfolio is available online. The Department and Sport NI continue to provide support to the sector as it takes gradual steps for a safe return to sport as restrictions ease.

I am conscious that the impact of the crisis on construction and tourism has created a significant challenge for the heritage sector. My Department cares for 190 state care monuments, and I am pleased that we have reopened the sites where it is safe to do so. We are also working closely with the wider heritage sector as it looks to the future.

The retail and hospitality sectors have been hit particularly hard by the coronavirus crisis, and the road to recovery

for them presents a particular challenge. With the Executive announcing the easing of restrictions for retail and hospitality sectors, guidance for urban centres and green spaces was published on 29 June to provide owners and operators of public spaces, including councils and landlords, with information and examples of measures that may be undertaken to adapt and manage public spaces in order to help social distancing. The outdoor spaces close to hotels, bars, restaurants and cafes can be used by those businesses to deliver their services, while ensuring the safety of staff and customers and keeping under consideration the impacts of the measures on people with disabilities and other groups.

My Department owns sites in town and city centres that have been acquired for regeneration purposes; for example, Bank Square and Blackstaff Square in Belfast. It also owns civic and public spaces in city and town centres, and we have made those available, where that is helpful, to support safe queuing, social distancing or spill-out space for cafes, bars and restaurants. Minister Hargey wrote to council chief executives on 11 June, outlining how the Department was working to support town and city centres in their recovery and encouraging councils to make more use of the existing pavement cafe legislation. My officials are finalising a business case for a revitalisation programme to support our towns and city centres in recovering from the impact of COVID-19. I also recently announced a £300,000 support fund for business improvement districts so that they can continue to play a key role in bringing local businesses and other stakeholders together to help them regenerate their areas and to improve their local trading environment.

My Department continues to provide assurances to households facing difficulties in paying their rent. We received initial commitments from the Housing Executive and all of our housing associations to treat such cases with extreme sensitivity. Minister Hargey also postponed the Housing Executive's rent increase for 2020-21 until October of this year. As well as providing strengthened protections for private renters during the COVID-19 crisis through the introduction of legislation that requires that private landlords give tenants a 12-week notice to quit period, my Department has produced guidance to assist tenants and landlords — social and private — to remain safe and secure and to comply with obligations while observing social distancing guidelines. Those documents are hosted on the DFC website and nidirect and are linked on the websites of partner organisations such as Housing Rights, councils and housing providers. They are regularly reviewed and have been and will continue to be updated as COVID-19 arrangements evolve.

Like Minister Hargey, I am very aware of the impact that the restriction on house moves was having on many households, with many individuals and families being forced to live in unsuitable accommodation because they were prevented from moving into more appropriate housing. Housing officials worked with colleagues across the Executive and experts across the housing sector to analyse the evidence and to produce guidance to permit the housing market to reopen from 14 June. Of course, that action was made possible only because of the progress made over the last few months in reducing the spread of coronavirus here. In that context, it must be emphasised that the reopening of the housing market does not represent a return to normality. The process of finding and

moving into a new home is different. Everyone involved in the process has had to adopt practices and procedures to ensure that the risk of the spread of coronavirus is reduced as far as possible. That includes doing more of the process online, such as initial virtual viewings, the use of appointment systems and strict infection control procedures before, during and after viewings. With those new practices and procedures in place, the house-moving process is as safe as it can be, and that has allowed households to recommence or to start the process of looking for a new home.

In her statement to the Ad Hoc Committee on the COVID-19 Response, Minister Hargey outlined the importance of protecting the homeless during the crisis. The Housing Executive set up a dedicated team to manage its response to the crisis and has put in place interventions to support homeless individuals or those threatened with homelessness. The Housing Executive is drawing up an exit strategy that will assess and evaluate the measures that it put in place to address homelessness during the COVID-19 outbreak and consider what long-term strategies will need to be put in place to support those who are homeless or threatened with homelessness in the long term. I will continue to take all possible measures to prevent vulnerable people from sleeping on our streets, and I commend all those who have worked with us to make sure that they are kept safe. Additional funding of £7 million has been allocated for homelessness. That has allowed the Housing Executive to deal with the initial surge and will allow it to take more long-term actions as we go through the recovery process.

I acknowledge the joint working with the Department of Health. It provided funding to the Housing Executive to provide accommodation for homeless individuals with no recourse to public funds, which ensured that those residents were protected from contracting COVID-19 and enabled them to comply with government guidance on shielding, self-isolation and social distancing.

Executive colleagues approved £10 million in funds for the Supporting People programme, which, along with the unfreezing of £3 million in Supporting People restricted reserves, will be used to address staff shortages and mounting pressure in that area. That funding allocation represents my commitment to the vulnerable people in the Supporting People schemes and the staff providing support to them. We support them and are working hard to ensure their safety and well-being. I also acknowledge the very quick response from our Finance Minister in allocating £3.5 million to be used for the procurement of personal protective equipment (PPE) for singly commissioned Supporting People schemes.

Our partnership with councils has been vital in responding to the crisis, and I am well aware of the financial pressures that face them, as they have lost practically all their self-generated income while much of their operational expenditure and, in particular, staff costs remain. While £20.3 million was allocated to councils for quarter 1 of 2020-21 to assist them with financial pressures as a result of COVID-19, as we move forward, my Department continues to work closely with councils to identify the continued financial pressures and constraints arising as we move through the various phases of recovery. It is clear that we cannot expect that council finances will return to pre-COVID-19 levels immediately, and I have

asked that officials look at council pressures for the July to September 2020 period. Councils have highlighted concerns about any potential economic downturn with the resultant reduction in the rates base and how that could have a significant longer-term impact on the financial sustainability of each of our councils.

Finally, as we move out of the response phase and plan for our recovery, it is important that we build our operational resilience in preparation for any further wave of COVID-19 or any other disruption to our business, and plans remain in place to enable the rapid scaling-up of contingency operations should that occur. My Department has taken considerable steps to support staff during the emergency response to the COVID-19 pandemic through the provision of ICT to enable working from home and by ensuring that office buildings across our estate are safe for increased numbers of staff to return.

I am committed to working with colleagues across the Executive and in local government and with our stakeholders and partners to ensure that we face the challenges in a cohesive way, with the well-being of our citizens, our communities and our economy at the heart of all our decision-making. I thank Committee members for their attention, and I am happy to take questions.

**The Deputy Chairperson (Mr Stalford):** Thank you, Minister. Before I call the Chair of the Committee for Communities to ask her question, I inform members that I have 21 names on my list. If everyone asks two questions, that is 42 questions. The time for questions on the statement allows roughly 60 minutes. Do the maths, and you see the need to be succinct.

**Ms P Bradley (Committee Chair - Committee for Communities):** I join in wishing Deirdre Hargey the very best. On a purely selfish level, we want that Minister back in our Committee pretty soon.

Minister, you spoke about the £20.3 million that was allocated to councils. Even if councils are able to open up, we know that a lot of their self-generated income was subsidised by ratepayers. Have you had any conversations with the Minister of Finance around the estimated penny product and the rates guarantee that councils asked for when they last briefed us?

**Ms Ní Chuilín:** I thank the member for her questions. My officials are working very closely with local government. They gave a fairly good presentation to the Committee, so you will know that they are looking at the next quarter from July to September. They are also liaising with colleagues across the Executive to ensure that we provide appropriate and speedy support to councils. It is accepted that all the opportunities for councils to raise their own revenue are practically defunct during this period. Officials have done due diligence for the first quarter. They will do the same due diligence for the second quarter to see what spend is needed and what we can do to ensure councils' sustainability.

**Ms P Bradley:** I thank the Minister for her answer. I absolutely agree that her Department has worked very closely with councils. We have seen that in any of the briefings that we have had from her Department.

Given the statement released by the chief executive of Belfast City Council last night and the problems faced there, when does she feel that it would be appropriate to get involved, if she has not already, to steer that council forward?

**Ms Ní Chuilín:** I saw the statement last night and have heard some of the commentary today. I will talk to my officials to see what action, if any, I can take or it is appropriate to take. Belfast City Council has had difficulties for a long time. The statement was certainly very concerning. I need to be careful about what I can and should do. I urge all leaders in Belfast City Council to come together despite the difficulties. Belfast City Council, which I was a member of from 2003 to 2007, has come through many difficulties. We need to knuckle down and see what we can do collectively; hopefully, that will be sooner rather than later.

**Ms Ennis:** I thank the Minister for her statement. In it, she referred to the recent allocation of £33 million to the arts, culture and heritage sector. Will she elaborate on how best she thinks that that could be spent and on what initial discussions she is having?

**Ms Ní Chuilín:** Some of the commentary that I have heard is that £33 million is not enough. OK, but I know that there are many sectors that would certainly appreciate an injection like that. There has also been some commentary about how it should be spent. I notice that the Arts Council has an online survey asking artists and creatives for feedback on how it should be spent. For me, the statement is very clear: it needs to be spent on arts, culture and heritage. We need to look particularly at freelance artists, creatives and musicians who could not access any benefits at all during this crisis and who did not get access to universal credit or any discretionary funds. We need to look at a hardship fund to help those people; that, in itself, will help the economy. We then need to look at how that money will be used for venues, not just in Belfast but right across the board.

**Ms Ennis:** I concur with the Minister's comments. We know that the issues affecting the arts sector predate COVID. The year-on-year funding reduction as a result of austerity had huge impacts on the arts sector. I urge the Minister to make the case to Executive colleagues again that, across the Executive, we need to fundamentally change the way that we view the arts. Yes, the arts provide entertainment but these are also highly skilled individuals and people who, as the Minister said, deserve some sort of stabilisation fund in line with what the hospitality and other sectors were able to access during the COVID crisis.

**The Deputy Chairperson (Mr Stalford):** I do not think there was a question there, Minister, but if you want to agree with what your colleague said, I am sure that that is permissible.

**Ms Ní Chuilín:** I totally agree, Sinéad. *[Laughter.]*

**The Deputy Chairperson (Mr Stalford):** There you go.

**Mr Durkan:** It is good to see you back, Mr Principal Deputy Speaker. I thank the Minister for her statement, and commend her work, that of her predecessor and her Department at this extremely challenging time.

I pay particular tribute to the many volunteers and groups who have been a lifeline in their communities. Will the Minister outline whether she intends, along with ministerial colleagues, to look at how some of those voluntary groups, who fall outside normal DFC funding streams, such as neighbourhood renewal, can be supported with their core costs to enable them to do their vital work?

**Ms Ní Chuilín:** I thank the member for his question. He has been consistent in asking about this. I am looking at that. There might not be a budget headline in the Department for particular funds throughout the COVID crisis, but money has been made available. I am looking at what additional support we can get in. The member is right: groups have done vital work, outside neighbourhood renewal or areas at risk, and they need to be supported.

**Mr Durkan:** I thank the Minister for her answer and commitment. The small grant for volunteering has not been renewed this year. Over the past four years, that small grant enabled some of those small groups and organisations to keep their doors open and lights on. Does the Minister concur that it seems perverse that, at a time when their value has never been more evident, or the need for them as great, those groups cannot now avail themselves of that vital assistance?

**Ms Ní Chuilín:** As I said to the member, the groups have applied through different routes in the Department, including for money that the Department has put into arm's-length bodies and the councils. The volunteering small grants programme that was launched in 2013 was very successful. I will look at that as part of an anti-poverty strategy, because some of that work, particularly volunteering, should be reflected in that. Last year, the Department allocated £521,000 to 662 organisations. That is evidence that a small bit of money goes a long way and has a great outcome for people.

**Mr Allen:** I declare an interest as a charity trustee. Minister, you provided a helpful update on the COVID-19 charities fund. I appreciate that you cannot pre-empt it at this stage, but you said that you suspect that it will be a £10 million scheme overall. Given that £15.5 million was allocated initially, dedicated towards a charities scheme, do you have the flexibility to re-prioritise that in your Department or will it be repackaged for the charitable sector?

**Ms Ní Chuilín:** It will be a bit of both. I said that any remaining money would be reallocated, but the indications are that there will be no remaining money. We might need additional money. This is relevant to the question that Mark asked about volunteers. A lot of those charities have volunteers and voluntary schemes that have been helping people for years. Whatever money is there will be well used. We may need to look for opportunities to get additional funds.

**The Deputy Chairperson (Mr Stalford):** Mr Allen, have your supplementary question?

**Mr Allen:** I do not require a supplementary question.

**Ms Armstrong:** I will take this opportunity to thank you, Minister, and all your staff, particularly those working in the front line at jobs and benefits offices, who, behind the scenes, have helped so many through this.

You mentioned the revitalisation programme to support towns and city centres to recover from the impact of COVID. In particular, you talked about using the pavement cafe system. In rural areas, it is difficult for pavement cafes to be facilitated. What are you doing with other Departments about that?

**Ms Ní Chuilín:** I thank the member for her question. It is timely, because Minister Poots and I are meeting this afternoon. I am looking at the revitalisation programme for £5,000 and above. He and I are both looking at what we

can do for £5,000 and below. As I said at the Committee yesterday, some villages do not have footpaths to allow for tables and chairs to be put outside but that does not mean that they do not need support.

That is the sort of initiative that we are looking at. I am working with Minister Mallon on the development of local councils' licensing regimes for cafes, and using whatever open spaces that we can. We are also working with the Department for the Economy to try to help those small businesses and give them every opportunity to ensure that they flourish as much as possible under the circumstances.

**Ms Armstrong:** Thank you, Minister. I will use my second question to draw out another aspect, which is sport. Can you provide clarification on when the £2 million that has just been allocated will be announced and when there will be an update on contact training in groups for up to 30 people?

**Ms Ní Chuilín:** Taking the last point first, we had an Executive meeting today, and that is not long finished. Obviously, easements are going through, but I do not want to pre-empt any announcement that is coming. We certainly looked at that issue.

I anticipate that an announcement about the £2 million will be made very soon. We did ask for more money, but we did not get it. We will certainly be looking at opportunities in future monitoring rounds and, indeed, at any other opportunities to try and get some money out to the grassroots organisations in particular.

**Mr Buckley:** The Minister will be acutely aware of the impact of COVID-19 on the housing market, which, in turn, could place further stress on the social housing stock. One of the most alarming aspects is the impact on first-time buyers in Northern Ireland, where the four main banks are asking for higher deposits, making it virtually impossible for them to get on the housing ladder. Will the Minister agree to engage earnestly with the Economy Minister and the Finance Minister and present a united front, meeting with banks to encourage greater flexibility and a return to low-deposit mortgages?

**Ms Ní Chuilín:** I certainly will give the commitment, and any commitments that I give will be in earnest. Watching the news last night, I saw that there was an announcement from the British Treasury about stamp duty while there were other announcements that appear to show that what you get on the one hand will be taken away from the other. In particular, some families who had the opportunity to move into a home have now been priced out of it, and none of us want that to happen. I will take up any opportunities with Executive colleagues after today to see what we can do.

**Mr Buckley:** Continuing on the theme of housing, the Minister will be aware of the Chancellor's announced green recovery scheme for home insulation in an attempt to stimulate local growth post-COVID-19. Has the Minister considered extending this scheme to Northern Ireland homeowners?

**Ms Ní Chuilín:** That was an England-only announcement, as far as I could see. We would certainly like to see some Barnett consequentials from it. Any green schemes, including retrofitting, that not only benefit people who are living in fuel poverty but which will help the construction

industry, particularly in new methods of construction, will be welcome. This morning, when I was looking through the papers, I saw that it was an England-only announcement and that we had yet to benefit from any Barnett consequentials.

**Ms Dolan:** I thank the Minister for her statement. I welcome the Minister's comments about the overall anti-poverty strategy, including direct learning regarding access to food. Can the Minister provide an update on the progress of the development of the anti-poverty strategy?

**Ms Ní Chuilín:** I spoke to the Committee yesterday, and I have met officials on this since coming into the Department. I have had a webinar with a lot of groups that were involved in the emergency leadership group. They went through all the emergency arrangements from 20 March, and central to that and acknowledged by all those people was the work that the grassroots groups did in the community to get the food and all those supports out. They all said yesterday that being able to scale up and scale down and help neighbours who are really vulnerable has to be reflected in the anti-poverty strategy, and I concur with that because we have all heard well-used phrases, particularly in winter time, about heating or eating. An anti-poverty strategy needs to tackle that head on.

**Ms Dolan:** I thank the Minister for her answer, and I look forward to working with her on that. You touched briefly on this, but an issue in many of our homes is fuel poverty. Can you provide an update on the affordable warmth scheme?

**Ms Ní Chuilín:** There are lots of great ideas and lots of policy developments out there. We have all been lobbied by many the people, and the fact that we are getting lobbied does not mean to say that all the lobbies that are coming to us are not good. However, we need to make sure that people can live in a house that not only they can afford to rent but that they can afford to run. We need to make sure that people, particularly those who are on a low-to-middle income, are facilitated as much as possible. That is something that we are looking at, and, hopefully, we can bring that forward in the autumn.

**Mr Storey:** Sadly, the Minister's message today will be tarnished and damaged by the actions of her friends and colleagues in west Belfast last week. Much in the statement is about social distancing, keeping the law, keeping the rules and so on, and what happened last week will detract from much of the good work that has been done by the Department.

The Minister referred to £10 million that has provided 184,000 food boxes? Will she give the House a breakdown of the geographical spread of that particular amount of money?

**The Deputy Chairperson (Mr Stalford):** Before the Minister rises, I would say that she should answer the question at the end. Mr Storey's introduction did not directly relate to her statement. It is simply the question about food boxes.

**Ms Ní Chuilín:** Thank you, Principal Deputy Speaker. That is exactly what I was going to do anyway, and I am sure that Mervyn knew that I would do that. *[Laughter.]* I do not have a geographical breakdown, but we will need to get one because it is important that that level of support is reflected. To give the member some assurance, the

criterion is people who are shielding for medical reasons. It is not a political or ideological criterion. That is what it is.

I suspect that it will take some time to breakdown the information from GPs. I have had difficulties, even as an MLA, in that some of my constituents — I am sure that we have all had this — did not get their shielding letter until a lot of weeks ago, when they should have had it a lot earlier. I will certainly endeavour to get the member that information.

**Mr Storey:** I thank the Minister for that commitment and I look forward to seeing the breakdown.

The statement refers to the work of the Housing Executive for the homeless and vulnerable. The Minister will be aware that a property in Portstewart in the East Londonderry constituency has raised public concern. It comes out of the fact that there is a shortage of properly structured and properly provided supported living. Will the Minister ensure, in conversations with the Housing Executive, that that particular type of provision will be made available? We can clearly see that there is a need for that at the moment.

**Ms Ní Chuilín:** I thank the member for raising that. Under Supporting People — he will know from his tenure in the Department — there are much-needed funds to do a lot of work, particularly within families and communities that are vulnerable. What we do not need to do is put people in further jeopardy, or make them more vulnerable, in a property that will perhaps endanger them, emotionally, physically or mentally.

I think that I am aware of the property that the member is talking about. I am happy to talk to him about it afterwards. I would be willing to go to the Housing Executive to ensure that there is more appropriate accommodation to suit some of the people who need our help the most. What we do not need to do is put them somewhere that will put them at risk.

**Mr Boylan:** The Minister mentioned strength and protection for the private rented sector following COVID. Does she intend to develop further protections and regulations for the private rented sector?

**Ms Ní Chuilín:** I thank the member for his question. In short, the answer is yes. It was a priority for Minister Hargey, and I will continue with that.

At the start of the emergency, when the legislation came through, particularly about the extension of the notice to quit, that helped. Given the fact that more housing benefit is paid into the private rented sector than the social housing sector, we need to look at strengthening and furthering some of those regulations, both to protect tenants and to protect those landlords who want to be good landlords who offer good protections for their tenants and their property.

**Mr Boylan:** Thank you, Minister. In the light of that, does the Minister agree that there needs to be a big roll-out in social housing to give people an opportunity of ownership? What is the time frame for rolling out some of those regulations?

**Ms Ní Chuilín:** We are going to come back to look at rolling out the legislation further. At the start of the week, the Department for Communities introduced its first bit of legislation not done under the accelerated passage

procedure. That was the Pension Schemes Bill, so it had nothing to do with housing. We need to look at that.

In answer to all this, I am not saying that the private rented sector is bad and the public sector is good — we need a blend of both — but one thing that we all agree on is that we need more social housing. We need to increase the supply to reduce the demand. Unfortunately, there have been inconsistencies in the private rented sector. There is no security of tenure, and the conditions and standards of housing that people live in are not as good as they are in the social sector. We need to have better and stronger regulation of the private rented sector.

**Ms McLaughlin:** I add my appreciation to the Minister for her statement today and for the work that her Department has done throughout the pandemic. It has been very well received in my community. However, in February, her Department stated that it was targeting resources to ensure that they engaged with those furthest away from work and those in the constituencies that have the lowest employment rates. She will be well aware that my constituency has very high levels of economic inactivity — almost one third of our working-age population is economically inactive — and that has been exacerbated by COVID-19. Will the Minister tell me what she is doing to support those who are unable to work and to tackle economic inactivity in the Foyle constituency, please?

**Ms Ní Chuilín:** The Member will be aware that a lot of the face-to-face support for people, particularly those who are long-term unemployed, was cancelled due to COVID-19. Some was restored, if not at the same level, through teleconferencing and telephone calls.

There are many reasons why people are unemployed, as the Member will know. Some are unemployed due to regional disparity; some due to physical and/or mental health problems; and others because there has been no consistent investment to create jobs and apprenticeships. She will probably be aware of the announcement that was made about apprenticeships, and I will work with my ministerial colleague Diane Dodds to see what we can do in a joined-up way to ensure that areas that have experienced long-term economic deprivation get an opportunity to change.

**Ms McLaughlin:** I totally agree that there are lots of reasons for economic inactivity, but some of the reasons for economic inactivity are down to bad policy as well. Poor childcare and social-care policies create barriers to employment, particularly for women. Will the Minister agree to cross-departmental collaboration with the Health, Economy and Education Departments to tackle economic inactivity, because it is pushing down Northern Ireland's productivity? Our economic inactivity is extremely high — the highest of all the regions in the UK.

**Ms Ní Chuilín:** I will certainly commit to doing that work. I endeavoured, even at the webinar meeting, to look, in particular, at the budgeting process, given that we have heard about gender imbalance and economic imbalances that depend on where people live, and we all agree that we need to have a robust childcare strategy. You cannot offer people opportunities, on the one hand, when, on the other hand, they cannot avail themselves of them and, ironically, get sanctioned because they will not take a job that they really cannot afford because they do not have access to

childcare. I will absolutely work with Health, Education and Economy on this.

**Mr Nesbitt:** First, can I check some figures with the Minister on the arts and sports? I see pots of £1.5 million, £4 million and £33 million for creative industries, culture, arts and heritage. Sport gets £3.245 million plus £2 million from the hospitality and leisure pot. Is that £38.5 million for the arts and £5.3 million for sport?

**Ms Ní Chuilín:** The Member will be aware that is a very attractive figure, particularly if it is on the front page of the 'Belfast Telegraph' tonight. However, the Member will be aware that the £33 million came as a result of the statement through Barnett consequentials. If I could split it up and help other areas in my Department, I would, but that is not the case. As I said in response to Kellie Armstrong, I think, I bid for additional money for sports and did not get it. I got £2 million of the £4 million that I bid for. I will commit to you and other members that I will continue to try to put money into sport, given the fact that a lot of the work at grassroots has been crucial, particularly during the COVID-19 period. Someone asked me about food parcels: many sporting organisations in my constituency and others were right at the middle of ensuring that the most vulnerable people were protected.

**Mr Nesbitt:** Given the fact that both sectors are Province-wide and have elite performers as well as grassroots performing in venues of various shapes and needs, a discrepancy of £33.2 million, you would agree, Minister, is not acceptable.

**Ms Ní Chuilín:** If there are further Barnett consequentials to come for sport — I anticipate that there will be — sport will get that. It is a bit disingenuous to say, first of all, that I have created that imbalance or that my Executive colleagues have created it. I am glad that you are not saying that. However, there is a big disparity in the figures. I will continue to try to bid for additional funds for sports. I will also continue to try to get additional funds for the arts, because, let us be honest — the member will know this from his own experience — any economic recovery must include our artists, our creative industries and all the rest. However, we have all enjoyed seeing our sportspeople and athletes on both the international and the local stage and even in grassroots groups. They, too, need our support. I will recommit to try to put additional money into sports wherever I get it and look forward, potentially, to more Barnett consequentials coming to sport.

**Mr Dunne:** Thank you for your statement, Minister. You have mentioned sport. You will be well aware that a large number of local sports clubs missed out on a previous scheme. There was a short lead-in time and limited funding. Can you assure us that more clubs will be included in the next funding round?

**Ms Ní Chuilín:** The member may already be aware that, at the time, his colleagues who are on the Committee for Communities, along with the rest of us, expressed disappointment to Sport NI about the way in which the hardship fund was managed. First of all, people did not get to know about it until the last minute; then there was a scramble. I do not mean that in a derogatory way, but there was a rush to get applications in. Many of them were extremely disappointed and remain so. I want to get more money, if possible, to those groups. Hopefully, the £2

million that I received in the June monitoring round will go some way to alleviate their pressures.

**Mr Dunne:** Will the Minister encourage small clubs, in particular, to work with Sport NI and assure us that any future funding will be spread equally across all sporting clubs, not just a few specific organisations?

**Ms Ní Chuilín:** The answer is yes, but we also need to look at the reality that soccer, rugby and the GAA make up over 80% of participation in sport. You cannot give a lesser — not a "lesser" sport but one that people do not participate in in the same numbers the same amount of money as those three codes. That would not be fair. However, the member is right to say that those small groups also need funds, regardless of whether they are involved in the big three. They need help, and I am committed to that; for example, there is boxing, MMA, gymnastics, rowing and all sorts, all of which have all achieved medals in international competitions. Even beneath all that, there are the walking clubs and all sorts. We need to try to get them some support.

**The Deputy Chairperson (Mr Stalford):** There goes my bid for funding for Ravenhill Presbyterian indoor bowls club.

**Ms Rogan:** I thank the Minister for her statement. Ensuring that everyone has some form of accommodation throughout the crisis has been a major positive step in the midst of the global pandemic. Can the Minister outline what steps she will take to continue that trend in the future?

**Ms Ní Chuilín:** We can all say with some pride — it is a mixture of pride and shame, really — that, during the COVID-19 pandemic, we had no one sleeping on the streets of our towns and villages. To be frank, they should not have been there in the first place, and we all need to make sure that they are not there again. I hate the term "rough sleepers". It obviously comes from someone who has never slept on a cardboard box in a shopfront. We need to make sure that there is proper and appropriate accommodation for people who, for all sorts of reasons, find themselves homeless. Regardless of whether they have an addiction or not, they are entitled to a bed and an address, and we will make sure that they get that.

**Ms Rogan:** We know the negative impact that COVID has had, and will continue to have, on our hospitality and tourism sector. I welcome the steps already taken by the Minister, some of which she outlined in her statement today. The much-needed reform of the liquor licensing laws would be welcomed by the sector at this time. Can she give us an update, and when does she plan to bring forward this legislation?

**Ms Ní Chuilín:** Again, we discussed liquor licensing today, and we are, hopefully, going to try to get it resolved as soon as possible. Liquor licensing has been about DSD and DFC for a long time and there have been loads of consultations and reviews on it. We just need to get it over the line, and I am sensing that we are nearly there. Hopefully, we will be able to make an announcement soon on the outcome.

**Ms Bradshaw:** Apologies, Minister. I was at the Health Committee; that is why I missed your statement. I have a question about the money from the Treasury that was announced for the arts. Given the urgency of the help needed for the arts sector, can you allocate that funding



before the September monitoring round, so that the sector can get the preparations under way and the money spent before the end of this financial year in March?

**Ms Ní Chuilín:** First, we did cover it, and it was covered earlier. We want to try to get the money out as soon as we can. We need to ensure that as many people as possible in the arts and culture sector and the heritage sector are supported. It is a substantial amount of money. The member will be aware that some other groups have said that it is not enough, but it is a good start. Certainly, my priority will be to get it out as soon as possible and to try to help those musicians, freelancers and artists who did not get access to public funds, whether through universal credit or discretionary funds as a result of this crisis. They are living in dire straits, and they need our support.

**Ms Bradshaw:** Thank you, Minister, for that commitment. Regarding broader and longer-term issues around the arts, you mentioned the word "recovery". Are you going to put together a specific plan for the recovery of the arts?

**Ms Ní Chuilín:** I am going to have a meeting fairly soon with a lot of people involved in the arts sector who have come forward with ideas about recovery. I want to bring them together. I am aware that there are strategies out there, and I am aware that there are reviews and plans, but a lot of them are disjointed, so we just need to bring them together. Whether there is agreement or not, we need to get something done. So yes, I am aware, and I said, when you were not in the Chamber, that arts, culture and creativity have to be part of any economic recovery — they absolutely must, because they are just as important as hotels, bars, restaurants and all the rest. We need to ensure that they are supported.

**Mr Harvey:** Thank you, Minister, for your statement. With the announcement of the allocation of lifeline support and funding for the arts, can the Minister give assurance that the money will be distributed fairly, reflecting the need for help in different areas, being mindful that the theatres' box-office losses will be in the region of £25 million and that the reopening of theatres will be difficult due to social-distancing requirements?

**Ms Ní Chuilín:** I thank the member for his question. I am assuming that, when he spoke about different areas, he meant different geographical areas. I am a Belfast girl, as you know, and I am also aware that a lot of people have concerns that the bulk of this money will be spent on a few theatres in Belfast. However, I am going to look at it right across the board, because we made public investment across the board, and we need to sustain that investment. The people who live in those areas also should be entitled to have an expectation to go back and see their favourite musical, play, drama or whatever.

**Mr Harvey:** Thank you, Minister. I also have concern about our museums, for example the Ulster Folk and Transport Museum, which is not far from here. Can the Minister assure me that those visitor centres will also be catered for?

**Ms Ní Chuilín:** Again, the member might have seen the five-point recovery plan from the Executive. Museums and libraries put different dates in, because it is an operational issue for them. They know what they need to do, and we need to give them the respect and the space to do it. Depending on how they are organised, and what expectations there are, indoors and outdoors, they need to

do that. Museums and libraries need to open as soon as possible to ensure that their budgets are protected.

**Mr O'Dowd:** I welcome the Minister's extensive statement, as it shows that when a Minister or, in this case, Ministers identify legislation or policy in their Department that is a problem, they change it. Debt recovery, which was suspended during the worst of the crisis, is to return. Can the Minister set out for us what measures she will put in place for the months ahead?

**Ms Ní Chuilín:** I thank the member for his question. Debt recovery was, as I said in my statement, suspended for about 90,000 people for a three-month period. Some people wanted to continue their payments; there were also many who could not. Emergency measures were brought forward by DWP, but there was a suspension on the basis that it would recommence three days ago, and that is happening. It will be done in a manner that does not put people under any more pressure. It will also be done in their adviser's office to ensure that they can meet the commitments that they have made, even if it means going back to the original agreements that they made.

**The Deputy Chairperson (Mr Stalford):** Mr O'Dowd? You are OK.

**Mr O'Toole:** As the Minister will see, I am wearing a mask. Although it is slightly awkward, and I felt slightly self-conscious coming into the Chamber, it is really important that we all start to get used to wearing masks. Tomorrow, they become mandatory on public transport in Northern Ireland. Can the Minister advise us whether she is having discussions about making face coverings mandatory or least issuing guidance to some of the many sectors that her Department covers, such as arts and heritage venues, which, hopefully, will be opening soon, local council premises or benefits offices? Is she preparing guidance on face coverings?

**Ms Ní Chuilín:** I have worked with the member's colleague Minister Mallon and other Executive colleagues on the mandatory wearing of face coverings on public transport. I visited a jobs and benefits office in east Belfast the other day and looked at the social-distancing measures that it is putting in place. Some people will need to wear face coverings, which could include visors, depending on their proximity to those with whom they work.

The answer is yes, but we are taking our lead from our arm's-length bodies on what they feel is appropriate. We are also working with our trade unions and their staff-side representatives to ensure that they are protected in the recovery and in coming out of this process.

**Mr O'Toole:** Thank you, Minister, for that answer. Further to it, and going back to the arts sector and the welcome support that the Minister will be disbursing in the coming weeks, Paula Bradshaw mentioned the need for a long-term recovery plan for the arts sector. Will part of that plan be a strategy for mitigations in spaces, including face coverings and social distancing? Can the Minister work on a comprehensive plan that joins up how we reopen arts and cultural venues while making them safe and disbursing money for support in one, joined-up process?

**Ms Ní Chuilín:** I think that that is a reasonable ask. The Arts Council also needs to issue guidance and to work with big venues in open spaces, as well as in indoor spaces, to

ensure that people are protected. That may mean wearing face coverings, and that is fair enough.

**Mr Stewart:** I thank the Minister for her statement and for her work, and that of her Department, thus far. Minister, you will no doubt be aware that COVID-19 has posed particular problems for individuals suffering from gambling addiction or gambling disorders. The Gambling Commission in Great Britain, which does not operate here, recently conducted a survey in England, Scotland and Wales during COVID-19 that found that 60% of those who identified themselves as at-risk gamblers saw an increase in their online activity during that period. That is deeply worrying. I have no doubt that if we conducted a survey here, we would see a similar, if not worse, result. I am conscious that this is a cross-departmental issue, but, as it falls under your remit, what is your Department doing to monitor the activity of problem gamblers and what more can we do, as an Assembly and Executive, to help them?

**Ms Ní Chuilín:** Robin Newton, I think, raised the issue in depth yesterday at the Committee. I have no jurisdiction over online gambling, which, as the member will be aware, is harder to regulate. He is absolutely right that, particularly during the crisis, the evidence from and the concerns and experience of people who work with those with addictions, including young people and families, are that there has been an increase in online gambling. That is really worrying. Certainly, in the consultation, the increase in online gambling was one of the things that, people said, they were concerned about.

There is a need for regulation. When you are looking at vulnerable people, particularly children, there needs to be greater responsibility in the industry. Some of the legislation introduced in England is not strong enough, so whatever we bring forward needs to include the necessary level of strength and prevention to put people off becoming addicted to gambling.

**Mr Stewart:** I agree wholeheartedly with the Minister's response and appreciate it.

I will pivot quickly to sports clubs, which you raised in the statement. Sadly, while some got support, many missed out. They are at the centre of our communities, and they have massive outdoor spaces. Whether it is our cricket clubs — I am a member of one — our GAA clubs or our football clubs, they have an opportunity to provide big beer gardens and places where people can socialise safely while maintaining socially distancing. Sadly, due to the restrictions on licensing laws, clubs are unable to sell alcohol outside, which is an anomaly that could be looked at quickly to maximise their ability to sell and provide a place where their clients can socially distance. Is that something that we could look at?

**Ms Ní Chuilín:** It has certainly been raised in the Executive: the difference between a "wet" and a "dry" bar. OK, I thought that they were all wet bars, but there you go. I think that it relates to the provision of food.

There is an anomaly. I do not want to pre-empt any discussions, but we are aware of the issue, and I will try to bring forward your concerns. Sports clubs and private clubs are involved in those discussions as well, as that is how they sustain their premises.

**Ms Bailey:** I agree with the Minister that £33 million for the arts and creative sector is nowhere near enough, no

matter how welcome it is. It is because of that that the Music Venue Trust and other organisations that work with grassroots music venues, such as the Oh Yeah centre in Belfast and Sandino's in Derry city, have expressed serious concern that those venues will be lost to us for ever if we do not do what we can to save them and the vibrant community that they help. Will the Minister commit to some sort of ring-fenced financial assistance to save those venues?

**Ms Ní Chuilín:** I cannot commit to ring-fencing for those venues or any others at this stage, to be totally honest. If you commit to ring-fence for one part to the detriment of another, you will have the same argument. I am completely aware of the member's concerns and the point that she makes. Those venues will not operate unless we have the creatives, the artists, the groups, the bands and the acts back. Those artists and venues have been hit really hard during this period, so I commit to her and the Committee that I will try to get them as much support as I can, not only through this announcement but, potentially, through Executive colleagues and other funding measures.

**Ms Bailey:** In Northern Ireland, we have a long history of underinvestment in and, indeed, in-year funding cuts to the arts sector. We have the lowest levels of funding across these islands, which should be to our shame. We talk about the creatives, the artists and the freelancers, but what can we do to encourage them not to leave the sector because they find it impossible to pay their bills and have done for years?

**Ms Ní Chuilín:** It is shameful that, even in that contribution, the Tory Government were not mentioned once. They have cut the block grant, including for the arts, for decades. That is what we are dealing with. We are also dealing with a mindset among people — not the member and certainly not others — who think that the arts are a luxury and that they do not contribute to mental health, to the economy and to the sustainability of families. Let us be clear about where the cuts have come from. If we are serious about sustaining the economy, then, we have to include our arts and cultural package as part of that. We cannot talk about tourism or revitalising towns and cities and economies if arts and culture are not part of that. We cannot expect artists to perform for nothing because it is good for tourism. People need to start paying up. I absolutely agree with the member but I also want to make sure that she and other members are clear where the gap has been for decades and will continue to be under that regime.

**Mr Carroll:** I missed the Minister's statement because I was attending the Health Committee. I hope that my question, which is about PIP decisions, has not been asked. The Minister will be aware that a lot of people in my constituency and in hers are still waiting for decisions on appeals and dates for appeals to be made. That situation has, obviously, been exacerbated by the coronavirus pandemic and the lockdown. Is she aware of any plans to address that backlog and recruit more staff to the appeals service and the Department more generally to address that issue?

**Ms Ní Chuilín:** I have answered several of the member's questions for written answer on that issue. Indeed he may have received those answers today, but if not he will get them soon. He is right that there needs to be a bit more focus on the appeals service because anybody who gets to that stage is already sick and vulnerable and going

through a lot of stress. The process takes quite a long time; it takes a long time for an application to be assessed and, if it is appealed, it takes even longer. I think that that is unacceptable.

**Mr Carroll:** I thank the Minister for her reply. I look forward to reading the replies to my questions. I want to ask about the upcoming PIP review. I appreciate that it may well be that Minister Hargey will be involved in that, but does she know whether looking at the actions of Capita and Atos Healthcare will be part of the PIP review?

**Ms Ní Chuilín:** Marie Cavanagh, who is well known to a lot of people in the community, will take the PIP review forward. If she did not say it in a statement, Minister Hargey certainly mentioned it in the publicity that she wanted to look at the potential for in-house facilities when contracts run out. I do not wish to disparage individuals who work in those organisations, however a scary amount of decisions have subsequently been overturned on appeal, so there is something wrong and we need to fix it.

**The Deputy Chairperson (Mr Stalford):** Thank you, Minister. That concludes questions on the statement.

Agenda item 3 is the time, date and place of our next meeting. We have yet to receive confirmation from the Executive about when Ministers will next come to make a statement to the Committee. As soon as that confirmation has been received, written notification of the time, date and place of our next meeting will be issued to members in the usual way. I remind members that a plenary sitting of the Assembly is scheduled to take place on Tuesday 21 July and that Ministers may continue to make oral statements to the Assembly on sitting days. That concludes this meeting of the Ad Hoc Committee.



# Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.



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## Department for Infrastructure

### 2020-21 Budget Settlement

*Published at 9.30 am on Wednesday 10 June 2020*

**Ms Mallon (The Minister for Infrastructure):** I want to update the Assembly on the decisions I have taken on the Department for Infrastructure budget for 2020/ 2021. Due to the impact of Covid-19 this has been a difficult process in a context still plagued with uncertainty as we respond to the crisis and take steps towards recovery. The decisions I have taken are to ensure DfI plays its part in responding to this crisis and enabling our safe and speedy recovery from it to a new way of living and working.

#### Resource

I will focus first on the resource budget. I was allocated a £418m opening resource budget. This is a welcome £33m above last year's opening baseline but, even without the Covid-19 pressures, unfortunately it is insufficient to meet the costs required to deliver our public transport system or to provide adequate water and waste water services. It also does not allow for the level of investment needed in road maintenance and that was recommended independently in the Barton Report and supported by the NIAO Report on Structural Maintenance. There is no secret of the fact that this is mainly due to decisions taken about the DfI budget in 2015.

The financial climate remains very tight in resource budget terms and has been significantly financially compounded by the Covid-19 crisis. This is the case across all departments, however, I am committed to continue supporting our Health and Social Care Service and key workers and to working hard with Executive colleagues to seize the opportunities that this crisis presents to enable a greener, cleaner, recovery towards a new and better normal for all. This requires our community to have a public transport system and a 21st century water and waste water network to serve the growing population and allow for economic growth.

The 2020/21 opening budget settlement does not meet all of my Department's urgent resource needs and so there are still some financial pressures to address in the June Monitoring Round and I am committed to working collectively with Executive colleagues within that process.

If Covid-19 had not arisen, the current Resource budget allocation would still have caused challenges including in maintaining Translink's continuing going concern status, itself a statutory requirement, and NI Water's baseline funding levels. The allocation does not allow

for any significant injection of additional funds to invest in enhancing basic services such as routine road maintenance, which means the road network will continue to deteriorate. This is disappointing as I am keen to get the basics right in delivering services that are essential for local communities and in gaining and maintaining public confidence in what we do. This is an aspiration which, I know, many members share.

I will continue to argue for recurring resource baseline additions required to deliver an appropriate roads maintenance service and to put the public transport system on a firm financial footing to meet the changing demands of a modern economically vibrant society. I am pleased to have already received a commitment from Executive colleagues to fund our public transport system in recognition of the crucial economic, social and environmental benefits it delivers, not least as we emerge from lockdown, supporting our town centres, businesses, rural communities and to help transport children safely to and from school.

I am also anxious to ensure that NI Water is adequately funded to meet all of its running cost pressures so that it can concentrate on the important job of developing and investing in the much needed water and waste water infrastructure, protecting the environment and supporting economic and housing development. I know these issues are priorities for all members and all parties. Clean water is a fundamental right for all citizens. From washing our hands now more often than ever, to delivering more social and affordable homes for our communities, to enabling development to grow our economy, it is a critical public service.

The already challenging resource position has been made worse by the financial impact of the Covid-19 crisis which I am currently seeking to address with Executive colleagues. My Department continues to work to deliver for our communities in the best ways that we can, in these difficult circumstances for all of our citizens.

#### Capital

I have examined closely the opportunities for capital investment carefully within the context of the Covid-19 crisis, and after returning inescapable flagship surrenders due to Covid-19 as required to the Department for Finance, I am pleased to announce that I am planning to spend approximately £544m this financial year which will make a major contribution to the broader economic recovery particularly within the construction industry. I recognise again that there are uncertainties as we come out of lockdown but I believe that with prudent management and effective monitoring as we go forward this is achievable.

My Department is responsible for the upkeep of existing infrastructure valued in excess of £30bn. I need to balance maintaining and investing in existing infrastructure assets with investing in new projects and infrastructure. There exists already a considerable body of evidence that the Executive is simply not investing enough in maintaining public assets. Despite my budgetary pressures, I will therefore be maintaining the level of investment in structural maintenance – some £75m as in previous years – in rail safety – almost £50m – and in our water and waste water infrastructure – some £150m. They are key in providing an immediate boost to our recovery – maintenance programmes are an important source of work for local businesses and local people and, through their multiplier effects, have a much wider impact in local communities. It is crucial that we ensure work can continue and that we get the basics right for all communities across Northern Ireland.

I am keen to improve connectivity and achieve regional balance in investment and to look more strategically beyond the current financial year. Specifically, I have approved budgets for the continuation of works on all the flagship projects, the A5 Western Transport Corridor where I am awaiting the Public Inquiry Inspector's Report and also the A6. I have also approved commencement of works on site at the Belfast Transport Hub, which will transform public transport across the city and the north, as well as contributing to the wider economic recovery. These Executive priorities will continue to progress at pace laying the foundations for future transformation in connectivity within and across the north and across our island, assisting the economic recovery so urgently needed as we enter the recovery phase. In terms of north-west connectivity and regionally balanced investment I have also made funding available for an updated feasibility study for Phase 3 of the Derry – Coleraine rail line to restart plans on this important connection for the North West and ensure progress is made. I recognise the importance of this project to the people of the North West and while I face severe limitations in my Department's resource budget, I am pleased that with capital investment we can take steps to address regional imbalance in the North West.

I also recognise the importance of investing in the Strategic Road Improvement schemes, many of which are in development, and so I have set aside £8m this year to further progress and develop these schemes. I am keen to ensure these schemes progress and deliver multiple benefits for communities across Northern Ireland, and consistent with my wider priorities, they are future-proofed and help stimulate our green recovery.

With the capital budget available to me, I have taken the opportunity to accelerate my transformation agenda to create new spaces and places where people can enjoy a cleaner, greener way of living and travelling, whether for work or for pleasure. To that end I have added £5m to the already ring-fenced allocation of £25m for Low Emission Buses in Translink in an effort to take further steps towards addressing climate change and making public transport more attractive and efficient as an alternative to private cars.

On Active Travel, my decision to create a Walking and Cycling Champion within my Department is already leading to the identification of collaborative opportunities for investment in infrastructure, with a £20m Blue/Green fund I can now make available, which will act as a catalyst

for positive infrastructure and cultural change in the way we live and travel, building on current initiatives. I am determined that there will be an inclusive approach to determining the deployment of this with a wide range of stakeholders having the opportunity to identify innovative solutions that will transform our communities for the better. This is our chance for change. Change that we can deliver through community, through partnership and together.

As part of this transformation I am determined to make roads safer around our schools by investing £2m to introduce 20 mph speed limits across around 100 school in the north so that parents, children and staff are safer as they go to and from school on a daily basis.

Other transformation investments supporting our green recovery include £4m for Greenway infrastructure, £4m for Park and Ride sites, £8m for investment in low energy LED street lights, £4m for intelligent Transport Systems at our Traffic and Information Control Centre and I am investing £10m over the next two years in the new DVA Test Centre at Hydebank which will be capable of delivering the legally required emissions testing on all vehicles.

My officials are also examining ways of transforming the way we do business through our Digital Strategy with a £2.0m investment within the Department and DVA to enable us to work smarter and work towards a digital approach that uses the most up to date technology to automate and reduce the cost of service delivery, while improving digital access for customers.

In line with my commitment to tackle regional imbalance, the budget for Structural Maintenance will include £10m for a Rural Roads Fund, which will help address the growing problem of potholes which should go some way to improving road standards and safety for all road users. Our rural communities cannot suffer or be left behind.

In summary therefore my budget position is a mixed picture. On the resource side, in line with previous years my Department will struggle to maintain a decent level of service, despite the best endeavours of all involved. Capital, however, offers more opportunities and the decisions that I have taken will help kick start our economic and green recovery from Covid-19.

I look forward to the continued support of all of my Assembly colleagues in delivering these very important infrastructure projects and service improvements to enhance all of our lives as we focus on planning for recovery and a new and better shared future.



## The Executive Office

### Statement By The First Minister And Deputy First Minister On The Attorney General

*Published on Monday 15 June 2020*

**Ministers:** The term of office of Mr Larkin QC as Attorney General for Northern Ireland comes to an end on 30 June 2020. The Executive Office will initiate a selection process to help us identify and appoint a successor. This process will be based on the principles that apply to public appointments and will be an open competition. We recognise the importance of the position and are considering a number of options to ensure continuity in maintaining the responsibilities and statutory functions of the Attorney General and his office in accordance with the Justice (Northern Ireland) Act 2002.

We would like to take this opportunity, on behalf of the Executive, to thank Mr John Larkin QC for his tireless and invaluable work over the past decade.

We will provide a further update to the Assembly in due course.

## Department of Justice

### Commencement of the Criminal Finance Act 2017 and the Crime (Overseas Production Orders) Act 2019 in Respect of Relevant Provisions Relating to Northern Ireland

*Published at 9.30 am on Thursday 18 June 2020*

**Mrs Long (The Minister of Justice):** When I was appointed Minister of Justice I set out my intention to ensure that in the two years left of this mandate I would make a real difference, including through measures to reduce harm within communities. Today marks a further step on the journey towards delivering that goal by ensuring that law enforcement agencies in Northern Ireland have effective legal powers to deal with the threat posed by crime, including serious organised crime.

Later today I will be writing to the Home Secretary asking that she commence the relevant provisions of the Criminal Finances Act 2017 ('the CFA 2017') for Northern Ireland, including new unexplained wealth orders, account freezing and forfeiture provisions and listed assets forfeiture provisions. I will also ask the Home Secretary to commence the relevant provisions of the Crime (Overseas Production Orders) Act 2019 ('the COPO Act 2019') which will ensure that law enforcement agencies and prosecuting authorities in Northern Ireland have the same powers as their counterparts in the rest of the UK to apply for and obtain electronic data from overseas service providers for the purposes of criminal investigations and prosecutions.

#### Background

The CFA 2017 is a UK-wide Act with a mix of reserved (terrorist financing and tax) and devolved matters (assets recovery and powers to recover the proceeds of crime). The CFA 2017 makes legislative provision to provide law enforcement agencies and partners with new capabilities and powers to recover the proceeds of crime and to tackle money laundering, corruption and terrorist financing. The emphasis is on strengthening the existing provisions in the Proceeds of Crime Act 2002 to ensure that law enforcement agencies have effective legal powers to deal with the threat posed by serious organised crime and to ensure that its application in Northern Ireland is consistent with its application in the rest of the UK.

The Criminal Finances Bill received Royal Assent in April 2017 and the Act has been fully commenced in England, Wales and Scotland. In Northern Ireland, only provisions that relate wholly to reserved or excepted matters have been commenced. Steps were taken during the passage of the Bill to draft and secure agreement to a Legislative Consent Memorandum (LCM) for the provisions that relate to devolved matters. The Justice Committee was consulted and in December 2016 the Executive Committee approved the tabling of the LCM for debate. The draft LCM was laid at the Assembly Business Office in January 2017 pending a date for a motion but the Northern Ireland Assembly was dissolved before the debate could take place.

Rather than amend the Criminal Finances Bill so that it did not extend fully to Northern Ireland, Home Office Ministers decided to keep the provisions relating to devolved matters in the Bill and added provision for different commencement

dates for the provisions in the different UK jurisdictions. In addition, the Home Office Security Minister made a commitment that provisions that either related expressly to, or touched on, devolved matters would not be commenced without the appropriate consent being obtained.

The COPO Act 2019 is a UK-wide Act with provisions which relate to both reserved matters (e.g. telecommunications, foreign affairs/cooperation, counter-terrorism powers) and devolved matters (e.g. policing and courts). The Act creates a standalone legal regime for UK law enforcement agencies and prosecuting authorities to obtain electronic data directly from overseas communication service providers for the purposes of criminal investigations and prosecutions, through applying for an overseas production order.

The development of the Act was a pre-requisite for the UK to progress a data access agreement with the United States of America, which will enable UK law enforcement and criminal justice agencies access to information held by US service providers who process, create, store or communicate electronic data on behalf of UK persons. It will also enable the UK to enter into similar agreements with other international partners.

The Act received Royal Assent on 28 February 2019 and has been fully commenced in England, Wales and Scotland. In Northern Ireland, only provisions that relate wholly to reserved or excepted matters have been commenced. The commencement of the devolved provisions was held back pending the restoration of the Northern Ireland Executive.

### **Legislative Procedure**

I have made the commencement of these provisions one of my key priorities since taking up office at the start of the year and have been determining the appropriate course of action to progress commencement in the context of enacted legislation. While there is no predetermined protocol to seek the retrospective consent of the Northern Ireland Assembly after the UK Parliament has legislated for devolved matters, it is important to ensure that before progressing to commencement I am assured that a sound and justifiable case can be made for commencing the relevant provisions in Northern Ireland.

The additional powers will significantly enhance existing powers and tools to tackle serious organised crime in Northern Ireland and I am keen that they should be available to the relevant enforcement agencies as soon as possible. There have been wide calls for the commencement of the powers, including from members of the Northern Ireland Assembly, particularly in relation to the new unexplained wealth order provisions, account freezing and forfeiture provisions and listed assets forfeiture provisions.

I do not want Northern Ireland to have a weaker regime than other UK jurisdictions – to be seen as a ‘safer’ place to keep criminal assets. Organised crime does not observe geographical boundaries and there is value in handling matters such as asset recovery consistently. These new and additional powers will strengthen and align regimes and further support law enforcement efforts to subvert the financial motivation of criminals.

I feel it is important to also highlight that the CFA 2017 provisions became operational in other parts of the UK

between October 2017 and April 2018. I am keen to ensure that we can progress at pace and do not miss the opportunity to have them commenced in 2020. I want to avoid any further delay in ensuring that law enforcement agencies and partners here have the same capabilities and powers to recover the proceeds of crime, as their counterparts in England, Scotland and Wales.

I have updated Executive colleagues and the Justice Committee of my intentions in recent weeks, through correspondence and briefing papers. I am pleased to note that while some procedural points were raised and addressed, Ministerial colleagues have to date not raised any objections to the provisions. The Justice Committee was briefed on 28 May and I subsequently provided additional information to address a range of procedural points raised. I understand the Justice Committee has also taken the views of the Northern Ireland Policing Board and that members of the Board are supportive.

I am making this written Ministerial statement to advise members of the Northern Ireland Assembly of my intentions.

### **Next steps**

I will be writing later today to the Home Secretary to seek her agreement to commence the relevant provisions of both the CFA 2017 and the COPO Act 2019 in Northern Ireland. The Home Secretary has the primary role in terms of commencing the majority of the outstanding CFA 2017 provisions by commencement regulations at Parliament. A number of provisions will be commenced by regulations by my Department at the Northern Ireland Assembly. The Home Secretary has the sole responsibility for commencing the relevant COPO Act 2019 provisions.

The aim is to commence the provisions of CFA 2017 by December 2020. The COPO Act 2019 provisions are expected to be commenced after the UK/US data access agreement is ratified, which is likely to be in July 2020.

There is a significant programme of work required to support commencement of the CFA 2017 provisions, including the drafting of the commencement regulations and consultation prior to making of the regulations, as well as other secondary legislation to bring court rules and associated Proceeds of Crime Act 2002 codes of practice into force. Much of the preparatory work needs to be taken forward by the Home Office, with the support of officials in the Department of Justice.

Secondary legislation to amend court rules will also be required to support the commencement of the COPO Act 2019 provisions.

### **Future Assembly Scrutiny**

Informing Ministerial Colleagues, the Justice Committee and advising members of the Northern Ireland Assembly of my intentions to proceed to commence the provisions by way of this Written Ministerial Statement, will I hope, provide a proportionate and pragmatic means of moving forward while recognising the unique circumstances of these particular Acts.

There will be an opportunity for Assembly Members to be consulted on the Proceeds of Crime Act 2002 Codes of Practice which will set out how those powers should be operationalised in Northern Ireland.

I have also asked officials to make arrangements to provide an annual update to the Justice Committee on the use of the powers in the CFA 2017.

### Conclusion

The additional powers, through commencement of the CFA Act 2017, will significantly enhance existing powers and tools to tackle serious organised crime in Northern Ireland and I am keen that they should be available to the relevant enforcement agencies as soon as possible.

Commencement of the COPO Act 2019 will significantly strengthen existing procedures under Mutual Legal Assistance to enable law enforcement agencies in Northern Ireland access to information which may be critical to an investigation or prosecution.

As Justice Minister I believe that there is a compelling case to commence these provisions. I strongly believe that they are essential in the fight against crime, including serious organised crime.

The Acts can be read at the following links:

The Criminal Finances Act 2017:  
<http://www.legislation.gov.uk/ukpga/2017/22>

The Crime (Overseas Production Orders) Act 2019:  
<http://www.legislation.gov.uk/ukpga/2019/5/enacted>

### Naomi Long MLA

Minister of Justice

18 June 2020

## Department of Agriculture, Environment and Rural Affairs

### £25 Million Covid-19 Support Package for Beef, Dairy, Lamb, Potato and Ornamental Horticulture Producers

*Published on Tuesday 30 June 2020*

#### Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):

- 1 I wish to make a written statement to the Assembly to advise Members of my decision to target the COVID-19 £25m financial support to those sectors most impacted by the crisis.
- 2 On 19 May the NI Executive agreed to a £25m financial support package following a case I made seeking to help alleviate the emerging threat to Northern Ireland farm incomes. This was due to falling farm gate prices triggered by COVID-19 and the losses that were occurring within the ornamental horticulture sector.
- 3 I have continued to meet with a number of sectors and industry representatives to examine the nature and extent of the financial losses that are being incurred. I have decided to target £21.4m of the £25m support package towards those businesses in the beef, dairy, sheep, potato and ornamental horticulture sectors that have been hardest hit financially and those in most immediate need as a direct result of the Covid-19 pandemic.
- 4 In the coming weeks I intend to bring forward legislation to the Assembly to enable the delivery of schemes that will provide financial support to the beef, dairy, sheep, potato and ornamental horticulture sectors.
- 5 Allocation of the funding to these sectors will be based on evidence and distributed in an equitable way to those sectors that can clearly demonstrate tangible losses.
- 6 The Covid-19 support package is a contribution towards the losses incurred by businesses as a result of short term market disturbance. Since other HMG support measures are available to agricultural and horticultural businesses, rates of compensation for losses incurred have been set at 100% or 80%. Businesses in some sectors have been able to gain more support from these schemes than those in other sectors. The 80% rate is compatible with that set for the Self Employed Income Support Scheme and the amount of wages paid to furloughed workers through the Coronavirus Job retention Scheme.
- 7 The schemes that are being developed to support the sectors will all follow similar design principles to ensure good governance, avoid unnecessary bureaucracy and ensure that the schemes comply with legal requirements. These principles include:
  - Support for evidence-based losses caused by market disturbance;
  - Support targeted to those impacted most financially;

- Compliance with State Aid rules;
- Simple approach and flexible to administer / minimum bureaucracy;
- No negative impact on administration of Basic Payment funding;
- Compliance with good governance and accountability;
- Measures to avoid over compensation of losses / consideration of benefits from other schemes;
- Partnership approach with stakeholders;
- Compliance with Section 75 obligations.

### Support for Beef Sector (£7M)

- 8 The evidence of the impact within the beef sector demonstrates that the worst losses were incurred by beef finishers who bought stores at higher prices and faced low finished cattle prices, due to the collapse of the food service market and weakness in international markets for 5th Quarter products.
- 9 Proposed support for beef producers is comprised of two flat rate payments per head based on the number of animals presented for slaughter and when those animals were marketed. Payment 1 of £40 per head would target those producers impacted most when beef prices fell significantly following “lockdown”, and Payment 2 of £33 per head for cattle slaughtered in the period mid-February to end of June. Both payments would be made to the farmer who had those animals in their herd for at least 30 days prior to slaughter.
- 10 I am aware that many beef farmers have not been able to receive any benefit from the Self Employment Relief Scheme due to low prices and levels of profit in recent years. On that basis I am compensating them for 100% of their losses.
- 11 Estimated amount of support required for the beef sector is £7m.

### Support for the Dairy Sector (£11m)

- 12 Losses within the dairy sector have been assessed and evidence demonstrates that a market slow-down started in March when “lockdown” caused the hospitality and food service sector to close and milk price for dairy farmers was reduced.
- 13 Proposed support is based on making payments of an amount per litre based on a reference period before “lockdown” (February 2020) in order to determine the price per litre on which payment is based.
- 14 I am aware that many milk producers have received benefit from the Self Employment Relief Scheme to compensate for loss in profits, and have taken out the Bounce Back Loan Scheme to alleviate capital costs. This payment should therefore be a contribution towards losses incurred, in particular the working capital or production costs as opposed to the profit element. On that basis I am compensating them for 80% of their losses.
- 15 Estimated amount of support required for the dairy sector is £11m.

### Support for the Sheep Sector (£232K)

- 16 Losses within the sheep sector have been assessed and evidence demonstrates that the price for lambs fell in week ending 28 March and remained relatively low for four weeks before recovering to pre Covid-19 levels in the week ending 25 April.
- 17 Comparing total sales in the four week period (w/e 28 March to w/e 25 April) to the previous four weeks before the prices fell, there was a total loss to the sector of £232K that equates to approx. £6.88 per lamb.
- 18 I am aware that many sheep farmers have not been able to receive any benefit from the Self Employment Relief Scheme due to low levels of profit in recent years. On that basis I am compensating them for 100% of their losses.
- 19 Estimated amount of support required for the sheep sector is £232K.

### Support for the Potato Sector (£1.2 – 1.6m)

- 20 Losses within the potato sector have been assessed and evidence demonstrates that potato growers who specialise in supplying the food service and hospitality industry with processing potatoes have been significantly affected by the closure of these businesses during “lockdown”. They were left with falling prices and very few market outlets for this valuable perishable product.
- 21 The evidence gathered to date demonstrates a loss to the sector that would require an intervention of £1.5 – £2m.
- 22 I am aware that some growers will be eligible for the Self Employment Relief Scheme (up to £7.5k per person) to compensate for loss in profits, and some have taken out the Bounce Back Loan Scheme to reduce costs of capital or fund this year’s growing costs. On that basis I am compensating them for 80% of their losses.
- 23 Estimated amount of support required for the potato sector is £1.2 - £1.6m.

### Support for the Ornamental Horticulture Sector (£1.2 – 1.6M)

- 24 Growers in the ornamental horticulture sector have suffered losses due to closure of markets for bedding, cut flowers and other plants prior to the reopening of garden centres. Horticultural businesses do not pay rates so have been unable to access the £10k and £25k Covid-19 business grants from the Department of Economy. DAERA officials have made an assessment the potential loss through engagement with growers and from other sources. This information has indicated that losses in the region of £2 - £2.5m have been incurred.
- 25 I am aware that some growers have received benefit from the Self Employment Relief Scheme (up to £7.5k per person) to compensate for loss in profits, have used the furlough scheme for their staff, and have taken out the Bounce Back Loan Scheme to reduce costs of capital. The support payment should therefore be a contribution towards losses incurred,

in particular the working capital or production costs as opposed to the profit element. On that basis I am compensating them for 80% of their losses.

- 26 Estimated amount of support required for the ornamental horticulture sector is £1.2 - £1.6m.

### **Conclusion**

- 27 I recognise that we have all faced many challenges this year as a result of the COVID-19 pandemic, that we all have a responsibility to support businesses, communities and individuals in Northern Ireland and that there is a finite budgetary envelope to do so. As Minister responsible for our agri-food sector I trust that you will recognise the importance of supporting these sectors which have been particularly affected by market disturbances as a result of the COVID-19 pandemic.
- 28 The financial interventions that I am proposing to make amount to approximately £21.4m of the £25m support package that I have secured from the Northern Ireland Executive. I believe that this support to the beef, dairy, sheep, potato and ornamental sectors will go a long way in helping these businesses survive the current crisis. However, I want to be prudent at this stage with the funding as we cannot rule out the possibility of further market disturbance as a result of this pandemic and the need for additional farmer support.
- 29 For that reason, I want to retain a budget of just over £7m based on the residual funding of £3.6m (from the £25m) and the £3.6m that was reprioritised internally. This would allow me to address additional issues and challenges Covid-19 may present in the weeks ahead. For example, if there is evidence of impacts on the lamb market as higher numbers of lambs are presented for sale in the coming weeks or if there are consequences of a food processing business closing due to an outbreak amongst staff. I will therefore continue to monitor the situation and assess the impact on those sectors that have not been supported to date.
- 30 I would like to take this opportunity to thank my Executive colleagues for their support thus far in my endeavours to support our vitally important agri-food industry and support our local economy during these extremely challenging times.



# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.





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# Northern Ireland Assembly

Friday 12 June 2020

## Written Answers to Questions

### The Executive Office

**Mr Lyttle** asked the First Minister and deputy First Minister whether they will repeal the exemption of teachers from The Fair Employment and Treatment (Northern Ireland) Order 1998.  
(AQW 687/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill (The First Minister and deputy First Minister):** A review of the exemption of teachers from The Fair Employment and Treatment (Northern Ireland) Order 1998 will be considered in due course.

**Ms Bailey** asked the First Minister and deputy First Minister for their assessment of possible conflicts of interests in relation to the Attorney General's office, given the Attorney General's new appointment as Deputy High Court Judge on 31 January 2020, as his tenure as Attorney General is until June 2020.  
(AQW 895/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** We are aware of the potential conflicts of interest that could arise between the role of the Attorney General and the role of temporary High Court Judge. The Attorney General has offered to undertake not to sit as a temporary High Court Judge while he continues to serve as Attorney General. We wrote to the Attorney General on 19 March accepting this undertaking.

**Mr McGlone** asked the First Minister and deputy First Minister what is being done to protect the rights of citizens from other European Union states residing in Northern Ireland.  
(AQW 964/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** EU, EEA or Swiss citizens can apply to the EU Settlement Scheme to continue living here after 30 June 2021.

The Executive Office is working closely with the Home Office in London to facilitate and support the full implementation of the Scheme.

**Mr Stewart** asked the First Minister and deputy First Minister, pursuant to AQW 42101/11-15 and AQW 5338/16-21, whether the Executive Office will legislate to remove Article 71 of the Fair Employment and Treatment (Northern Ireland) Order 1998 should the Department of Education establish the policy position requiring the need to amend or repeal legislation and that position is agreed by the Executive.  
(AQW 1385/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The Executive Office has legislative responsibility for the exemption from The Fair Employment and Treatment (Northern Ireland) Order 1998. The matter will be considered in conjunction with the Department of Education in due course. Ministers will act in accordance with any decision of the Executive.

**Ms Armstrong** asked the First Minister and deputy First Minister to outline (i) what steps they have to take to enable the Citizens' Assembly to meet; and (ii) how will they ensure there is appropriate civic engagement and public consultation on the topics to be considered.  
(AQW 2016/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The New Decade, New Approach Deal outlines in paragraphs 3.9 and 3.9 proposed arrangements for future structured civic engagement, including the role of Compact Civic Advisory Panel in recommending appropriate models of engagement on specific issues, including a Citizens' Assembly. We will be considering the potential and opportunities of a Citizens' Assembly as part of the work on implementing 'New Decade New Approach' (NDNA). A detailed assessment on NDNA commitments is currently underway within our Department.

**Mr Blair** asked the First Minister and deputy First Minister in relation to (i) the Specialised Committee; and (ii) the Joint Consultative Working Group, for their assessment of the (a) role; (b) terms of reference; and (c) appointment process, with particular reference to the representation of Northern Ireland at both committees.

**(AQW 2072/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The role, terms of reference and appointment process of the Ireland/Northern Ireland Specialised Committee and the Joint Consultative Working Group are agreed between the UK Government and the European Union.

The UK Government committed in New Decade, New Approach to ensure that representatives from the Northern Ireland Executive are invited to be part of the UK delegation in any meetings of the UK-EU Specialised or Joint Committees discussing Northern Ireland specific matters which are also being attended by the Irish Government as part of the European Union's delegation.

The first meeting of the Ireland/Northern Ireland Specialised Committee took place on 30 April. Dr Andrew McCormick, Director General for International Relations, was invited by the UK to attend on behalf of the Northern Ireland Executive. It was agreed at the meeting that the Joint Consultative Working Group should be convened but detailed terms of reference and a date for its first meeting have not yet been confirmed.

**Mr Givan** asked the First Minister and deputy First Minister to detail the resourcing cost associated with the Equality Commission's involvement in the Lee v Ashers Baking Company Ltd. court case.

**(AQW 2331/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The Equality Commission for Northern Ireland is a Non Departmental Public Body and as such this is a matter for it to answer. We have therefore asked the Chief Executive to respond to you directly on this matter.

**Ms Sheerin** asked the First Minister and deputy First Minister to outline the options they are considering to appoint the Panel of Experts to assist the Ad-Hoc Committee on the Bill of Rights.

**(AQO 370/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Our officials are currently finalising options for how we constitute the panel of five experts.

They have also been liaising with the Assembly authorities in respect of the work of the Ad-Hoc Committee on the Bill of Rights.

**Dr Aiken** asked the First Minister and deputy First Minister for their assessment of the findings and recommendations of the Renewable Heat Incentive Inquiry report.

**(AQO 373/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The Report of the RHI Inquiry is an important and substantial document. It will have implications for the future role and conduct of Ministers, civil servants and special advisers and for the operation of departments and indeed the Assembly.

The Executive has accepted the recommendations which now deserve comprehensive and detailed consideration as to their implementation. It has therefore established a sub-committee chaired by the Minister of Finance to consider the recommendations of the report. The sub-committee will prepare an action plan within one month and a response within three months. At this time therefore we do not intend to pre-empt this work by offering separate comment.

**Mr Beggs** asked the First Minister and deputy First Minister what action they are taking to co-ordinate an Executive response to the Renewable Heat Incentive Inquiry report.

**(AQO 374/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** We refer the Member to the answer given to AQO 373/17-22.

**Mr Allister** asked the First Minister and deputy First Minister, in light of the comments of Junior Minister Declan Kearney at the Committee for the Executive Office on 13 May, (i) what contact have they had with Her Majesty's Government on the issue of border control posts in Belfast, Warrenpoint and Larne; and (ii) whether they will publish the same, along with their response.

**(AQW 4126/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** A document on border control posts has been shared with officials in the NICS. This document has been shared with the Executive for information.

We have no plans to publish it, as it is a Government Paper.

**Mr Allister** asked the First Minister and deputy First Minister (i) whether the fact-finding report on the data breach in the Historical Institutional Abuse Interim Advocate's office been received; (ii) whether it will be published; and (iii) what action has resulted.

**(AQW 4476/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The Group Internal Audit and Fraud Investigation Service is undertaking the investigation at pace. Following receipt of the report, Ministers will determine the next steps.

## Department of Agriculture, Environment and Rural Affairs

**Mr Wells** asked the Minister of Agriculture, Environment and Rural Affairs to detail the total cost of the damage to Castlewellan Forest Park caused by the fire which started close to the Leitrim Road on 15 May 2020.

**(AQW 4290/17-22)**

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** The estimated financial cost to my Department of the damage to Castlewellan Forest Park caused by the fire is approximately £16,000. This includes staff costs associated with dealing with the fire incident, estimated future costs to re-establish the burnt area and losses associated with future timber value. External costs incurred by the emergency services and other organisations in dealing with the incident are not included.

**Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the implementation of the Ireland protocol.

**(AQW 4405/17-22)**

**Mr Poots:** From 1 January, the greater the deviation between the UK and the EU in terms of trading arrangements, tariffs and SPS rules, the more difficult and intrusive the Protocol becomes. Therefore, one of my key priorities is for the UK and the EU to agree a zero tariff, zero quota limit deal, and to have maximum alignment in terms of SPS arrangements. I believe there is still time to achieve this and it is in everyone's interest that we do. If there is no trade agreement between the UK and the EU, the implementation of the Protocol becomes even more challenging.

It is my aim to ensure that the Northern Ireland Protocol is implemented in a way that maximises the flow of trade, and which works for Northern Ireland's businesses and citizens in terms of agri-food. This means having approved port facilities designated by the European Union which enable the continued importation of animal and plant products and live animals into Northern Ireland; and a legally binding framework which ensures continued unconstrained access for Northern Ireland's businesses to their key market in Great Britain.

**Ms Anderson** asked the Minister of Agriculture, Environment and Rural Affairs, in relation to planning enforcement notice LA11/2016/0168/CA prohibiting the use of an unauthorised eighteen million litre slurry lagoon and associated waste water lagoon constructed close to the River Faughan and Tributaries Special Area of Conservation, whether his Department is monitoring the movement of slurry and waste water from the dairy cattle farm at Longland Road, Claudy.

**(AQW 4434/17-22)**

**Mr Poots:** The farmer is legally responsible for ensuring that any slurry and waste water produced on his farm is properly stored, used or exported in line with the Nutrient Action Programme (NAP) Regulations and any planning requirements.

The movement of slurry from any farm is captured under the NAP Regulations. The Regulations require records concerning the movement of livestock manure off holding, to be kept and submitted annually to the Department (by 1 March of the following year for Derogated holdings and by 31 Jan of the following year for all other holdings).

All farmers claiming Basic Payment Scheme and other direct payments are required to comply with the NAP Regulations and failure to do so can lead to penalties being applied.

In addition, any incorrect storage or spreading of manures, that causes a water pollution incident, can also lead to a criminal prosecution under the Water (Northern Ireland) Order 1999 with the possibility on conviction of fines, possible imprisonment, or both.

My Department is aware of the issues around this case and have been undertaking monitoring in the area. Since January 2020, Water Quality Inspectors have conducted regular proactive inspections of the waterways in the vicinity of this farm and will continue to do so. The inspections have included waterway checks conducted at Longland Road and at Glenshane Road and to date no pollution has been found at these locations. If any future pollution is discovered, our staff will investigate and if appropriate, instigate enforcement action.

Finally any breach of the planning enforcement notice referred to is a matter for the relevant planning authority, in this case Derry City and Strabane District Council.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs to detail cattle movements (i) to marts; and (ii) from farm to farm; broken down by month for the years (a) 2017; (b) 2018; and (c) 2019, and by Divisional Veterinary Office area.

**(AQW 4449/17-22)**

**Mr Poots:** My officials in Veterinary Service Animal Health Group (VSAHG) carried out a search of the Animal and Public Health Information System (APHIS) for the information that you have requested.

In each of the years 2017, 2018 and 2019 the number of cattle movements monthly from farm to marts and from farm to farm were as laid out in the attached tables by Divisional Veterinary Office (DVO) area, based on the DVO area of the holding from which the movement originated.

**Cattle movements Farm to Farm**

<b>2017</b>	<b>Armagh</b>	<b>Ballymena</b>	<b>Coleraine</b>	<b>Dun-gannon</b>	<b>Ennis-killen</b>	<b>Mallusk</b>	<b>Stra-bane</b>	<b>Newry</b>	<b>New-town-ards</b>	<b>Omagh</b>
January	1,412	1,946	2,087	1,330	1,317	1,300	848	2,141	1,963	1,385
February	1,181	1,817	2,174	1,519	1,281	1,312	739	2,631	1,641	1,561
March	1,444	1,755	2,802	1,604	1,746	1,468	769	2,885	2,793	1,645
April	1,457	1,675	2,360	1,763	1,562	1,384	1,219	3,083	2,013	1,846
May	1,749	1,700	2,727	1,703	1,569	1,698	783	2,887	2,313	2,174
June	1,840	1,723	2,214	1,681	1,440	1,208	785	2,382	1,458	1,493
July	1,069	1,488	1,636	1,308	1,185	1,033	588	2,061	1,134	1,123
August	1,590	1,604	1,664	1,456	898	1,053	588	2,306	1,410	1,253
September	1,781	1,624	2,101	1,545	1,276	1,404	790	2,536	2,309	1,455
October	2,017	1,528	2,309	1,668	1,164	1,708	966	3,259	1,910	1,705
November	1,588	1,413	2,338	1,471	1,272	1,455	1,073	2,918	2,033	1,516
December	1,028	1,226	1,583	1,164	1,218	964	761	1,948	1,461	1,187

**Cattle movements Farm to Farm**

<b>2018</b>	<b>Armagh</b>	<b>Ballymena</b>	<b>Coleraine</b>	<b>Dun-gannon</b>	<b>Ennis-killen</b>	<b>Mallusk</b>	<b>Stra-bane</b>	<b>Newry</b>	<b>New-town-ards</b>	<b>Omagh</b>
January	1,285	1,300	2,320	1,430	1,018	836	915	2,138	1,605	1,732
February	1,337	1,313	1,891	1,223	1,158	1,269	992	2,240	1,921	1,526
March	1,300	1,579	2,432	1,608	1,338	1,489	802	2,421	2,342	1,720
April	1,821	1,779	1,906	1,540	1,334	1,356	1,001	3,004	2,533	2,030
May	1,670	1,765	2,684	1,580	1,281	1,639	1,197	3,241	2,253	2,052
June	1,449	1,406	2,230	1,300	1,248	1,407	789	2,769	1,809	1,496
July	1,265	1,271	1,740	1,076	839	1,036	764	1,959	1,301	994
August	1,098	1,361	1,670	1,425	1,006	899	547	2,036	1,233	965
September	1,461	1,518	1,838	1,096	923	965	603	2,270	1,992	1,246
October	1,695	1,789	2,141	1,729	1,286	1,526	866	3,139	2,268	1,543
November	1,577	1,388	2,161	1,378	1,226	1,408	933	2,758	2,208	1,297
December	947	1,074	1,492	1,134	1,006	1,178	949	2,099	1,369	1,267

**Cattle movements Farm to Farm**

<b>2019</b>	<b>Armagh</b>	<b>Ballymena</b>	<b>Coleraine</b>	<b>Dun-gannon</b>	<b>Ennis-killen</b>	<b>Mallusk</b>	<b>Stra-bane</b>	<b>Newry</b>	<b>New-townards</b>	<b>Omagh</b>
January	991	1,412	2,038	1,366	1,202	1,088	1,192	2,485	1,518	1,775
February	1,657	1,201	2,223	1,305	1,157	796	830	2,602	2,172	1,610
March	1,433	1,541	1,979	1,183	1,505	1,126	1,065	2,656	2,463	1,594
April	1,878	1,862	1,997	1,675	1,690	1,218	1,443	3,069	2,531	2,007
May	1,877	2,217	2,056	2,001	1,614	1,521	1,164	3,615	1,870	1,678
June	1,339	1,398	2,123	1,161	1,201	1,204	1,269	2,461	1,622	1,357
July	1,576	1,008	1,698	1,308	998	906	764	2,083	1,300	1,229
August	1,442	1,304	2,023	1,335	1,159	872	868	2,229	1,195	1,463
September	1,660	1,036	1,956	1,136	1,147	986	698	2,533	1,636	1,190
October	1,686	1,524	2,383	1,530	1,056	1,527	809	2,695	2,109	1,926
November	1,263	1,340	2,334	1,639	1,304	1,214	949	2,722	1,816	1,539
December	1,066	1,339	1,547	1,166	1,113	978	816	2,081	1,350	1,172

**Cattle movements Farm to Market**

<b>2017</b>	<b>Armagh</b>	<b>Ballymena</b>	<b>Coleraine</b>	<b>Dun-gannon</b>	<b>Ennis-killen</b>	<b>Mallusk</b>	<b>Stra-bane</b>	<b>Newry</b>	<b>New-townards</b>	<b>Omagh</b>
January	2,397	2,171	2,997	3,795	5,540	2,532	1,584	2,724	1,527	4,051
February	2,361	2,215	3,431	3,085	6,411	2,532	1,509	2,933	1,040	4,615
March	3,030	2,829	4,435	4,176	7,251	3,100	2,230	4,057	1,740	5,336
April	3,560	1,988	4,717	4,561	6,546	3,010	2,301	4,707	1,905	5,294
May	2,722	2,267	4,055	3,454	5,041	2,530	2,142	3,759	2,301	4,835
June	2,302	2,091	2,935	2,934	4,030	2,469	1,571	3,616	2,007	3,516
July	2,643	1,448	2,788	3,076	3,443	1,871	1,449	2,976	1,562	3,298
August	4,057	2,376	4,249	4,161	4,700	2,833	1,916	4,209	2,176	3,776
September	5,907	3,075	5,009	5,940	5,980	3,899	2,769	6,427	3,240	5,275
October	4,836	3,245	5,546	5,131	5,264	3,632	3,613	6,532	3,693	6,107
November	2,732	1,875	3,477	3,887	4,990	2,755	1,871	4,110	2,224	4,192
December	1,737	1,141	1,940	2,198	2,506	1,368	998	1,955	827	2,426

**Cattle movements Farm to Market**

<b>2018</b>	<b>Armagh</b>	<b>Ballymena</b>	<b>Coleraine</b>	<b>Dun-gannon</b>	<b>Ennis-killen</b>	<b>Mallusk</b>	<b>Stra-bane</b>	<b>Newry</b>	<b>New-townards</b>	<b>Omagh</b>
January	2,415	2,174	3,342	3,516	5,041	2,159	1,477	3,189	1,443	4,222
February	2,904	2,292	3,526	3,334	6,555	2,543	1,870	3,137	1,206	4,064
March	3,480	2,624	4,146	3,831	6,856	3,135	2,389	4,363	2,079	4,405
April	3,414	2,476	4,904	4,345	5,892	2,695	2,172	5,048	2,134	4,710
May	3,070	2,849	4,387	3,900	6,522	2,800	2,215	4,624	2,593	5,172
June	2,474	1,950	2,882	2,834	3,647	2,539	1,578	4,284	2,468	3,049
July	1,804	1,353	2,302	1,955	2,024	1,571	1,137	2,906	1,965	2,224

2018	Armagh	Ballymena	Coleraine	Dun-gannon	Ennis-killen	Mallusk	Strabane	Newry	Newtownards	Omagh
August	2,475	1,866	3,511	3,043	3,115	2,233	1,596	4,033	2,184	2,743
September	4,693	2,708	3,872	5,226	5,158	3,116	2,536	6,242	3,438	4,449
October	5,441	3,266	5,667	5,878	5,581	4,072	4,009	7,552	4,033	6,983
November	3,639	2,030	3,515	3,722	4,655	3,041	1,763	5,420	2,144	3,744
December	1,409	875	1,637	1,679	2,089	1,340	791	2,069	1,021	2,076

#### Cattle movements Farm to Market

2019	Armagh	Ballymena	Coleraine	Dun-gannon	Ennis-killen	Mallusk	Strabane	Newry	Newtownards	Omagh
January	2,490	1,969	2,942	2,904	4,671	2,051	998	3,028	1,336	3,267
February	3,088	2,405	3,680	4,084	7,186	2,876	1,815	4,074	1,829	4,908
March	3,248	2,557	3,706	4,077	6,211	2,835	1,915	4,434	1,541	4,354
April	3,707	2,463	4,657	4,308	6,574	2,946	1,927	5,227	2,380	5,707
May	3,045	2,579	4,254	3,606	5,780	2,630	1,824	4,252	2,745	4,186
June	2,466	1,689	2,643	2,988	3,339	2,144	1,449	3,010	2,066	2,843
July	1,883	1,217	2,090	1,678	2,178	1,381	1,088	2,528	1,286	2,220
August	3,792	2,261	3,657	4,223	4,684	2,941	2,037	4,283	2,166	3,239
September	3,889	2,682	4,374	4,226	4,384	2,912	2,943	4,696	3,071	4,480
October	5,141	3,369	5,535	5,805	6,517	4,201	3,994	6,746	3,829	5,984
November	3,569	2,065	3,055	4,209	4,540	2,725	1,642	5,513	2,081	3,910
December	1,949	1,304	2,097	2,076	2,826	1,745	963	1,997	1,248	2,328

## Department of Education

**Mr McCrossan** asked the Minister of Education, in light of coronavirus, whether sufficient supplies of cleaning products are available for all schools.

(AQW 3159/17-22)

**Mr Weir (The Minister of Education):** The Education Authority is responsible for ensuring the procurement of Personal Protective Equipment (PPE) and cleaning products to schools and has secured the supply chain of these products. The Education Authority is confident that this arrangement will ensure that sufficient supplies of PPE and cleaning products are available to meet schools' needs.

**Miss McIlveen** asked the Minister of Education what guidance and support the Education Authority gives to Governors in the event of a complaint being made against them while carrying out their role.

(AQW 4220/17-22)

**Mr Weir:** The Education Authority (EA) has provided schools with a Model School Complaints Procedure and accompanying Guidance<sup>1</sup> developed in conjunction with the Council for Catholic Maintained Schools, Comhairle na Gaelscolaíochta, the Controlled Schools' Support Council and the Northern Ireland Council for Integrated Education. This procedure is not used for handling complaints about matters for which separate established procedures and appeal mechanisms exist.

Under Article 40(1) of the Education (NI) Order 1996 a board of governors is constituted as a body corporate. Once appointed, each governor is a member of the body corporate; decisions are made collectively either by the board or by a committee thereof in accordance with the school's scheme of management.

While it is the responsibility of the governors to follow the correct procedure when a complaint concerns the actions of a board of governors, EA officers can provide guidance and support regarding which procedure to follow, and how to follow the

1 <https://www.eani.org.uk/school-management/policies-and-guidance/managing-school-complaints>

procedure correctly. Where appropriate, such guidance and support may extend to legal advice. Where a complaint is made about the actions of an individual governor, the EA can also provide advice, through the board's chairperson, regarding which procedure to follow and how to follow the procedure correctly.

To further support governors the EA provides an annual programme of governor training which includes training on Complaints Handling. All governors also have access to the Governors' Guide<sup>2</sup>, which provides guidance and advice to governors on the gamut of their responsibilities, including handling complaints.

**Mr Beattie** asked the Minister of Education to outline the criteria applied in terms of defining salary pay grades for Principals employed within the primary school sector.

**(AQW 4295/17-22)**

**Mr Weir:** The salary pay grade for each Principal is determined by the Board of Governors (BoG) based on the Leadership Group to which the school has been assigned and the Individual School Range (ISR) as determined by the BoG.

The Leadership Group for a school is determined using a specified formula which relates to the size of the school. A school is assigned to a Leadership Group based upon a unit score, calculated by reference to the number of pupils at each Key Stage on the register on the most recent Annual School Census Statistical Return.

The methodology for calculating unit scores is detailed in DE Circular 2006/17 at paragraphs 4.1 to 4.3 which require Relevant Bodies i.e. Boards of Governors to pay Principals and Vice-Principals on a 43-point Leadership Group pay spine - link included here for ease of reference:

<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2006-17-leadership-group-pay-structure-from-1-september-2005.pdf>

Please see DE Circular 2020/04 for current pay scale amounts - link included here for ease of reference:

<https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%20202004%20-%20Teachers%27%20Pay%20and%20Allowances%20from%201%20September%202018.pdf>

**Mr Beattie** asked the Minister of Education to confirm what authority is granted to Board of Governors to make the final determination in terms of a Principal's pay grade.

**(AQW 4296/17-22)**

**Mr Weir:** Boards of Governors of schools have a statutory responsibility to develop a salary policy related to the needs of their school. The authority to do so is contained within The Teachers' Salaries Regulations (Northern Ireland) 1993 No. 318.

**Mr Beattie** asked the Minister of Education to confirm if a Board of Governors has the authority to initiate a progression in pay grade to a Principal, if this is deemed necessary to retain this member of staff.

**(AQW 4297/17-22)**

**Mr Weir:** Where there is clear evidence of extremely exceptional circumstances a Board of Governors (BoG) must consult the employing authority i.e. the Education Authority (EA) for controlled schools, detailing the reasons before considering any salary adjustment to retain a principal; it must be affordable to the school in the long term without the need for additional funding. The maximum of the Individual School Range (ISR) must not exceed the maximum of the Leadership Group range.

**Miss Woods** asked the Minister of Education (i) whether he will ensure that qualifications awarded in educational institutions in Northern Ireland will retain legal recognition across the European Union after Brexit, and, equally, whether qualifications awarded across the European Union will continue to be legally recognised within Northern Ireland; and (ii) to detail what work his Department has undertaken on this issue to date.

**(AQW 4373/17-22)**

**Mr Weir:** Qualifications obtained by 14-19 year olds in schools in Northern Ireland will retain the same standing and status that they held prior to exit from the EU. Qualifications are closely regulated for quality and standards in the UK and are recognised by other jurisdictions both across Europe, through the European Qualifications Framework (EQF), and elsewhere in the world. This situation will remain unchanged.

CCEA Regulation also works closely with the Irish Universities Association (IUA) and the Central Applications Office (CAO) to facilitate mutual recognition of qualifications.

**Mr Easton** asked the Minister of Education to detail (i) the number of year 8 places available across schools in North Down; and (ii) the number of applications there has been.

**(AQW 4383/17-22)**

**Mr Weir:** The total number of Year 8 places made available to date across schools in North Down for the 2020/21 academic year is 954.

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2 <https://www.education-ni.gov.uk/publications/guide-governor-roles-and-responsibilities>

The Education Authority has advised that the number of first preference applications to North Down schools for September 2020 was 930.

By the close of the admissions procedure, a total of 1,220 applications had been considered by North Down schools. This does not equate to 1,220 separate applications as any child accepted to a school other than their first preference school will have had their application considered by multiple schools.

**Mr Easton** asked the Minister of Education whether some schools will remain open during the summer holidays to help with childcare for essential services staff still dealing with the COVID-19 pandemic.

**(AQW 4384/17-22)**

**Mr Weir:** My Department is focused on the immense challenge of restarting education safely. I am carefully considering the implications of this challenge on the temporary emergency supervised learning arrangements being provided by our schools currently. I plan to announce details which will clarify these matters in the near future.

**Mr Easton** asked the Minister of Education for an update on the new school builds for Holywood Primary School and Priory Integrated College, Holywood.

**(AQW 4437/17-22)**

**Mr Weir:** Holywood Primary School is not currently listed for a major capital investment scheme.

Priory Integrated College has been selected for a major capital investment project to improve or replace its existing accommodation. The project will cater for the school's current approved enrolment of 600 pupils.

In February 2020 the EA successfully completed the appointment of an Integrated Consultant Team to carry out the design of the proposed Priory Integrated College. The Integrated Consultant Team is now working on the early stages of the design process.

**Ms C Kelly** asked the Minister of Education to outline how his Department is intending to support (i) children with special educational needs; (ii) children with disabilities; and (iii) their parents and carers, over the summer period.

**(AQW 4461/17-22)**

**Mr Weir:** The Education Authority (EA) Special Education (Statutory Operations), continues to carry out statutory assessments and to arrange placements and provision for pupils with special educational needs (SEN) within their "best endeavours" duty as set out in the Coronavirus Act 2020 Modification of Education Duties (No.7) Notice (NI) 2020. Staff continue to issue proposed statements, amendment notices and final or amended statements to ensure that the appropriate level of support is in place for each child with SEN.

The education/health joint planning process will continue to engage over the summer to identify the children most affected and put services in place where it is safe and appropriate to do so.

Summer support is currently being explored for children at Special Schools. The EA SEN Pupil Support Services have a core focus of assisting schools in their responsibilities to identify and address the needs of children and young people in the school or learning environment. Support to parents, children and young people will continue, at this time of extended school closure due to Covid-19. An extensive suite of resources, materials and contact details is available in the Pupil Support Services area of the EA Website which be accessed via <https://www.eani.org.uk/services/pupil-support-services>.

Childcare for school age children with a disability will be provided over the summer months through the Bright Start Holiday Grant Scheme. Applications are currently being received and will be approved for those settings deemed eligible and which have approval to remain open to care for vulnerable and keyworker children during the COVID-19 pandemic.

Sure Start services are available to all children (aged 0-3) and families within catchment areas. Support has continued during the COVID-19 pandemic and will continue throughout 2020/21 including the summer months. During COVID-19 the 38 Sure Start projects are delivering services by alternative means, prioritising to the most vulnerable children and their families.

The Pathway Fund includes support for children (aged 0-4) with special educational needs, complex needs and their parents/carers. Many of the Pathway Fund projects will operate over the summer months, having identified alternative means to meet the needs of the families within their local community.

**Mr Dickson** asked the Minister of Education for the estimated cost to schools for additional extended cleaning practices and sanitising products per term, and how this will be budgeted for.

**(AQW 4497/17-22)**

**Mr Weir:** My Department has established a Restart Programme to consider a range of issues relating to the safe and effective re-opening of schools. As part of this, guidance is being prepared, through co-design with practitioners, on practical issues linked to a "new school day". This will cover issues such as hygiene and cleaning practices.

It is likely that there will be additional costs as a result of additional health and safety measures, such as cleaning. The Department is not in a position to quantify these costs at this stage. These will be identified and managed as work develops on Restart.



**Mr McCrossan** asked the Minister of Education for an update on his Department's scheme to provide laptops to school children.

**(AQW 4502/17-22)**

**Mr Weir:** I recently announced plans to provide digital devices to those children who meet certain criteria in order to assist with their learning at home. The full statement is available here: [www.education-ni.gov.uk/news/minister-outlines-plans-provide-digital-devices-disadvantaged-children](http://www.education-ni.gov.uk/news/minister-outlines-plans-provide-digital-devices-disadvantaged-children).

Stage 1 – meeting immediate need – The Education Authority is working with schools to maximise the use of existing stock to get devices to pupils quickly. The Education Authority C2K service is supporting schools to enable these school owned devices to be made suitable for home use.

Stage 2 – The Education Authority has procured 3,664 new laptops. These devices are currently being configured with the relevant software for home use.

Stage 3 – Assuming that there is likely to be a level of need over and above what schools and the EA are able to provide under Stages 1 and 2, I have approved the purchase of up to an additional 8000 devices. The procurement of these devices along with an internet connectivity solution is currently going through the appropriate approvals process and will commence shortly.

**Mr Lyttle** asked the Minister of Education to what extent racism is covered by the school curriculum.

**(AQW 4561/17-22)**

**Mr Weir:** The flexibility of our curriculum enables schools to regularly review and update their approach and resources to reflect societal change. The curriculum provides learning opportunities for young people to develop as individuals, contributors to society, the economy and the environment. The key elements include Mutual Understanding; Citizenship; Cultural Understanding; and Ethical Awareness. Our schools have the freedom to use a variety of resources to introduce key concepts, such as the impact of racism in society, into many areas of learning.

At primary level the "Personal Development and Mutual Understanding" area of learning explores topics such as responsibility for self and others; human rights and social responsibility; causes of conflict and appropriate responses; valuing and celebrating cultural difference and diversity; similarities and differences between people; respect for others; and living as members of the community. At post-primary level, the "Learning for Life and Work" area of learning covers topics such as discrimination in greater detail under the subject "Local and Global Citizenship".

The curriculum at both primary and post-primary level contributes to promoting 'good relations' and is closely aligned with the Department of Education's Community Relations, Equality and Diversity in Education Policy. This aims to contribute to improving relations between communities by ensuring learners have an understanding of and respect for the rights, equality and diversity of all without discrimination. The policy seeks to provide children and young people with the skills, attitudes and behaviours needed to develop mutual understanding, recognition of and respect for difference.

The Department's Shared Education Policy also provides opportunities for pupils to learn about each other from each other. The policy seeks to deliver educational and social benefits to learners, promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.

**Mr Durkan** asked the Minister of Education whether consideration has been given to (i) cancelling transfer tests for 2020 in light of the current pandemic; and (ii) delaying the transfer test for a period longer than the current two weeks.

**(AQW 4605/17-22)**

**Mr Weir:** Any decision to cancel or further delay the transfer tests this year is a matter for the test providers and those schools that use the tests results as part of their admissions criteria. The provision of the tests is a private arrangement between schools and the providers and any decision regarding their organisation and timing are not the responsibility of my Department.

## Department of Finance

**Mrs D Kelly** asked the Minister of Finance to detail the number of Civil Service staff (i) employed in each Department; (ii) working from home; (iii) furloughed; and (iv) shielding.

**(AQW 4335/17-22)**

**Mr Murphy (The Minister of Finance):** Based on the latest management information, I can confirm there are 21.5k people employed by the NICS. As of the end of May, our management information indicates that 52.3% of them are working from home. The table presented below provides a breakdown by department.

	NICS Employee Headcount	Number of staff working from home	
		Headcount	%
NICS Overall	21,484	11,241	52.3
DAERA	3,175	2,360	74.3

	NICS Employee Headcount	Number of staff working from home	
		Headcount	%
DE	540	498	92.2
DFC	6,934	1,518	21.9
DFE	1,160	1,065	91.8
Dfi	2,989	1,392	46.6
DOF	3,504	2,949	84.2
DOH	462	334	72.3
DOJ	1,951	863	44.2
TEO	321	262	81.6
PPS	448	no data available	no data available

\* above excludes NI Prison Service and staff on career breaks or secondments

The Covid-19 furlough scheme does not apply to civil servants.

We do not collect information about the number of civil servants who are shielding.

**Mr Robinson** asked the Minister of Finance to detail how the Northern Ireland Executive spent the additional Barnett Consequential funding for Northern Ireland as outlined in his response to AQW 4101/17-22.  
(AQW 4368/17-22)

**Mr Murphy:** I set out the Executive's COVID-19 allocations in my statement to the Assembly on 19 May 2020. These are also published in the attached link.

- <https://www.finance-ni.gov.uk/publications/covid-19-funding-allocations-0>

**Mr Easton** asked the Minister of Finance what is the current total value of the block grant.  
(AQW 4381/17-22)

**Mr Murphy:** The Block Grant, or NI DEL for 2020-21 is £13,769.4 million. In addition to this, the Executive are in receipt of a number of financial packages. These are set out below.

- New Decade, New Approach - £523.0 million
- Fresh Start Agreement - £196.7 million
- Confidence and Supply - £45 million

Furthermore, the Executive received a Barnett Consequential of £1,246.9 million (correct at 19 May 2020) for its COVID-19 response.

**Mr Easton** asked the Minister of Finance what does the current block grant spend workout as per head of population.  
(AQW 4382/17-22)

**Mr Murphy:** The Block Grant, or DEL for 2020-21 is £13,769.4 million. Latest population statistics published by NISRA on 6 May 2020 estimate the population to be 1.894 million. Therefore the block grant spend per head of population is some £7,270.

In addition to this the Executive are in receipt of a number of financial packages. These are set out below.

- New Decade, New Approach - £523.0 million
- Fresh Start Agreement - £196.7 million
- Confidence and Supply - £45 million

The Executive also received a Barnett Consequential of £1,246.9 million (correct at 19 May 2020) for their response to the impacts of COVID-19.

These additional elements provide a further £1,062 spend per head of population.

**Mr McNulty** asked the Minister of Finance whether he has tabled a proposal to the Executive for funding the additional monies needed for the redevelopment of Casement Park.  
(AQW 4390/17-22)

**Mr Murphy:** The redevelopment of Casement Park is currently awaiting a planning decision by Department for Infrastructure. If planning is approved the business case can be completed, the final costs confirmed and the appraisal process completed.

At that point the Communities Minister can table the revised funding request. As an Executive Flagship project, Casement Park will be a considered a priority.

**Ms Armstrong** asked the Minister of Finance to confirm what discussions he has had with HM Treasury and the Financial Conduct Authority to address the rising cost of business insurance when so many Northern Ireland companies have been unable to claim for loss of business from their business insurance; and what protections will be introduced to ensure the insurance industry will provide policies across the whole of the U.K. including Northern Ireland.

**(AQW 4392/17-22)**

**Mr Murphy:** I fully appreciate the concerns of businesses who have purchased insurance policies with the understanding that these would have covered them for the current interruption to their business, and who have seen their premiums rise while not being able to make a claim for the losses that have been incurred.

My department has been in contact with Treasury and the insurance industry throughout the current crisis to highlight the concerns of policyholders here. While the Executive have no powers in this sector, I will continue to call on the Treasury, its regulatory authorities, and the financial services industry to play their full part in treating businesses fairly and helping them in recovering from the devastating impacts of COVID-19.

**Mr Allister** asked the Minister of Finance how much has been paid to employees in Northern Ireland under the furlough scheme.

**(AQW 4418/17-22)**

**Mr Murphy:** My Department has been pressing Treasury, and HMRC who administer the Coronavirus Job Retention Scheme, for data on its uptake in the North.

While this information is not yet available, the Department for the Economy estimate that around 200,000 people are furloughed locally.

**Mr O'Toole** asked the Minister of Finance for an update on implementation of the recommendations of the Renewable Heat Incentive inquiry report.

**(AQW 4429/17-22)**

**Mr Murphy:** The Executive agreed to establish a Subcommittee on Reform following the RHI Inquiry, as set out in the New Decade, New Approach Agreement; the establishment of the Subcommittee has been delayed as a result of COVID-19. The Department of Finance is preparing a paper to the Subcommittee, setting out proposed responses to the recommendations, including relevant work already completed, for consideration at its first meeting.

**Mr O'Toole** asked the Minister of Finance whether he has had any conversations with the UK Government about waiving the block grant reduction related to the zero-rating of long haul Air Passenger Duty in the absence of any long haul routes from Belfast.

**(AQW 4465/17-22)**

**Mr Murphy:** The Block Grant Adjustment (BGA) applied is a requirement of state aid rules which dictate that the Assembly must bear the financial consequences of devolving direct long haul Air Passenger Duty (APD) rate setting powers. The BGA was agreed at the time of devolution in 2012 and the extent of our liability was made clear at this time.

My officials are in regular contact with their counterparts in Treasury, and the other administrations who have similar BGAs in place, to discuss ongoing developments in tax devolution.

Seeking to avoid previously agreed costs would, I believe, weaken our position with Treasury in seeking additional fiscal powers going forward.

**Mr Harvey** asked the Minister of Finance in light of the decrease in activity in the property market as a result of COVID-19, to detail the action his Department can take to ensure that (i) the market can bounce back; and (ii) the backlogs created in the relevant property agencies such as Land Registry are reduced.

**(AQW 4526/17-22)**

**Mr Murphy:** The Minister for Communities is responsible for housing and I understand that she is working on measures to re-open the property market.

On Monday 8th June 2020, Land Registry resumed the full range of services with the appropriate application of social distancing measures. Volumes of applications have decreased and backlogs are not anticipated. The matter will be kept under review by Land Registry managers.

**Mr Carroll** asked the Minister of Finance to detail the updated cost of the Aramark contract for the extra cleaning work carried out as a result of COVID-19 in all Civil Service and public sector buildings.

**(AQW 4543/17-22)**

**Mr Murphy:** Each Department is responsible for managing the cleaning services contract for the buildings occupied by their staff.

Due to the outbreak of the pandemic, all Departments have been asked to carry out a health and safety risk assessment of their office accommodation. The risk assessments will dictate the standard and frequency of cleaning required. DoF does not have sight of other Departments risk assessments or the impact any additional cleaning services will have on their contract costs.

For the DoF locations, Aramark has not requested any variations to existing fixed contract costs as, due to the fact that most staff are working from home, any changes to the cleaning regime can be facilitated within the current arrangements.

**Mr Carroll** asked the Minister of Finance, pursuant to AQW 4216/17-22, why the answer does not include the figure for West Belfast.

**(AQW 4545/17-22)**

**Mr Murphy:** AQW 4216/17-22 provided unemployment estimates from the Labour Force Survey for each Parliamentary Constituency.

Estimates based on less than 3 persons responding to the Labour Force Survey were suppressed to protect against the risk of disclosure. This applied to estimates for Belfast West, Lagan Valley and South Antrim.

**Mr Muir** asked the Minister of Finance for an update on the outcome of the Review of the Non-Domestic Rating System.

**(AQW 4589/17-22)**

**Mr Murphy:** Significant progress continues to be made on key matters raised in the business rates public consultation. The overall high level of business rates was a major concern and in response I reduced the Regional Rate by 18%. I also extended the Small Business Rate Relief scheme and I am re-introducing the Rural ATM scheme, both as a result of positive feedback. As a result of the consultation I decided to re-introduce the Back in Business scheme; however, this has been superseded by my decision that all retail properties will receive 100% rate relief for this rating year.

The Review needs to be considered in the context of a completely different set of circumstances and in the light of £313m additional rate relief in this financial year.

**Ms Dolan** asked the Minister of Finance to detail the number of COVID-19 related deaths in (i) private; and (ii) public nursing and care homes.

**(AQW 4601/17-22)**

**Mr Murphy:** The information requested is not available. The Northern Ireland General Register Office's Registration System (NIROS) is used to produce vital statistics relating to registered deaths. However, NIROS does not hold information relating to the status (private/public) of care homes in which deaths have occurred.

**Mr Frew** asked the Minister of Finance whether the Central Procurement Unit (CPU) was involved in joint bid for personal protection equipment with Republic of Ireland; and to outline CPU engagement throughout the process.

**(AQW 4615/17-22)**

**Mr Murphy:** I can confirm that Construction and Procurement Delivery (CPD) was working with the Office of Government Procurement (OGP) in Dublin on a North/South collaborative order for PPE.

CPD's engagement throughout this process is outlined below:

- captured details of the products and volumes required for our Health Sector and other public bodies. This detail formed our part of the North/South order which was forwarded to OGP on 27 March 2020;
- worked with OGP to refine details of the order in terms of volumes, products, specifications and pricing;
- engaged with OGP officials on the resourcing requirements in Beijing; and
- engaged with officials in the Irish Government in relation to the transfer of funds.

## Department of Health

**Ms Flynn** asked the Minister of Health (i) to detail the recruitment process for the Mental Health Champion; (ii) when the position will be advertised; (iii) when an appointment will be in post; and (iv) how the salary will be funded.

**(AQW 3959/17-22)**

**Mr Swann (The Minister of Health):** The Mental Health Champion will initially be an interim appointment selected by my Department. This is to allow the establishment of the role and work to progress as soon as possible, whilst the recruitment process follows in due course. I hope to make an announcement on the interim appointment soon.

The recruitment process for the permanent Mental Health Champion will be open and transparent. It is my intention that the Champion will be in post as soon as possible.

In terms of funding the Executive have agreed to support the Champion by sharing the costs across Departments.

**Mr Givan** asked the Minister of Health whether the Northern Ireland Office, or any organisation, has provided medical professionals forms for (i) certification; and (ii) notification of abortions under Regulations 9 and 10 respectively.  
**(AQW 4214/17-22)**

**Mr Swann:** The information which is to be provided for certification and notification purposes is specified in The Abortion (Northern Ireland) Regulations 2020. The Regulations also allow for the Department of Health to provide forms. My Department has neither issued nor authorised the use of forms for either purpose.

My Department is aware of forms being used by healthcare professionals to notify abortions to the Chief Medical Officer but has not verified who provided these forms.

**Mr Dunne** asked the Minister of Health when dental practices will be able to re-open to treat patients using appropriate social distancing measures.  
**(AQW 4215/17-22)**

**Mr Swann:** Most General Dental Practices have remained open to treat non-Covid-19 patients with urgent dental care needs, providing the treatment does not involve the use of Aerosol Generating Procedures (AGPs). Patients needing emergency dental treatment which involves AGPs have been referred to our Urgent Dental Care centres.

The Acting Chief Dental Office, Michael Donaldson, wrote to all General Dental Practitioners on 2 June 2020, outlining the plans for a phased, safe full restoration of General Dental Services.

A copy of the letter can be read at the link below. <http://www.hscbusiness.hscni.net/pdf/Letter%20to%20GDPs%20on%20the%20Re-establishment%20of%20Dental%20Services%202020.06.20.pdf>

My Department will continue to work closely with the Health and Social Care Board and representatives of the dental profession to identify what additional support will be required as we move through the pathway to recovery and re-establish dental services.

**Mr Carroll** asked the Minister of Health, given the obligation of Health and Social Care Trusts to provide services, why there is no information on accessing any abortion services on the Trusts' websites.  
**(AQW 4218/17-22)**

**Mr Swann:** There is no legislative obligation for the provision of abortion services. Abortion, within the confines of The Abortion (Northern Ireland) (No. 2) Regulations 2020, can legally be provided. The extent to which an abortion service is delivered, as with any other service, is a matter Trusts must consider within the context of other service developments competing for investment within the available budget.

**Mr McGrath** asked the Minister of Health, in relation the statement by Lord Bethell, the Parliamentary Under Secretary for State at the Department of Health, on 19 May 2020 that mistakes were made at the Northern Irish test laboratory that led to some COVID-19 tests at care homes being delayed or voided, to outline the mistakes and the subsequent ramifications.  
**(AQW 4224/17-22)**

**Mr Swann:** On 5 May, my Department became aware of an issue affecting tests arriving in the Northern Ireland laboratory that resulted from an issue with on-site equipment. The laboratory has been commissioned by the Department of Health, London (DHSC) to support Covid-19 testing as part of the National Testing Programme. DHSC has confirmed that the issue impacted a minority of samples arriving on 30 April and 1 May. Of the affected samples, a number were urgently shipped to a lighthouse laboratory operating as part of the National Testing Programme and processed before they became void. We are advised that other samples were intercepted before arrival at the laboratory and a further batch were frozen at the laboratory in accordance with World Health Organisation guidelines on preserving samples.

DHSC has also advised that a number of samples were voided as a result of the backlog, as the freezing and shipping mitigations were not available on time to preserve these samples, and that those people affected have been contacted directly through the established mechanism for reporting results operated by the National Testing Programme.

**Mr K Buchanan** asked the Minister of Health whether services at the Children's Cancer Unit are still affected due to Aspergillus infection; and what contingency arrangements are being made to ensure that no treatment is delayed.  
**(AQW 4233/17-22)**

**Mr Swann:** The Children's Haematology Unit (CHU) continues to be affected by Aspergillus. When Aspergillus was identified during weekly air sampling in the CHU, steps were immediately taken to mitigate the risks this fungus presents to patients. This included remedial works to provide better management of air quality in CHU.

Trust staff are currently taking part in multi-agency discussions with their Health and Social Care colleagues in the Public Health Agency, Health and Social Care Board and the Department of Health to ensure that patient safety is maintained. As a precaution at this time, some of the high risk patients are being transferred, for some of their treatment, to other centres outside of NI so as not to delay their treatment.

**Mr McNulty** asked the Minister of Health to outline the timetable for recommissioning routine (i) breast cancer; (ii) ovarian cancer; and (iii) bowel cancer screening services; and whether he will publish an assessment of the impact of the services being temporarily suspended.

**(AQW 4236/17-22)**

**Mr Swann:** Routine breast and ovarian cancer services were maintained as far as possible during the pandemic surge, taking account of national guidance and based on individual assessments of risk / benefit. The step-up of routine breast and ovarian cancer appointments will continue and be timed to ensure an appropriate match with available capacity across cancer services.

Routine bowel screening was paused to ensure that adequate healthcare and laboratory resources could be redirected to the pandemic response and to reduce the risk of infection. Planning is underway for the phased restoration of bowel screening programme as soon as possible with priority given to people at highest risk along with clearing any backlog of patients already in the screening pathway. The Department has collated a comprehensive assessment of the impact of COVID-19 across the totality of Health and Social Care (HSC) services. This was published on 9 June 2020, alongside the "Rebuilding HSC Services Strategic Framework".

**Mr Sheehan** asked the Minister of Health whether his Department, or relevant authorities, have advised local ports and airports to install thermal scanners and cameras to ensure that those with potential symptoms of COVID-19 can be detected on arrival.

**(AQW 4240/17-22)**

**Mr Swann:** There are no plans at this time to introduce thermal screening at points of entry to Northern Ireland. Current evidence, including evidence acquired in the early phases of the COVID-19 pandemic in Europe, indicates that entry thermal screening procedures are ineffective in preventing virus introduction.

**Mr Sheehan** asked the Minister of Health (i) whether all fit testing of personal protection equipment has been undertaken by individuals and companies trained to the required standards; (ii) whether there has been an audit of fit training; and (iii) who conducted the audit.

**(AQW 4241/17-22)**

**Mr Swann:** It is a legal requirement that workers using tight fitting respiratory protective equipment (face pieces/masks) must be fit tested by a competent person for all Aerosol Generating Procedures. This requirement is detailed in Control of Substances Hazardous to Health (COSHH) regulations.

- (i) The fit testing providers currently being used by Health and Social Care Trusts in Northern Ireland are Amon Electronics and G&L Consultancy Ltd, Healthcare Essentials, FITTEST.IE and Task NI. All of these companies are accredited under the Fit2Fit RPE Fit Test Providers Accreditation Scheme and operate in line with HSE INDG479 protocols. The Fit2fit scheme is designed to confirm the competency of any person performing face piece fit testing.

Additionally, Amon Electronics provide accredited fit test training programmes to all five Health and Social Care Trusts and NIAS Trust which allows those Trusts to carry out in-house fit testing.

- (ii) Fit Testing Provision is subject to regular audit in all HSC settings across Northern Ireland.
- (iii) Under the Fit2Fit and PHECC requirements Amon Electronics conduct regular and ongoing Quality Improvement Audits across a range of their business activities and these are independently assessed where required.

Additionally, Health and Social Care Trusts have a number of internal audit processes in place to ensure the ongoing competency of Fit Testing processes.

**Ms Sheerin** asked the Minister of Health whether shielding letters will be automatically renewed; and what these letters will allow for access to support and issues with returning to work.

**(AQW 4282/17-22)**

**Mr Swann:** The advice on shielding remains current, anyone advised to shield by their GP or hospital specialist should continue to do so until advised otherwise.

As announced on 1 June, from Monday 8 June, provided the rate of Covid-19 infection allows, those who are shielding will be able to spend time outside with people from their own household or a person from another household whilst ensuring social distancing is observed.

Looking ahead, the UK's four Chief Medical Officers are leading work at a national level to carefully assess what needs to be done to continue to protect people who are extremely vulnerable, against the latest evidence of the risk posed by Covid-19. This will include consideration of the future of the shielding scheme. You will appreciate that this is a process which must be led by the most up to date scientific and medical evidence.

As soon as any decision on the future of the shielding scheme is made guidance will be communicated quickly to those affected.

**Mr McHugh** asked the Minister of Health when the Asha Centre, Omagh, will reopen to address the lack of provision for people with addiction problems in the Western Health and Social Care Trust area.

**(AQW 4283/17-22)**

**Mr Swann:** The Asha Centre closed on 31 March 2020 as a necessary measure for the purpose of infection prevention and control in relation to COVID-19. In conjunction with the Health & Social Care Board and the Public Health Agency, HSC Trusts are now planning a phased safe re-introduction of services including the regional Tier 4 inpatient addiction units in Omagh, Antrim, and Downpatrick. Whilst inpatient services at the Asha Centre are currently paused, community addictions staff are providing face-to-face contact at the facility for people with urgent assessed needs, and are providing detoxification advice and guidance to GP colleagues through telephone support. The team is also providing support for alcohol detoxification at both Altnagelvin and the South West Acute Hospital, as well as providing telephone support to clients in the community.

**Ms McLaughlin** asked the Minister of Health whether he will publish his Department's business case for the Magee Medical School.

**(AQW 4284/17-22)**

**Mr Swann:** My Department has not produced a business case for the Magee Medical School. The Department of Health's outline business case considers how best to meet Northern Ireland's future medical education needs and does not specify the provider or location.

**Mr T Buchanan** asked the Minister of Health what plans are in place to open a COVID-19 testing centre in Omagh.

**(AQW 4288/17-22)**

**Mr Swann:** There are currently no plans to open a National Testing Initiative fixed testing centre in Omagh. The first mobile testing unit operating under the National Testing Initiative was placed in the grounds of Omagh Hospital and commenced testing on 21 May to support the demand for testing in the surrounding area. Following a number of days testing, due to a reduction in demand in the Omagh area, this mobile testing unit has now been relocated. The demand for testing will be kept under continuous review and our mobile testing units will be deployed throughout NI as necessary.

**Mr Wells** asked the Minister of Health, in relation to the fire which started close to Castlewella Forest Park on 15 May 2020, to detail the cost to the Northern Ireland Fire and Rescue Service.

**(AQW 4292/17-22)**

**Mr Swann:** The estimated cost to the Northern Ireland Fire & Rescue Service of mobilisations to the fire which started close to Castlewella Forest Park on 15 May 2020 is £66,000.

**Mr Givan** asked the Minister of Health whether a second phase of GP shielding letters will be issued to recipients prior to the completion of the 12 week period.

**(AQW 4314/17-22)**

**Mr Swann:** The advice on shielding remains current, anyone advised to shield by their GP or hospital specialist should continue to do so until advised otherwise.

As announced, from Monday 8 June, those who are shielding will be able to spend time outside with people from their own household or a person from another household whilst ensuring social distancing is observed.

Looking ahead, the UK's four Chief Medical Officers are leading work at a national level to carefully assess what needs to be done to continue to protect people who are extremely vulnerable, against the latest evidence of the risk posed by Covid-19. This will include consideration of the future of the shielding scheme. You will appreciate that this is a process which must be led by the most up to date scientific and medical evidence.

As soon as any decision on the future of the shielding scheme is made guidance will be communicated quickly to those affected.

**Mr Sheehan** asked the Minister of Health to detail each occasion since March 2020 that (i) he has had formal contact with the Minister for Health in Dublin; and (ii) his Department has had formal contact with his counterpart department in Dublin regarding contact tracing and travel restrictions.

**(AQW 4329/17-22)**

**Mr Swann:**

- (i) The Department of Health NI and its agencies have agreed a Memorandum of Understanding ("MoU") with the Department of Health, Ireland and its agencies in response to COVID-19 and I met with the Minister for Health for Ireland on 14 March 2020 to discuss North-South cooperation in dealing with the pandemic.

Since March 2020, formal contact has been made with the Chief Medical Officer in the Department of Health Ireland on 22 April, 1 May, 21 May, 29 May and 5 June 2020. This included discussion on contact tracing and travel restrictions.

- (ii) In relation to contact tracing and travel restrictions, the Department of Health, Ireland and its agencies and the Department of Health NI and its agencies currently work together to develop evidence-based public health measures central to the response to COVID-19 in both jurisdictions. Measures such as, but not limited to, contact tracing and public health-mandated travel restrictions are provided for under the MoU.

**Mr Wells** asked the Minister of Health whether his Department is aware of the identity of the person who started the fires close to Castlewellan Forest Park on 15 May 2020.

**(AQW 4330/17-22)**

**Mr Swann:** The Northern Ireland Fire and Rescue Service (NIFRS) has advised it is not aware of the identity of the person who started the fires close to Castlewellan Forest Park on 15 May 2020 and that the matter is under investigation by the PSNI.

NIFRS has dealt with a spate of grassland or gorse fires in recent weeks, some of which have been started deliberately.

In response to these incidents, NIFRS has used social and local media to appeal to the public to stop deliberately starting fires and consider their behaviour whilst outdoors during the extended period of dry weather.

Gorse fires pose a serious risk to life, property and the environment and can exert undue pressure on the wider availability of NIFRS resources.

**Mr Newton** asked the Minister of Health to detail the implications of the COVID-19 pandemic for patients referred for initial diabetic prognosis, or those who have been diagnosed and living with diabetes, in terms of delays to (i) initial prognosis appointments; (ii) follow-up appointments; and (iii) on-going support, care and treatments.

**(AQW 4340/17-22)**

**Mr Swann:** Upon diagnosis, type 1 diabetes (adult and paediatric) is managed in secondary care without any delay and has been uncompromised by COVID-19. In primary care, patients are usually diagnosed as they are symptomatic or unwell. Patients will often be triaged by telephone and may be referred for tests in the practice treatment room or Trust Emergency Department.

Follow-up appointments for newly diagnosed type 1 diabetes, adult and paediatric, continue as necessary although more are now delivered by remote contact.

In terms of ongoing support and care, hospital care for all type of diabetes has been impacted by COVID-19, with routine review appointments largely cancelled. As the clinical needs related to COVID-19 have diminished, virtual clinics are being instituted. Additional activity for ongoing type 1 diabetes care, such as structured education and provision of new glucose monitors, has been halted and has not yet restarted.

In terms of antenatal diabetes, diagnostic oral glucose tolerance tests have been replaced by HbA1c and glucose level testing. Diagnostic testing is currently being re-established, however joint face to face clinics with a diabetologist and obstetrician have been cancelled.

All paediatric diabetic clinics are undertaken via virtual clinic or telephone consultations. Patients and families are encouraged to use remote monitoring to upload their pump/glucose/CGM data. Although the structured diabetes education CHOICE programme has been on hold due to staff re-deployment, plans are underway to provide this remotely in some HSC Trusts. Whilst there has been a delay in new insulin pump starts, these have continued for those most in need. Advice and information in relation to insulin pumps continues to be provided both in and out of hours.

Diabetic foot care services delivered in secondary care, not immediately life or limb threatening, were cancelled although restoration of some urgent caseload has commenced. High-risk patients have received regular telephone reviews from podiatry services and the use of technology has enabled photo triage to be used to determine urgent intervention. All other patients have received verbal and/or written advice on foot care and wound care, supplemented by social media.

In primary care, activity in chronic condition management will be variable across general practice, although some practices have continued to carry out annual reviews for patients with diabetes, including via video-conferencing. GPs have also been able to refer patients to the regional Diabetes Network Helpline for further support and advice. Over the coming weeks, it is likely that more practices will begin to focus again on chronic condition management. District Nursing services have continued to support patients living in the community who need assistance with administration of insulin and have also provided patient education advice where appropriate.

At a regional level in response to the challenges of COVID-19, the NI Diabetes Network has established a diabetes telephone support helpline and e-mail support facility to provide additional clinical support and advice to people living with diabetes.

This service runs seven days a week, alongside existing HSC Trust services Monday to Friday and as a stand-alone service, Saturday and Sunday, 9am until 3pm.

**Ms Flynn** asked the Minister of Health for an update on his Department's plans for targeted preventative spending that will address (i) children's oral health inequalities; and (ii) childhood obesity levels in more deprived communities.

**(AQW 4349/17-22)**



**Mr Swann:**

- (i) The Oral Dental Health specialists from the five Health and Social Care Trusts have developed and delivered a new training programme which focuses on key dental messages to be reinforced in the Health Visitors' and Child Health Assistants' contacts with families. The training has been offered across all Trusts.

In 18/19 Trusts received funding to allow 81,238 young children to participate in oral health and Improvement programmes across the region. The regional Happy Smiles programme for pre-school children accounts for 18,000 of these children. This is targeted at children from lower socioeconomic groups and delivered in a nursery setting

PHA is responsible for the yearly update of the Birth to Five Book which is given to every mother having their first baby. The importance of tooth brushing is highlighted, along with the option of downloading the free Brush DJ app.

- (ii) The current obesity prevention framework, A Fitter Future for All 2012-2022, was launched in March 2012. The ten year strategy takes an integrated approach to obesity prevention and contains outcomes and actions across the life course for the entire population of Northern Ireland. Work is currently underway to look specifically at the issue of childhood obesity through an innovation lab process.

As well as a number of population wide programmes to improve participation in physical activity and promote healthy eating among children and young people, the PHA have developed and are funding the Early Years Obesity Prevention Programme (EYOP) across NI. This targeted programme will address risk and protective factors for childhood obesity, adopting a holistic approach focusing on parenting skills, family lifestyle habits, diet and nutrition, physical activity and emotional wellbeing. The PHA has awarded a contract to HENRY (Health, Exercise & Nutrition for the Really Young) in Feb 2020, to provide an early years obesity prevention training programme to HSCT and SureStart staff across Northern Ireland

**Miss McIlveen** asked the Minister of Health what percentage of contact parents have had no contact with their children since the COVID-19 lockdown commenced.

**(AQW 4354/17-22)**

**Mr Swann:** The Department of Health and the Health and Social Care Trusts do not hold the information requested. However, the Head of the Child Contact Centre Network has provided information from the Child Contact Centres. It is estimated that approximately 50% of their service users are currently engaged in alternative means of contact. A small number are managing contact themselves in the community. Others have been supported and encouraged to use Whatsapp video, Facetime and/or text messaging to maintain contact. Facilitated by coordinators, another group is using Zoom; co-ordinators are present on calls. All Contact Centres are actively continuing to support families and encouraging them to utilise all available alternatives.

**Miss McIlveen** asked the Minister of Health what percentage of contact parents have presented with mental health concerns as a result of not having contact with their children during the COVID-19 lockdown; and what support has been provided to these parents.

**(AQW 4355/17-22)**

**Mr Swann:** The information requested is not held by the Department, Health and Social Care Trusts nor the Northern Ireland Network of Child Contact Centres. I can advise that all Child Contact Centres are actively continuing to support families and encouraging them to use all available alternative means of maintaining contact, including through the use of technology.

**Mr Frew** asked the Minister of Health to provide clarity on the two key worker family limit on childminders; and when it will be lifted.

**(AQW 4364/17-22)**

**Mr Swann:** From Monday 8 June 2020, childminders can provide care for the children of up to 3 different households at one time. It is intended to increase the number further over time. The increase will happen gradually and will be subject to medical and scientific advice.

**Mr Gildernew** asked the Minister of Health, given the known additional susceptibility to COVID-19, and the communication, language, cultural issues and potential additional difficulties in relation to isolation requirements, to detail the bespoke community engagement with less engaged communities, including foreign national, Traveller, and black and minority ethnic communities.

**(AQW 4371/17-22)**

**Mr Swann:** The Public Health Agency (PHA) commission services with various organisations that target and support Minority Ethnic, Migrant and Traveller communities across Northern Ireland. Partnership working with these organisations has been crucial as they have strong established relationships, expertise and proven track records of supporting and linking with vulnerable individuals. This is additionally important during the current pandemic. Different approaches have been used depending upon the needs of each group.

I am aware Public Health England have just published their report examining disparities in the risk and outcomes of COVID-19. The report examines important factors such as ethnicity, age, sex and deprivation. The report has just been published and my officials are now examining it in detail and will brief me in more detail about the findings of the report and any potential implications for the people of Northern Ireland and our response to COVID-19 going forward.

**Mr Easton** asked the Minister of Health to detail the number of Fire Service call-outs in North Down for outdoor fires that have been recorded as being set deliberately over the last three month period.

**(AQW 4380/17-22)**

**Mr Swann:** During the period 1 March 2020 to 31 May 2020, Northern Ireland Fire and Rescue Service mobilised to 75 outdoor fires classified as deliberate within the Ards and North Down Council area.

**Ms Bradshaw** asked the Minister of Health (i) when childcare for key workers will cease to be provided free of charge; and (ii) when and how key workers making use of the free childcare were notified that it is a taxable benefit.

**(AQW 4412/17-22)**

**Mr Swann:** The Belfast HSC Trust provided childcare free of charge on an interim basis to key workers between April and May 2020. The Department was not involved in the Belfast Trust's decision to offer free childcare places to Trust employees, nor has the Department issued any instruction to the Trust to withdraw funding.

**Ms Bradshaw** asked the Minister of Health for an update on the review of Neurology services, with particular regard to (i) which recommendations in the review (a) are being taken forward; and (b) are not being taken forward; and (ii) what the timescale now is for implementation.

**(AQW 4413/17-22)**

**Mr Swann:** The Regional Review of Neurology Services has been paused due to the need to redirect resources to respond to the challenges posed by COVID-19. While I believe this was a necessary and correct decision, I am acutely aware that Neurology services are in need of reform and will give careful consideration as to how best and quickly we can move forward with the Review. This will include the identification of final recommendations, in the context of my priorities for rebuilding health and social care services.

**Mr Muir** asked the Minister of Health what plans he has to address the underfunding issues of Health and Social Care providers that look after people with learning difficulties and complex special needs, such as Camphill Community at Glencraig.

**(AQW 4425/17-22)**

**Mr Swann:** The Health and Social Care Board (HSCB) have advised that the Camphill Community Glencraig are paid at the agreed regional tariff rate for residents of care homes. However, Glencraig have recently indicated to South Eastern Health and Social Care Trust (SEHSCT) that the needs of many of their residents, have over time, become more complex. The SEHSCT is currently in a process with the provider to reassess the needs of individual residents at Camphill and will adjust the level of funding in line with the reassessed needs and complexity of individuals.

**Mr O'Toole** asked the Minister of Health what work is being undertaken to ensure cross-border interoperability of track and trace schemes, including planning for data sharing in the event that the EU and UK do not have a data equivalence regime at the end of this year.

**(AQW 4431/17-22)**

**Mr Swann:** Cooperation on the public health-driven response to COVID-19, including on contact tracing, is built on existing and long-established cooperation on the island of Ireland between health services on areas such as cancer treatment, ambulance and congenital heart services, alongside strong pre-existing cooperation between the respective offices of the Chief Medical Officers in both jurisdictions.

Following the implementation of the General Data Protection Regulation and the Data Protection Act 2018 HSC organisations routinely use mechanisms, such as contracts and MOUs (with (EU Agreed) Standard Contract Clauses & provisions within Administrative Agreements), to ensure compliance with their obligations on any cross-border data transfers.

**Mr Allister** asked the Minister of Health whether there is any regional breakdown of the R-number in Northern Ireland; and, if so, to publish the number.

**(AQW 4454/17-22)**

**Mr Swann:** The Covid-19 modelling group does not produce regional estimates of the reproduction number (R) as the number of cases and other data related to the epidemic are too small to allow R to be reliably determined for an area smaller than Northern Ireland as a whole.

**Ms Flynn** asked the Minister of Health to outline (i) when he intends to bring forward plans for rehabilitation for patients recovering from COVID-19; (ii) whether he intends to appoint a local rehabilitation lead; and for his assessment of whether these plans should be taken forward by the Chief Allied Health Professions Officer, similar to Scotland and Wales.

**(AQW 4488/17-22)**

**Mr Swann:**

- i) Officials are considering how the rehabilitation of patients recovering from Covid-19 will be taken forward in Northern Ireland and will report to me in the near future.

- ii) The decision of an appointment of a local rehabilitation lead will form part of these deliberations, in so doing they will take account of rehabilitation models across other parts of the UK and beyond and the roles that Allied Health Professionals will have to play in the Northern Ireland model.

**Ms Flynn** asked the Minister of Health as mental health services have historically been underfunded, whether will he introduce additional funding for mental health services in the current budget period.; and for his assessment of the increase of funding required to address the increase in mental health issues.

**(AQW 4490/17-22)**

**Mr Swann:** Mental health is one of my top priorities and I published a Mental Health Action Plan on 19 May 2020. Action 2.1 of the Action Plan is to create a 10 year funding plan for mental health, to be published together with a new mental health strategy in the middle of 2021.

**Ms Bradshaw** asked the Minister of Health when his Department will publish the report on the findings of the public consultation and his preferred model for future stroke care.

**(AQW 4509/17-22)**

**Mr Swann:** While my officials have completed an analysis of responses to 'Reshaping Stroke Care – Saving Lives, Reducing Disability', progress on the Reshaping project was paused in response to the challenges posed by COVID-19.

My department has now published a Strategic Framework for Rebuilding Health and Social Care Services. The Framework notes the impact of this pause on the Reshaping Stroke Care project, and sets out the process for rebuilding services. The way forward in respect of stroke services, including timescales, will be determined through this process.

**Ms Bradshaw** asked the Minister of Health to outline the next steps for progressing the proposed reform of stroke services.

**(AQW 4510/17-22)**

**Mr Swann:** While my officials have completed an analysis of responses to 'Reshaping Stroke Care – Saving Lives, Reducing Disability', progress on the Reshaping project was paused in response to the challenges posed by COVID-19.

My department has now published a Strategic Framework for Rebuilding Health and Social Care Services. The Framework notes the impact of this pause on the Reshaping Stroke Care project, and sets out the process for rebuilding services. The way forward in respect of stroke services, including timescales, will be determined through this process.

**Ms Bradshaw** asked the Minister of Health to outline the revised timetable for the reconfiguration of stroke services.

**(AQW 4511/17-22)**

**Mr Swann:** While my officials have completed an analysis of responses to 'Reshaping Stroke Care – Saving Lives, Reducing Disability', progress on the Reshaping project was paused in response to the challenges posed by COVID-19.

My department has now published a Strategic Framework for Rebuilding Health and Social Care Services. The Framework notes the impact of this pause on the Reshaping Stroke Care project, and sets out the process for rebuilding services. The way forward in respect of stroke services, including timescales, will be determined through this process.

**Mr Dunne** asked the Minister of Health what additional funding has been put in place to support community pharmacies during the COVID-19 crisis.

**(AQW 4539/17-22)**

**Mr Swann:** In March 2020, advance contractual payments of £35m, amounting to one month's payment were made to community pharmacy contractors in recognition of the surge in demand for prescriptions and related drug costs which occurred at the beginning of the pandemic. Between April and June 2020 non-essential pharmacy services were suspended and funding of circa £250k per month was left in the system. Also during this period an additional £10.5m COVID funding was provided for staffing, adaptation of premises for social distancing, business continuity and a new emergency supply service plus a further £1m was made available for an exceptional Easter rota and to support enhanced palliative care on-call arrangements.

**Mr Carroll** asked the Minister of Health, in light of the announcement that the Chief Medical Officer (CMO) is content to publish all scientific evidence that has guided the Executive's actions in relation to COVID-19, whether the CMO's notes of the SAGE meeting on 12 March 2020 will also be published.

**(AQW 4546/17-22)**

**Mr Swann:** A SAGE meeting was not held on 12 March 2020. Minutes of all SAGE meetings relating to Covid-19 are published online at:

<https://www.gov.uk/government/groups/scientific-advisory-group-for-emergencies-sage-coronavirus-covid-19-response>

**Ms S Bradley** asked the Minister of Health what future additional financial support will be made available to community pharmacies to mitigate the costs being incurred due to essential changes required in the fight against COVID-19.  
(AQW 4547/17-22)

**Mr Swann:** My Department continues to engage positively with representatives from Community Pharmacy NI in delivering support to community pharmacy contractors and their staff during the current Covid-19 pandemic. To date, community pharmacies have played an essential role in maintaining the supply of medicines and advice to patients and considerable financial support has been made available to enable them to do this. Consideration is now being given as to how community pharmacy can continue to effectively respond to the current needs, as well as making preparations for the provision of appropriately funded pharmacy services in the coming weeks and months ahead.

**Mr Sheehan** asked the Minister of Health (i) whether staff conducting the second phase of the Dr Watt review recall (a) have gone back to their original work; or (b) are still involved in the COVID-19 effort; and (ii) when the second phase of the recall will be published.

(AQW 4557/17-22)

**Mr Swann:** The second phase of the recall of the former patients of Dr Michael Watt is complete. It was planned that the findings from the second phase of the recall would be published in the first half of 2020, together with an announcement in respect of the need for a further phase of the recall.

The staff involved in taking this work forward were redeployed as part of the response to the Covid-19 outbreak.

It is not possible to provide a date for the publication of the findings from the second phase of the recall at the current time.

## Department for Infrastructure

**Mr Boylan** asked the Minister for Infrastructure (i) to detail the efforts she has made to explore the possibility of furloughing staff to reduce departmental pressures at this time; and (ii) whether she has consulted with unions over this issue.

(AQW 4190/17-22)

**Ms Mallon (The Minister for Infrastructure):** HMT guidance states that where employers receive public funding for staff costs, and that funding is continuing, staff are not eligible for furlough.

An assessment by Translink and NIW explored the furloughing of staff and consulted with unions on this issue. It concluded that furloughing staff was not an option and this assessment was shared with the Minister for Finance. The Minister of Finance wrote to Executive colleagues with updated CJRS guidance on 22 May. A further assessment has been commissioned on the applicability of the CJRS to the Department and its arm's length bodies including Translink and NI Water.

It is essential that any furloughing of public sector employees is considered by the Executive and that this issue is addressed on a consistent basis across all departments and in liaison with unions.

**Mr Beggs** asked the Minister for Infrastructure, until such times as PSV tests can be safely carried out at test centres, whether an exemption could be granted to commercial vehicles (vans) in the same way as MOT exemptions had recently been applied to four year old private cars.

(AQW 4264/17-22)

**Ms Mallon:** I can confirm that from 5 February 2020 Temporary Exemption Certificates (TECs) are being issued to all eligible light goods vehicles, which includes commercial vans that are 3 years old or more. Commercial vans require to be tested at 3 years from their date of first registration, unlike private cars whose first test is due when they are 4 years old.

From 11 May, TECs are automatically being generated from DVA's system for all eligible vans without the owners needing to take any action. Owners of vans not registered in Northern Ireland, which are not on the DVA's system, must contact the DVA using the following email address [dva.customerservices@infrastructure-ni.gov.uk](mailto:dva.customerservices@infrastructure-ni.gov.uk) and provide the vehicle details for a TEC to be processed.

Vans whose MOT certificate has expired by more than 12 months do not qualify for a TEC. These vehicles will need to be tested when normal testing resumes and in the meantime must not be driven on public roads. More detailed information on TECs can be found at <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-and-motoring>.

**Mr Beggs** asked the Minister for Infrastructure . in relation to local GP's still refusing to carry out medical assessments for the renewal of taxi driver licences, whether her Department would consider an extension the licences to allow self-employed taxi drivers to continue to work.

(AQW 4265/17-22)

**Ms Mallon:** Taxis are governed by separate primary legislation, which does not enable an extension of the taxi driver's licence or the issue of a short term licence.

For those taxi drivers who do not have a medical condition to declare, my Department will renew their five year taxi driver's licence without a medical report, although they may be required to submit a medical report at some future date.

Following discussions with the Department for Health and the British Medical Association (BMA), which represents General Practitioners (GPs) in Northern Ireland, the BMA and GPs have agreed to support and prioritise the processing of medical forms for those key workers who have a medical condition and need a medical assessment to renew their licences.

**Ms Ní Chuilín** asked the Minister for Infrastructure (i) how many residents parking schemes she plans to bring forward in North Belfast; and (ii) to provide details of each scheme, including the location.

**(AQW 4277/17-22)**

**Ms Mallon:** The first residents' parking scheme in Rugby Road / College Park Avenue, Belfast, came into operation during April 2018. A review of the scheme, which reflected the needs, experiences and feedback of residents, is currently being considered. I will want to make sure that any lessons learnt from this scheme inform wider policy on implementing residents' parking schemes to the benefit of communities.

I anticipate that I will be able to advise the Assembly and its members of the outcome of my departments review into residents' parking within the next two months.

**Mr Stewart** asked the Minister for Infrastructure why her Department will bring into law an EU regulation extending the validity of driving licences with an expiry date of between 01 February and 31 August 2020, for a further seven months.

**(AQW 4298/17-22)**

**Ms Mallon:** The EU is adapting certain rules for different transport sectors to help companies and authorities cope in the extraordinary circumstances created by the coronavirus crisis. The Regulation enabling the extension of the validity of certificates and licences will support those transport operators, individuals and national administrations that, owing to the coronavirus restrictions, are having difficulties fulfilling certain administrative formalities before the expiry of the relevant deadlines.

Opting out of the provisions in this Regulation will be applied here and in GB. On the 4th June 2020 when the new EU Regulation became law, all driving licences with an expiry date between 1 February and 31 August 2020 will be treated as valid for a further seven months.

This new EU Regulation provides a practical solution to a very real problem and ensures that most drivers can remain on the road without having to worry about getting a renewal application processed, which for some requires a medical assessment. It will also help any customers who could not access or were finding it difficult to renew their licence online.

**Mr Allister** asked the Minister for Infrastructure, pursuant to AQW 201/17-22, (i) whether a tapping connection is usually metered; and (ii) if not, in what circumstances would it be.

**(AQW 4302/17-22)**

**Ms Mallon:** A meter install on a tapping connection is dependent on the type of property served off the mains supply. A domestic property is not metered and a non-domestic property is usually metered, when it is possible to do so.

**Mr Dunne** asked the Minister for Infrastructure whether grass cutting of road verges on all major roads in North Down involving traffic management schemes will be completed on at least three occasions in 2020.

**(AQW 4317/17-22)**

**Ms Mallon:** My Department's current policy is to provide two grass cuts per annum on all roads throughout Northern Ireland, the exception being sightlines which will receive additional cuts as necessary for road safety reasons.

**Mr Dunne** asked the Minister for Infrastructure what resurfacing schemes are planned on the A2 Bangor to Belfast dual carriageway this financial year.

**(AQW 4318/17-22)**

**Ms Mallon:** There are currently no resurfacing schemes planned for this section of carriageway during this financial year.

**Mr Dunne** asked the Minister for Infrastructure to outline (i) any plans to restart vehicle testing, even on a phased basis, at any of the MOT test centres; and (ii) whether all centres have had new vehicle lifts installed.

**(AQW 4320/17-22)**

**Ms Mallon:** On 24 March 2020, in the interest of public safety and to tackle the spread of Covid-19, I suspended all vehicle testing at our test centres until 22 June 2020.

In recognising the significant impact on some customers, including those who require an Individual Vehicle Approval (IVA) test and cannot avail of a Temporary Exemption Certificate (TEC), I am pleased to confirm that from 1 June the Driver and Vehicle Agency has reinstated IVA testing safely. The provision of IVA tests will initially be prioritised for emergency service vehicles

and those used to provide essential services in direct response to the Covid-19 crisis. This will ensure that supply chains and the health service continue to be supported during this time of significant challenge.

In respect of when other testing services might resume, I am keeping the position under constant review with the aim of reintroducing vehicle testing as soon as it is safe to do so, taking account of guidance on social distancing and in line with the Executive's Pathway to Recovery, to ensure the safety of DVA staff and customers.

I have assured the Health Minister that my Department is committed to doing all that we can to help in the fight against coronavirus and, given the importance of community testing in controlling the spread of the virus, that he has priority use of these centres for as long as required.

**Mr Middleton** asked the Minister for Infrastructure to outline (i) what her Department is doing to support the development of the Strathfoyle Greenway in Londonderry; and (ii) the level of investment from her Department.  
(AQW 4338/17-22)

**Ms Mallon:** I am currently considering carefully how I can assist in the development of greenways as part of my vision to enable greater sustainable transport options that connect communities, tackle the impact of climate change and improve lives.

My Department continues to operate under challenging budget constraints and the current COVID-19 emergency has added additional load to that budget. However, I am keen to take decisions in relation to funding of my various priorities as soon as possible.

**Mr Middleton** asked the Minister for Infrastructure when her Department will complete the resurfacing of the Trench Road and Curryfree Road junction, Londonderry.  
(AQW 4339/17-22)

**Ms Mallon:** Following the easing of COVID 19 restrictions the contractor has now recommenced work which is being taken forward at a number of sites on a prioritised basis. It is anticipated that work on the resurfacing scheme at Trench Road and Curryfree Road junction will recommence before the end of July with completion anticipated by the end of September.

**Mr Newton** asked the Minister for Infrastructure to detail (i) the current number of public use electric vehicle charging points across Northern Ireland; and (ii) the scheduled increased number of electric vehicle charging points for (a) Northern Ireland; (b) Belfast; and (c) East Belfast, within the next 12 months, 24 months and 36 months.  
(AQW 4341/17-22)

**Ms Mallon:** There are currently 320 22kWh (fast) charge points at 160 locations and a further 17 50kWh DC rapid charge points across the North. In addition, public sector organisations have also made available 40 7kWh charge points (23 charge posts) for use by the general public when visiting their sites or availing of their facilities.

In respect of a scheduled increase in the number of electric vehicle charging points for Northern Ireland, Belfast and East Belfast within the next 12 months, 24 months and 36 months, my Department does not currently hold information of this commercial nature. There are a number of very recent developments that are likely to impact expansion and improvement of the network. For example, the Utility Regulator recently published its findings from the recent consultation on the Maximum Resale Price (MRP) of Electricity as it applies to electric vehicles (EVs). The decision to remove the MRP on the electricity cost of charge points, which will allow commercial operators to charge above cost price of electricity supply, should give clarity for operators wishing to provide commercial services in the North. It should also impact positively in providing opportunities to apply to the UK Residential Charge Point Scheme. My department will work with stakeholders in all areas to facilitate improvements to the current network, strengthen network provision and contribute to the Northern Ireland Executive's commitment to reducing carbon emissions.

I am committed to ensuring that the public charge point infrastructure remains fit for purpose commensurate with growth. The DEARA Minister and I met earlier this year to discuss this matter and opportunities for partnership working. As such, officials are currently exploring a range of options and solutions to enhance our infrastructure, improve lives and tackle the climate emergency, particularly, in the context of COVID-19 recovery plans.

**Miss Woods** asked the Minister for Infrastructure, pursuant to AQW 4086/2017-22, whether the proactive management of the environmental aspects of the A6 construction project includes an assessment of the cumulative effects of any environmental harm that has been caused by the numerous pollution events of the River Faughan Special Area of Conservation.  
(AQW 4347/17-22)

**Ms Mallon:** Prior to construction of the A6 Dungiven to Drumahoe scheme commencing, the cumulative effects were considered in the Environmental Impact Assessment and Habitats Regulations Assessment. These documents, and associated sampling, established the baseline environmental conditions. The contract subsequently required the collection of water samples to monitor the level of suspended solids throughout the construction phase of the works. This enables the impacts of the contractor's activities and the scheme to be monitored.

The Department is aware of the potential for cumulative impacts on the environment due to pollution incidents. In order to help manage this, an Environmental Regulators Forum was set up by NIEA in February 2020, to provide greater oversight by the various relevant units in NIEA. Loughs Agency also attend, along with officials from my Department and staff from

the contractor. Also, as a direct result of the pollution incidents that have occurred and their potential to cause cumulative impacts, NIEA has established a Major Client Interface Group, to coordinate the environmental matters on the project. This group is chaired by a senior official from NIEA.

**Mr Boylan** asked the Minister for Infrastructure for an update on the (i) Armagh North and West Link road; and (ii) Armagh East Link road.  
(AQW 4351/17-22)

**Ms Mallon:** Whilst I am currently faced with serious and challenging budget constraints, I am committed to working to find solutions that deliver better for our communities and improve lives across Northern Ireland. In this respect, I recognise that many in the local community support the proposed Armagh East Link and Armagh North and West link schemes

My Department is currently developing proposals for a new Regional Strategic Transport Network Transport Plan which will set out the priorities for future development of the main road and rail network. In particular, I am considering my long term priorities for strategic road improvement schemes, including the Armagh schemes, and how they might facilitate complementary improvements to promote sustainable travel choices, connect people and communities and create thriving and liveable places. The Draft Regional Strategic Transport Network Transport Plan will be issued for public consultation.

**Mr Lynch** asked the Minister for Infrastructure for an update on the Sligo to Enniskillen greenway.  
(AQW 4356/17-22)

**Ms Mallon:** The proposal for a greenway from Enniskillen to Sligo was developed by Fermanagh and Omagh District Council (FODC). It was submitted for funding under the INTERREG Va programme in 2016 but was unsuccessful.

When my Department invited Expressions of Interest for funding under the Small Grants for Greenways Programme around the same time in 2016, Fermanagh and Omagh District Council did not include Enniskillen to Sligo in its submission. The Council did receive grant funding of £16,000 for the development of greenway feasibility studies for two routes: Enniskillen to Clones; and, Omagh to Carrickmore.

The Sligo to Enniskillen greenway is mentioned in New Decade, New Approach as an example of the kind of cross-border project that shows potential for development. I am currently considering carefully how I can assist in the development of greenways as part of my vision to enable greater sustainable transport options that connect communities, tackle the impact of climate change and improve lives.

**Mr Allister** asked the Minister for Infrastructure, in light of small groups being able to meet outside, whether planning site meetings can resume for applicants seeking to make relevant onsite representations.  
(AQW 4360/17-22)

**Ms Mallon:** The Health Protection (Coronavirus Restrictions) Regulations (NI) 2020, as amended, allow for up to six people not from the same household to meet outdoors. It is also permitted to leave the place where a person normally lives for this purpose, to participate in an outdoor activity, or for the purposes of work.

It is a matter for each planning authority to ensure that any such meetings that are arranged comply with the Regulations and that social distancing is observed at all times.

**Mr Muir** asked the Minister for Infrastructure to outline (i) when she intends to set the terms of review with regards to the implementation of the Planning Act (Northern Ireland) 2011; and (ii) a timescale for the publication of a report.  
(AQW 4376/17-22)

**Ms Mallon:** Due to the current COVID 19 pandemic my priority has been taking through a number of pieces of legislation that will help address immediate issues faced by the public during these challenging times. I intend to look at setting the terms of the review and aim to bring a draft statutory rule to the Infrastructure Committee before summer recess, if possible. Whenever the terms have been set and the regulations made, my aim is to publish the report as soon as is practicably possible.

**Mr Boylan** asked the Minister for Infrastructure to outline the measures that will be taken to ensure (i) worker; and (ii) customer safety on public transport.  
(AQW 4385/17-22)

**Ms Mallon:** Translink continues to engage and take advice from the Public Health Authority on the appropriate measures to be taken to protect staff and customers using Public Transport. A wide range of controls have already been implemented proactively by Translink, with a clear focus on the safety, health and well-being of both customers and staff. These measures include enhanced cleaning and sanitisation of buses, trains and stations; implementation of social distancing signage, guidance and controls across the network; additional protection for Translink staff including protective screens and additional Personal Protection Equipment (PPE) and customer messaging via multiple channels including press and social media. It has also implemented a series of controls at all stations including signage, queuing systems, one-way passenger flows and the provision of hand sanitiser units for customer's at all main facilities. On vehicles, additional signage, provision of protective screens on bus driving cabs and addition staff PPE have been introduced.

In addition my Department is in the process of developing safer travel guidance. I am also actively exploring making the use of face coverings mandatory and am working with the unions and my Ministerial colleagues on this. I hope to be in a position to make an announcement very soon.

**Mr McNulty** asked the Minister for Infrastructure for an update on work to promote North-South connectivity.  
(AQW 4387/17-22)

**Ms Mallon:** Improving connectivity between the north and south of Ireland is a key priority for me as it provides opportunities for increased social inclusion, enhanced economies and an improved environment. In line with this and the commitments within the New Decade New Approach, I intend to engage with my southern counterpart, through the North South Ministerial Council, to discuss the improvement of the transport links by both rail and road.

In addition, you will be aware that Translink provides the Enterprise Rail Service on the Eastern Seaboard Corridor of Ireland connecting Belfast, Portadown, Newry, Dundalk, Drogheda and Dublin. Cross Border Express Coaches are also provided on a number of cross border routes providing connectivity from a range of locations across the North of Ireland. In addition there are a number of local bus services which provide cross border services.

The delivery of the A5 dual carriageway, which is specifically referenced in the New Decade, New Approach deal will greatly improve connectivity between the North West and Dublin. A Public Inquiry into the scheme concluded on 13 March 2020. I am awaiting the report from this Public Inquiry and I hope to be in a position to consider its findings later this year.

A new Regional Strategic Transport Network Transport Plan (RSTNTP) is currently being prepared. It will set out future investment and improvement for our strategic transport networks, by road, rail and bus, including key links for cross-border services.

**Mr McCrossan** asked the Minister for Infrastructure for an update on plans to address regional imbalance.  
(AQW 4394/17-22)

**Ms Mallon:** As I am sure you will appreciate, my Department's primary focus over the last number of months has been to support the Executive's fightback against the Covid-19 pandemic.

However, as we start to look towards a green recovery, we must ensure that it is underpinned by modern and sustainable water, drainage and transport infrastructure. This is the only foundation upon which improved connectivity and sustainable, regionally balanced growth can be achieved.

The fact remains that too many parts of Northern Ireland are still not realising their potential and there are very significant socio-economic differentials across the North, particularly in urban areas of Belfast, the North West and across a number of our rural areas too.

There are many reasons for that and addressing this is a challenge for the Executive collectively. It will require action on a range of fronts including innovation; entrepreneurship; skills; and no less important – building the confidence and self-belief of our businesses and communities. But these cannot be delivered if we fail to address the water, sewerage and transport infrastructure deficits that exist in these areas.

The quality of the transport infrastructure across the North impacts on investor confidence. That is why our investment in key projects – such as the A5, A6, North West and Belfast Transport Hubs and our rail network - are so important if we are to address a key barrier to economic growth across all parts of Northern Ireland. I can assure you that I remain committed to progressing these projects as much as possible during my tenure as Minister so that as an Executive, we can address the existing regional imbalance.

**Mrs D Kelly** asked the Minister for Infrastructure to detail the financial pressures facing NI Water.  
(AQW 4396/17-22)

**Ms Mallon:** NI Water is reporting significant financial pressures, both in 20/21, and beyond into the next Price Control (PC21) period from 2021 – 2027. The economic and social consequences of the COVID – 19 pandemic has created an immediate resource pressure in this financial year, estimated at some £31.6m. In terms of the detail, this pressure is made up from the following:

- Reduced income from paying customers: NI Water is expecting to lose up to £22m from paying non domestic customers that had been mandated to close under government guidance, and an increase in bad debt. This includes budget cover to defer the water charges increase for 20/21, a position that I will review again in October.
- Operational costs: NI Water is estimating an increase of £4.6m in operational costs, as a result of adapting working practices to manage COVID-19, with large amounts of PPE required, changes made to staffing patterns and IT provision for home working. People are also using more water during the COVID-19 crisis and recently, NI Water has also had to work around the clock to keep taps running during hot weather, when usage spiked to over 20% higher than normal demand.
- Pension scheme: NI Water's pension scheme will require an additional £5m cash payment to ensure that the scheme is fully funded. The drop in scheme value is an impact of market conditions as a direct consequence of the COVID-19 pandemic.



NIW is also facing further unfunded costs of £3m in 2020/21, mainly from the rates revaluation carried out by the Department of Finance and estimated additional costs in preparation for Brexit of £2.3m. I have bid for this funding and for the COVID pressures as part of the COVID reprioritisation exercise and June monitoring.

In the longer term, NI Water is reporting a requirement of around £2.3bn in capital budget, in PC21, to invest in the major infrastructure improvements which our people deserve. Set against a budget allocation of around £930m in the current Price Control (PC15), this is a significant increase. However without that level of funding, NI Water will not be able to deliver the level water and wastewater service improvement required to sustain good public health, help the economy recover and to protect our environment.

**Ms Hunter** asked the Minister for Infrastructure for an update on her plans to boost Active Travel opportunities.  
(AQW 4435/17-22)

**Ms Mallon:** As the Member will be aware, I recently announced the creation of a Walking and Cycling Champion in my Department with responsibility for spearheading work to embed active travel across my Department so that we give people the freedom and confidence to walk and cycle as part of their everyday routine. I have also established a Walking and Cycling Advisory Group with representatives from a wide range of public and voluntary sector organisations. The purpose of the group is to discuss areas of interest and provide me with advice to ensure that the initiatives we take and the infrastructure we build supports communities during these unprecedented times.

I am committed to working towards reimagining and reshaping our spaces to accommodate cycling, walking and active travel as part of an ambitious Executive recovery plan. Building a better future that delivers more for our citizens, socially and economically, delivering cleaner, greener and healthier communities.

I am working with Belfast City Council, Derry City and Strabane District Council and Newry, Mourne and Down Council to explore options for improving walking and cycling provision. I have also written to all Councils to see if they can identify any more areas for improvement across the North.

In addition, I am considering carefully how I can assist in the development of greenways as part of my vision to enable greater sustainable transport options that connect communities, tackle the impact of climate change and improve lives.

My Department continues to operate under challenging budget constraints and the current COVID-19 emergency has added additional load to that budget. However, I am keen to take decisions in relation to funding of my various priorities as soon as possible.

**Miss McIlveen** asked the Minister for Infrastructure to outline (i) what plans she has to reintroduce driving tests; and (ii) how the Driver and Vehicle Agency will deal with the backlog of tests that were already in the system, pre COVID-19.  
(AQW 4446/17-22)

**Ms Mallon:** The Driver and Vehicle Agency (DVA) suspended all practical driving tests from 20 March until 22 June 2020 as it is not possible to deliver them safely and adhere to current Public Health Agency advice and guidance on social distancing.

I know that this is currently causing inconvenience and concern to some customers. I will, of course, continue to keep this position under review with the aim of reintroducing practical driving tests as soon as it is safe to do so, taking account of guidance on social distancing and in line with the Executive's Pathway to Recovery. The priority is keeping staff and customers safe and for this reason I do not expect the DVA to be able to commence driving tests from 22 June and it is likely to be some time before they are in a position to reinstate this service safely. As soon as practical driving tests can be resumed safely, I will move to do so and to ensure there is clear communication to affected customers.

All driving tests up to 22 June have been cancelled and customers have had their fee refunded. The DVA holds a list of essential workers whom they will contact when driving tests resume to prioritise their appointments. All other customers will need to re-book their test when the service is reinstated.

**Ms Bailey** asked the Minister for Infrastructure, in light of her announcements around innovative green infrastructure to support recovery and to accommodate social distancing, and given the number of multi-car collisions in the area, whether she plans to install a pedestrian crossing on the Ravenhill Road at Cherryvale Park.  
(AQW 4483/17-22)

**Ms Mallon:** In my previous announcements, I have underlined my commitment to connecting communities and encouraging more active travel to create a greener environment and to tackle the impact of climate change. It is very important to maximise our efforts in making our roads and footways safer for all users, particularly during these unprecedented times.

There have been a number of requests for a pedestrian crossing on Ravenhill Road at Cherryvale Park over the past few years. Most recently, my officials carried out an assessment for the provision of a pedestrian crossing at this location in February 2020. The results of this assessment places this location at 61st on the prioritised list of potential sites assessed for a controlled crossing in the Belfast area. Given funding pressures against the high level of requests, it is unlikely that any works will be carried out in the short term. I have however asked officials continue to keep this location on their list and under review.

**Miss Woods** asked the Minister for Infrastructure to detail (i) whether capital funding for greenways will be released in the current financial year; and (ii) which greenway projects will benefit from the funding..

**(AQW 4528/17-22)**

**Ms Mallon:** I am carefully considering how I can assist in the development of greenways as part of my vision to enable greater sustainable transport options that connect communities, tackle the impact of climate change and improve lives and hope to be in a position to announce my approach shortly.

From experience gained elsewhere, there is a considerable amount of work required in preparing schemes for construction including community consultation, planning permission and land issues. I would encourage all Councils to continue their preparatory work so that they are able to proceed to construction as soon as possible.

**Miss McIlveen** asked the Minister for Infrastructure when the Driver and Vehicle Agency will recommence the issue of Compulsory Basic Training certificates.

**(AQW 4600/17-22)**

**Ms Mallon:** Following the Government's decision to introduce measures to delay the spread of Covid-19 in March, the Driver and Vehicle Agency (DVA) suspended all testing services. DVA counter services were also subsequently suspended and this prevented the normal provision of Compulsory Basic Training (CBT) certificates to authorised CBT trainers.

I am pleased to confirm that this service has now been reinstated and officials have contacted authorised trainers to make arrangements with them to safely collect fresh supplies of CBT certificates.

For further queries regarding CBT certificates trainers should contact the DVA at [DVA.AMI@infrastructure-ni.gov.uk](mailto:DVA.AMI@infrastructure-ni.gov.uk) .

## Department for the Economy

**Ms Sugden** asked the Minister for the Economy how her Department is supporting businesses, in particular small and medium enterprises and those businesses most likely to be impacted, in the event of a delay phase in response to COVID-19. **(AQW 3581/17-22)**

**Mrs Dodds (The Minister for the Economy):** The Department has launched three schemes to support businesses during the COVID-19 pandemic.

The Small Business Support Grant scheme provided a £10,000 grant to businesses who are in receipt of Small Business Rates Relief or Industrial Derating, and who have a Total Net Annual Value of £15,000 or below.

The £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme provided a grant to businesses in those sectors who have a Total NAV of between £15,001 and £51,000.

The NI Microbusiness Hardship Fund opened on 20 May 2020 offering up to £10,000 of support to businesses with one to nine employees facing immediate cash flow difficulties due to Covid-19.

Further details on these scheme as well as UK-wide schemes such as the Coronavirus Job Retention Scheme are available at <https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>.

**Mr McCrossan** asked the Minister for the Economy whether a funding package will be given to businesses to offset the financial challenges they may face due to COVID-19.

**(AQW 3658/17-22)**

**Mrs Dodds:** Please refer to the answer provided for AQW 3581/17-22 for this information.

**Mr Chambers** asked the Minister for the Economy for her assessment of the impact on the local economy of the COVID-19 outbreak and what interventions she is planning to offset the damaging effects on many businesses.

**(AQW 3705/17-22)**

**Mrs Dodds:** The economic impact of Covid-19 is unprecedented. Initial assessments of the NI economy suggest overall output is potentially running 25% to 30% below normal. Local independent forecasts suggest that our economy could shrink by something in the region of 7% to 10% in 2020.

It is estimated that the number of workers directly impacted by the shutdown could be over 200,000. While the shutdown of many local industries has resulted in the widespread furloughing of workers, there might still have been 25,000 job losses, and given the massive spike in Universal Credit claims it could even be more than this. There is every chance that the young and the lowest earners will be hardest hit. That is the early indication from this recession, and it would be a trait of many recessions of the past.

Since March 2020, my Executive colleagues and I have launched a number of support packages to help support businesses, protect jobs and promote economic recovery. As we move towards planning for economic recovery, we will continue to work to mitigate the worst impacts on our economy by protecting as many livelihoods as possible.

To date, my Department has launched three schemes to support businesses during the COVID-19 pandemic. The £10,000 Small Business Support Grant scheme and the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme closed on 20 May 2020 and have to date provided almost £300 million of support to businesses during this difficult time. Additional details of these schemes can be found here:

[https://www.nibusinessinfo.co.uk/sites/default/files/Coronavirus\\_Business\\_Support\\_Schemes\\_01\\_June\\_2020.pdf](https://www.nibusinessinfo.co.uk/sites/default/files/Coronavirus_Business_Support_Schemes_01_June_2020.pdf)

The NI Microbusiness Hardship Fund, administered by Invest NI, opened on 20 May 2020 offering up to £10,000 of support to businesses with one to nine employees facing immediate cash flow difficulties due to Covid-19. To date over 2,000 applications have been submitted and are under consideration. Applications for this scheme will close on 12 June 2020.

Invest NI is providing advice and guidance to Businesses across Northern Ireland via their dedicated Business Support Helpline and is taking specific action to try and best support businesses including launching a series of Covid-19 response webinars.

InterTradeIreland has provided support for cross-border SMEs by amending its programme delivery to provide targeted support to companies affected by the crisis to assist with the immediate response, as well as to provide support for the future re-emergence of companies once lockdown restrictions start to ease. New initiatives include e-commerce support for cross-border traders, and an emergency business support scheme to help companies complete risk assessments to navigate their way through the crisis.

Additionally there are a range of UK wide measures available to SMEs such as the Coronavirus Job Retention Scheme and the Bounce Back Loan scheme. Further info can be found at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>

A top priority for the Executive will be to put in place the conditions through which we can take our first steps to restart our economy safely and adjust to the new normal.

These steps will be gradual and in stages. At every stage we will work with the Minister for Health to ensure the steps we are taking are cognisant of the scientific advice. Further information on the course for recovery can be found here - <https://www.economy-ni.gov.uk/publications/charting-course-economy>.

**Mr McCrossan** asked the Minister for the Economy whether her Department will provide a loan scheme for small businesses impacted by COVID-19.

**(AQW 3806/17-22)**

**Mrs Dodds:** There are no specific plans for the Department to provide a loan scheme. However, the Chancellor has announced the Bounce Back Loan scheme, which offers loans between £2,000 and £50,000 to small and medium sized businesses, and the Coronavirus Business Interruption Loan scheme which provides loans up to £5 million to similar sized businesses.

These loan schemes supplement other regional and UK-wide schemes such as the Business Support Grant schemes and the Self-Employment Income Support Scheme. Details of all these schemes can be found at <https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>.

**Mr Robinson** asked the Minister for the Economy what help is being made available to small and medium-sized enterprises to help them survive the COVID-19 pandemic.

**(AQW 3831/17-22)**

**Mrs Dodds:** The Department for the Economy has launched three schemes to support businesses during the COVID-19 pandemic.

The £10,000 Small Business Support Grant scheme provided a £10,000 grant to businesses who are in receipt of Small Business Rates Relief or Industrial Derating, and who have a Total Net Annual Value (NAV) of £15,000 or below. This scheme closed on 20 May 2020.

The £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme provided a grant of £25,000 to businesses in those sectors who have a Total NAV of between £15,001 and £51,000. This scheme closed on 20 May 2020.

To date almost £300 million of support has been provided to businesses through the £10,000 Small Business Support Grant scheme and the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme.

The NI Microbusiness Hardship Fund, administered by Invest NI, opened on 20 May 2020 offering up to £10,000 of support to businesses with one to nine employees facing immediate cash flow difficulties due to Covid-19. To date over 2,000 applications have been submitted and are under consideration. Applications for this scheme will close on 12 June 2020.

Invest NI is providing advice and guidance to Businesses across Northern Ireland via their dedicated Business Support Helpline and is taking some very specific action to try and best support businesses including launching a series of Covid-19 response webinars. Information on all current support available for businesses, including on UK-wide schemes, tax relief, loans and advice for the self-employed, can also be found at <https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>.

InterTradeIreland has provided support for cross-border SMEs by amending its programme delivery to provide targeted support to companies affected by the crisis to assist with the immediate response, as well as to provide support for the future

re-emergence of companies once lockdown restrictions start to ease. New initiatives include e-commerce support for cross-border traders, and an emergency business support scheme to help companies complete risk assessments to navigate their way through the crisis.

There are a range of UK wide measures available to SMEs such as the Coronavirus Job Retention Scheme and the Bounce Back Loan Scheme. Further information can be found at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>

**Mr Robinson** asked the Minister for the Economy what protections are being put in place to protect self-employed individuals who will be adversely affected by COVID-19.

**(AQW 3832/17-22)**

**Mrs Dodds:** On 5 May 2020 I announced the development of the NI Microbusiness Hardship Fund to help micro-businesses and social enterprises who have been unable to access other regional and national support measures. My Department will make up to £40 million available through this fund, which is being administered by Invest Northern Ireland.

Self-employed people who employ at least one other person are able to apply for the fund. An Eligibility Checker and the application portal are available at <https://www.nibusinessinfo.co.uk/content/coronavirus-ni-micro-business-hardship-fund>. Applications can be made until 12 June 2020.

In recognition of the issues being faced by business owners, including the self-employed, the Minister of Finance announced a 3 months rates holiday for all

businesses in Northern Ireland to support them at this unprecedented time. In effect, this rates holiday, which has resulted in all businesses paying zero rates in April, May and June, has reduced the annual billable amount by 25% for each business, after all other reliefs have been applied. The Minister also recently extended the rates holiday by one month for all businesses and for the remainder of this financial year for businesses in hospitality, tourism and leisure sectors, retail (excluding certain supermarkets and off-licences), childcare facilities and Belfast City Airport, Belfast International Airport and the City of Derry Airport.

Other means of support are offered on a UK-wide basis. The Chancellor has announced the Self-employed Income Support Scheme. This offers 80% of trading profits up to a maximum of £2,500 per month for 3 months. Other support is available such as HMRC Time to Pay and Income Tax Deferral. Further details are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

**Mr Dickson** asked the Minister for the Economy whether her Department is considering potential financial support measures for businesses to assist with implementing social distancing measures going forward.

**(AQW 4036/17-22)**

**Mrs Dodds:** On 28th March 2020, the First Minister and Deputy First Minister announced a series of enhanced containment measures, agreed by the Executive, designed to restrict the spread of the Coronavirus. This included the publication of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020.

In addition, the Executive and the UK government have since introduced a number of interventions and packages of financial support to help those who have been affected by the consequences of Covid-19, including a £370m Grant Scheme to support small and large businesses alike.

As of the end of May 2020, more than 25,000 business had received payments of either £10k or £25k to help mitigate the financial impacts of Covid-19 on their business, totalling almost £300m of government assistance thus far.

The Executive has also established a new and very representative multi-stakeholder NI Engagement Forum (the Forum), to advise on how best to manage the challenge of Covid-19, as it applies to the NI Economy / Labour Market.

The Forum have worked collectively and collaboratively in a short space of time to produce a number of documents, including the following:

- A framework of priority sectors/sub sectors; and
- An Emergency Code of Practice offering practical assistance to essential businesses and their workforce to comply with the Health Protection Regulations and Public Health Authority (PHA) and Health and Safety Executive (HSE) guidance.

The Code of Practice offers practical advice and guidance on safe working practices, including social distancing, as it applies to the working environment.

The Forum is now taking forward a piece of work, aimed at developing 'principles' on restarting the economy. Once again, advice on the importance and specific considerations required, in relation to social distancing measures, are likely to feature prominently.

I have raised this issue with the Business Secretary and will continue to make the case for NI businesses in need of support. Also, officials from my Department are working closely with the Department of Business, Energy & Industrial Strategy (BEIS), as they start to examine in detail, the impacts and challenges facing businesses as they look to implement necessary measures, such as social distancing. This will help to inform future decision making in Northern Ireland.

Applying social distancing measures will place an additional financial burden on many employers and businesses. There will be requests for Government financial assistance to mitigate these operational costs, for example, changing/altering layouts, shift allowance payments, procuring Personal Protection Equipment (PPE) and increased cleaning of premises.

I am not in a position to confirm whether additional financial support will be made available, specifically to support social distancing measures, however, I can confirm that the Executive, along with all stakeholders from across every sector of our society, including those on the aforementioned NI Engagement Forum, share a common goal:

“To deliver a strong, competitive and regionally balanced economy with more people working in better jobs through all phases of the COVID-19 pandemic and within the context of EU Exit.”

In working towards this goal, the health, safety and well-being of our current and future workforce, will be paramount.

**Mr Dickson** asked the Minister for the Economy, for each of the COVID-19 business support schemes her Department has responsibility for, to detail (i) the number of applications; (ii) the number of successful applications; (iii) the number of applications still waiting to be processed; and (iv) the average waiting time from application to the payment of funds.  
**(AQW 4106/17-22)**

**Mrs Dodds:**

#### **£10,000 Small Business Support Grant**

For the £10,000 Small Business Support Grant Scheme, 6,775 payments were made automatically to eligible businesses, in receipt of Small Business Rate Relief, whose direct debit details were held by Land & Property Services for ratings purposes. 15,955 applications were submitted via an online web portal.

Of these web portal applications a total of 13,385 have been successfully paid to date.

There are 2,570 applications still being processed. There are also an additional 1,279 applications which were made through a separate online rental portal, These require additional checking to ensure the business, and not the landlord, receives the grant.

LPS has advised that it is not possible to calculate an average waiting time between application and payment. The range of waiting times is between three days and eight weeks, with the length of time required in each case driven by the complexity of the issues which need to be resolved before the payment can be released.

#### **£25,000 Business Support Grant**

For the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme, 3,624 applications were received before the scheme closed on 20 May 2020. This figure includes 686 duplicate and ineligible applications.

As of 26 May 2020, 2,890 applications have been approved for payment. A further 34 applications are still to be processed.

The average waiting time from receipt of application to approval for payment is 13 days. Payment may take an additional three to five days to reach the applicant's bank account.

A further breakdown of the number of applications, successful applications and applications being processed is published in the 'Operation of the scheme by council, constituency and sector' section on the following webpage - <https://www.nibusinessinfo.co.uk/content/coronavirus-£25000-retail-hospitality-tourism-and-leisure-grant>.

This data is updated on a regular basis

**Mr O'Dowd** asked the Minister for the Economy (i) how many complaints have been made to the Health and Safety Executive about business premises in Upper Bann, regarding social distancing and other COVID-19 related concerns of employees or others, since 1 March 2020; (ii) how many on-site inspections have been carried out in the same period; and (iii) what number of prohibition notices have been issued.

**(AQW 4121/17-22)**

**Mrs Dodds:** There have been 127 complaints lodged with HSENI relating to businesses in the Upper Bann area. 93 of these related to premises which fall under the remit of HSENI and 34 were passed to the local authority (who have responsibility for retail, office (non-government) and leisure businesses). In the period 7 sites in the Upper Bann area were visited. There were no prohibition notices served. HSENI will use enforcement action where necessary, but will always seek to engage with employers and staff to ensure that things can be resolved swiftly. With complaints relating to social distancing, measures can frequently be implemented swiftly to ensure staff are kept safe.

**Ms McLaughlin** asked the Minister for the Economy whether she will give a commitment to the appointment of representatives from the north west to her reformed economic advisory group to assist the group in developing policies to redress existing economic imbalances.

**(AQW 4152/17-22)**

**Mrs Dodds:** The Economic Advisory Group is being re-established to assist me in developing a new economic strategy and to provide ongoing advice on how to grow our economy. Members will be appointed on the basis of their knowledge,

experience and expertise, and will be expected to act and advise on the wider Northern Ireland economy interests rather than their own sectoral or geographical interests.

**Mr O'Dowd** asked the Minister for the Economy to detail (i) how many businesses in Upper Bann have successfully applied for the £10,000 Small Business Grant and the £25,000 Hospitality, Leisure and Tourism grant; (ii) the total amount awarded for those grants; (iii) how many businesses in Upper Bann were unsuccessful in their applications to both schemes; and (iv) how many businesses were successful in appealing the original decision to refuse them a grant.

**(AQW 4193/17-22)**

**Mrs Dodds:** For the £10,000 Small Business Support Grant, 1,419 businesses in the Upper Bann Parliamentary Constituency have been paid grants as of 26 May 2020, totalling £14,190,000. Some of these payments were made against applications to the online portal. Other payments were made to businesses without application where bank details are held against a Direct Debit in the Land & Property Services (LPS) rating system.

The £10,000 Small Business Grant Scheme closed on 20th May 2020. LPS are still processing the applications, and therefore unsuccessful outcomes have not been communicated in full.

For the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme, 188 businesses have been paid grants in the Upper Bann Parliamentary Constituency as of 26 May 2020, totalling £4,660,000. A total of 50 applications have been rejected in the constituency as of 26 May 2020.

A total of 36 appeals have been received to date for both schemes. The appeals are currently being processed although no decisions have been made as of 26 May 2020. Therefore a breakdown of appeals by constituency is not available at present.

**Mrs Barton** asked the Minister for the Economy whether they will ensure that businesses with multiple properties will receive support through (i) the Small Business Grant; and (ii) the Retail, Hospitality, Tourism and Leisure Grant for each property.

**(AQW 4201/17-22)**

**Mrs Dodds:** The Executive launched the £10,000 and £25,000 Business Support Grant Schemes to support businesses that were experiencing financial hardship as a result of the Covid-19 pandemic with the overarching aim of protecting jobs, preventing business closures and promoting economic recovery.

The grant schemes were designed to extend the benefit of the grant payments to as many eligible businesses as possible within the funding envelope allocated to support the delivery of the schemes.

There is limited funding available for the schemes and the Executive has taken the decision, at this stage, to limit eligible businesses with multiple premises to one payment so that support could be offered to all potentially eligible businesses.

My Executive colleagues and I will continue to work to identify the best means of offering support to as many local businesses as possible within the available funding envelope as we move towards putting in place a pathway to economic recovery.

**Mr Dickson** asked the Minister for the Economy whether her Department has invited airlines which serve Northern Ireland to be part of the Tourism Recovery Steering Group.

**(AQW 4234/17-22)**

**Mrs Dodds:** I have established a Tourism Recovery Taskforce consisting of a Steering Group which I chair, and a Working Group chaired by John McGrillen, Chief Executive of Tourism NI. The Working Group oversees ten work streams, one of which focuses on air and sea connectivity. A 'Task and Finish' Group has been formed to take forward this work stream, which includes members from British Airways, EasyJet and Loganair. Ryanair have also been invited to attend the Group. The Task and Finish Group is chaired by Albert Harrison, the chairman of City of Derry Airport.

**Mrs D Kelly** asked the Minister for the Economy what contingency plans are in place should universities be unable to open in September 2020.

**(AQW 4247/17-22)**

**Mrs Dodds:** Northern Ireland's higher education institutions are autonomous and as such are responsible for own contingency planning. However, the institutions have shared the following information regarding their plans for the coming academic year. Information regarding The Open University is not included as provision is already delivered online.

#### **Ulster University**

Ulster University confirmed on Wednesday 27 May 2020 to students, prospective students, staff, and wider stakeholders that the first term of academic year 2020/21 will commence on 21 September 2020 with plans to deliver lectures and other teaching online for semester one.

Ulster University are currently re-designing aspects of the University's usual Welcome Week programme for first years for this new online context.

Where it is safe to do so, the University will be exploring other face to face activities that can be held on campus following a robust risk assessment. Priority will be given to using campus spaces for practice-based learning activities including lab work.

Ulster University will also open sporting, catering, and other facilities as soon as it is safe to do so in-line with public health guidance and restrictions. In the meantime, there are a range of options for online programs and classes available.

Ulster University staff members who can work from home will continue to do so until at least the end of August and after the summer, the University will look to move to a phased, managed return of all staff within public health guidelines and with the health, safety and wellbeing of staff and students as its primary concern.

In order to actively plan for the return of some campus-based activities, there will be a safe, phased return to campus for some staff in early summer. Ulster University's People & Culture team will be on hand to inform and support those colleagues through this transition.

### **Queen's University, Belfast**

Queen's University has produced a draft working document outlining three main options for the re-entry of students on 21 September 2020. These options include: 1.) face to face teaching with measures of social distancing and blended learning; 2.) an option to graduate teaching to different groups of students taking account of social distancing and blended learning; and 3.) a contingency plan to move to online learning should physical re-entry not be feasible at that time.

The first option is the University's preferred course of action.

The document is in working draft form and out for consultation and should be agreed in the next few weeks.

### **Stranmillis University College**

Stranmillis has advised that their key priorities are as follows:

- 1 The health, welfare, and safety of the College community.
- 2 The continued provision of a high-quality learning and teaching experience for all students, and the maintenance of quality standards.
- 3 The continued provision of a high-quality broad all round educational experience for all students.

At present the College is preparing a contingency plan that will see the College open in September using a blended learning approach with small groups on campus at any given time. Priority will be given to first year students coming on campus as on-campus experience is particularly important to enable them to adjust to third level study.

Strict social distancing, sanitization and cleaning regime will be in place. This means that:

- All lecture materials will be online;
- Blended/Interactive learning for other classes as standard;
- Online delivery of practical/workshop classes if possible with the postponement of other practical classes to Semester 2, with priority given to on-campus delivery to Year 1 in Semester 1;
- In line with social distancing, consider rotated classes on campus;
- Online assessment and feedback to students;
- Online evaluations as standard;
- Placements postponed to Semester 2 for all but Year 1 (and possibly Year 4) students;
- There would be an appropriate cleansing regime put in place for areas of common use e.g. IT facilities, library, learning resource areas; and
- Staggered break and meal times to alleviate mass gathering in certain places and alleviate the pressure on bathroom facilities.

Work is currently being done to assess the protocols and systems required to allow for the effective and efficient recommencement of restricted on-campus activity. However at the same time planning is underway to provide an effective connected learning approach for students in the event of on-site delivery being restricted or not permissible.

### **St Mary's University College**

St Mary's is planning for two possible scenarios from September 2020:

- 1 Students on campus with social distancing and a hybrid approach to learning and teaching which might involve the prioritisation of students taking practical subjects or a particular year group.
- 2 Online delivery of tuition, library service and student support/ guidance.

If the College is unable to open, they are planning for scenario 2. In this case, there will be:

- Interactive delivery for small groups (which are very common at the College);
- Google Classrooms, or equivalent, attached to each module;
- Online delivery of lectures to large groups;
- Formal assessment up to December 2020;
- Online access to Student Guidance and the Library; and
- Revisions to placement learning arrangements.

I trust you find this information helpful.

**Mr Allister** asked the Minister for the Economy what is her assessment of the economic impact of the proposed steps to implement the EU Withdrawal Agreement Protocol on Ireland and Northern Ireland at the ports of Northern Ireland.  
**(AQW 4272/17-22)**

**Mrs Dodds:** Work produced previously by the Department has emphasised that the long term outcome for Northern Ireland will depend greatly on two things.

These were the practicalities around the trading relationship with GB, and the relationship that the UK and the EU negotiated.

While I am obviously keen for successful outcomes to both of these key questions at this stage there is still much detail to be filled in on the first point, while on the second point we do not have a conclusive approach emerging from the EU negotiations as yet.

Until clarity emerges on both these points any assessment will be speculative.

**Mr Stewart** asked the Minister for the Economy to outline the process for her Department to seek and gain approval, from a public health perspective, for reopening sectors of the economy.  
**(AQW 4300/17-22)**

**Mrs Dodds:** My Department produced a range of material, since published, to set out our wider plans on reopening the economy in a staged manner. This is available at: <https://www.economy-ni.gov.uk/publications/charting-course-economy>.

Separately the Northern Ireland Executive agreed an approach to reviewing the restrictions and requirements in the Covid-19 regulations. This included a decision-making framework and a structured process for withdrawing or amending restrictions or requirements.

In line with the agreed approach, the proposals to amend the regulations to give effect to a subset of changes within the retail sector were subsequently submitted to the Department of Health for an assessment of the risks, impacts and the potential for a recommendation to the Executive.

Ultimately decisions on this and other proposals are made by the Executive on the recommendation of the Minister for Health, taking account of the scientific advice.

**Mr Easton** asked the Minister for the Economy to detail what discussions and actions are taking place to increase flight connectivity between Northern Ireland and the United Kingdom following the collapse of Flybe.  
**(AQW 4308/17-22)**

**Mrs Dodds:** Maintaining air connectivity with the GB mainland is critical, especially during this COVID-19 crisis period. Hence, following the announcement on Friday 1 May, I am delighted that the lifeline passenger flights from the City of Derry Airport and Belfast City Airport (BCA) to London are being supported. I engaged with the UK Chancellor and both the Transport and Northern Ireland Office Secretaries of State to deliver this. I would also like to highlight the tremendous work that has been done by Belfast International Airport (BIA) to maintain our vital freight links with the world over this period.

As we move into the Recovery phase I welcome the announcement by Easyjet to recommence operations from the BIA later this month. I am also aware that the Chief Executive of Belfast City Airport has publicly stated his intention to secure new carriers to fill the routes previously operated by Flybe.

As you are aware civil aviation is a reserved matter for the UK Department of Transport (DfT) and I speak regularly with both DfT and Devolved Administration Ministers on transport issues, including air connectivity.

I have established a Tourism Recovery Steering Group to lead on the recovery of the NI Tourism Industry in response to COVID-19. Part of this work involves working with both airports and airlines to consider how we can enhance air connectivity, thereby growing inbound tourism.

At our meeting on 2 June 2020, I impressed upon the NIO Secretary of State the importance of NI's air connectivity with GB both during the pandemic and beyond as we build the economic recovery.

I have also requested that, once the pandemic has abated, the UK Government should suspend Air Passenger Duty (APD) for at least six months. It is my view that APD is an unfair tax that should be addressed at a national level, as it has a particularly detrimental impact on Northern Ireland passengers, due to our physical remoteness to mainland GB.

**Mr Easton** asked the Minister for the Economy what help can be provided for the single person, self-employed businesses across Northern Ireland.  
**(AQW 4309/17-22)**

**Mrs Dodds:** To date, my Department has provided almost £300 million of support through the £10,000 Small Business Support Grant scheme and the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme. Both schemes were available to the self-employed provided they operate out of business premises and other eligibility criteria were met.



I am aware that there are self-employed people who may not be able to avail of these schemes, such as those not operating out of business premises. Others may not be eligible for the Microbusiness Hardship Fund as they do not employ other people. I, along with my Executive colleagues, will continue to explore if further funding can be identified to help support as many local businesses as possible during this difficult time.

The majority of the self-employed will be eligible for the Self-Employed Income Support Scheme (SEISS). This is a national scheme open to those self-employed that have been adversely impacted by COVID-19. Under SEISS, Self-employed people can apply for a taxable grant worth 80% of trading profits up to a maximum of £2,500 per month for a three month period. Other means of support are offered on a UK-wide basis to the self-employed such as HMRC's Time to Pay and Income Tax Deferral. Further details of all these schemes are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

**Mr Easton** asked the Minister for the Economy what plans does her Department have to help stimulate the housing market across Northern Ireland once the COVID-19 pandemic is over.  
(AQW 4310/17-22)

**Mrs Dodds:**

### Introduction and Context

The COVID-19 pandemic has created unprecedented challenges and difficulties for society at large, and in particular, the local economy.

Each month of shutdown is akin to a large recession. The longer we face into these damaging economic impacts, the greater the risk of long-term scarring on our economy and society.

This is why I, along with my Executive colleagues, have commenced work on an economic recovery plan, to coincide with a five step pathway for us to emerge from lockdown in a safe and sustainable way; 'Coronavirus Executive Approach to Decision Making'.

The First and deputy First Minister have recently announced the first steps that we will be taking, providing the rate of transmission does not increase. This includes those employment sectors and businesses that can re-open, subject to safe working practices and other specific measures being in place.

I have also published my Department's analysis on how we can take our first steps to restart our economy safely. This is available at: <https://www.economy-ni.gov.uk/publications/charting-course-economy>

At every stage we will work with the Minister for Health to ensure the steps we are taking are cognisant of the scientific advice.

### The Housing Market

The housing market is an important issue with many component parts, straddling a number of different Executive departments, as well as various other statutory and non-statutory organisations.

The Department for Communities are the policy lead for housing in Northern Ireland, and I am aware that they are actively working with relevant partners and stakeholders on this matter. I welcome their lead on this important task. The Department of Finance, with responsibility for the Land and Property Services, is another key contributor in terms of opening up and revitalising the property market to a degree of normality.

However, as with all matters during this very difficult time, the Executive will work in a collective manner to ensure that the economic recovery is managed as safely and as swiftly as possible.

I am aware of the current desire and need to re-open some related sectors and services to kick start the housing market. Already many construction firms are starting to re-open and have their contractors and sub-contractors back on site, provided social distancing and safe working practices can be applied in all circumstances.

Representations have been made on behalf of other key players, including Estate Agents, Valuation Surveyors, as well as Residential Property and Building Control Surveyors. The Executive will consider these in line with the five step relaxation and recovery planning process and will make these decisions as soon as it is deemed safe and practicable to do so, based on all of the evidence and information available.

I do not underestimate how difficult a time this is for everyone in our society and no business or sector will be immune to the negative impact and consequences of this pandemic.

However, we do have to start looking towards and planning for the future, and this is of course relevant to the housing market, an area that has such far reaching and potentially positive knock on benefits for many sectors, businesses, employees, and of course families.

**Mr Dickson** asked the Minister for the Economy whether she intends to bring forward support for businesses where the sole employee is the business owner or company director.  
(AQW 4324/17-22)

**Mrs Dodds:** At present there are no plans to bring forward specific support for those businesses mentioned.

To date, almost £300 million of support has been provided through the £10,000 Small Business Support Grant scheme and the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme. Both schemes were available to businesses who met the scheme's eligibility criteria.

I am aware that there are self-employed people who may not be able to avail of these schemes, such as those not operating out of business premises. Others may not be eligible for the Microbusiness Hardship Fund as they do not employ other people. I, along with my Executive colleagues, will continue to explore if further funding can be identified to help support as many local businesses as possible during this difficult time.

Many other means of support are offered on a UK-wide basis. The Chancellor has announced the Self-Employed Income Support Scheme. This offers 80% of trading profits up to a maximum of £2,500 per month for 3 months. Other support is available such as the Bounce Back Loan scheme, HMRC's Time to Pay and Income Tax Deferral. Further details are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

**Mr Dickson** asked the Minister for the Economy whether her Department has had discussions with, or provided guidance to, Northern Ireland universities regarding the delivery of teaching online.

**(AQW 4326/17-22)**

**Mrs Dodds:** Northern Ireland's higher education institutions are autonomous and as such are responsible for the own policies regarding the delivery of teaching. However, the institutions have shared the following information regarding their plans for online teaching in the coming academic year. Information regarding The Open University is not included as provision is already delivered online.

#### **Ulster University**

Ulster University confirmed on Wednesday 27 May 2020 to students, prospective students, staff, and wider stakeholders that the first term of academic year 2020/21 will commence on 21 September 2020 with plans to deliver lectures and other teaching online for semester one.

Where it is safe to do so, the University will be exploring face to face activities that can be held on campus following a robust risk assessment. Priority will be given to using campus spaces for practice-based learning activities including lab work.

Ulster University staff members who can work from home will continue to do so until at least the end of August and after the summer, the University will look to move to a phased, managed return of all staff within public health guidelines and with the health, safety and wellbeing of staff and students as its primary concern.

In order to actively plan for the return of some campus-based activities, there will be a safe, phased return to campus for some staff in early summer. Ulster University's People & Culture team will be on hand to inform and support those colleagues through this transition.

#### **Queen's University, Belfast**

Queen's University has produced a draft working document outlining three main options for the re-entry of students on 21 September 2020. These options include: 1.) face to face teaching with measures of social distancing and blended learning; 2.) an option to graduate teaching to different groups of students taking account of social distancing and blended learning; and 3.) a contingency plan to move to online learning should physical re-entry not be feasible at that time.

The first option is the University's preferred course of action.

The document is in working draft form and out for consultation and should be agreed in the next few weeks.

#### **Stranmillis University College**

At present Stranmillis University College is preparing to open in September using a blended learning approach with small groups on campus at any given time. Priority will be given to first year students coming on campus as on-campus experience is particularly important to enable them to adjust to third level study.

Strict social distancing, sanitization and cleaning regime will be in place. This means that:

- All lecture materials will be online;
- Blended/Interactive learning for other classes as standard;
- Online delivery of practical/workshop classes if possible with the postponement of other practical classes to Semester 2, with priority given to on-campus delivery to Year 1 in Semester 1;
- In line with social distancing, consider rotated classes on campus;
- Online assessment and feedback to students; and
- Online evaluations as standard.

Work is currently underway to assess the protocols and systems required to allow for the effective and efficient recommencement of restricted on-campus activity. However at the same time planning is underway to provide an effective connected learning approach for students in the event of on-site delivery being restricted or not permissible.

#### **St Mary's University College**

If St Mary's College is unable to open in September, they are planning:

- Interactive delivery for small groups (which are very common at the College);
- Google Classrooms, or equivalent, attached to each module;
- Online delivery of lectures to large groups;
- Formal assessment up to December 2020;
- Online access to Student Guidance and the Library; and
- Revisions to placement learning arrangements.

I trust that you find this information helpful.

**Mr Dickson** asked the Minister for the Economy whether a furloughed employee, subsequently made redundant, would have redundancy pay calculated based on furloughed pay or regular contractual pay, in Northern Ireland.

**(AQW 4386/17-22)**

**Mrs Dodds:** Responsibility for the UK-wide Job Retention Scheme falls to Her Majesty's Revenue and Customs. However, I understand there is nothing in the scheme that prevents employers from taking into consideration time on furlough when calculating redundancy pay.

The rules on calculating redundancy pay are complex and depend on age, length of service, working pattern and contractual arrangements. Theoretically, this complexity could mean that there may be some situations where the employer could use furlough pay as part of this calculation.

However, in these difficult times, I am firmly of the view that employers should assess redundancy pay using employees' weekly pay prior to furlough in line with any contractual obligations at that time. I would not expect an employer to take advantage of the Government's Job Retention Scheme, which has brought benefit to employers and employees alike, to make someone redundant on less favourable terms than they would otherwise have received. It should also be borne in mind that any redundancy payment may be subject to determination by an Industrial Tribunal.

**Mr McCrossan** asked the Minister for the Economy to outline what checks and review processes have been put in place by her Department to ensure no double counting or double allocation of public funds.

**(AQW 4395/17-22)**

**Mrs Dodds:** Spending proposals are developed and implemented by the Department for the Economy in line with Managing Public Money NI, NI Public Procurement Policy and the NI Guide to Expenditure Appraisal and Evaluation.

When allocating public funds to the Voluntary and Community sector, the Department utilises the Voluntary and Community Sector Funders' database to help identify any potential double-funding or other kinds of financial impropriety prior to payment.

As part of the Department's Casework Committee process, Additionality, Displacement, Objectives, Proposed Assistance and Rationale for the format of Support are considered when a case is presented to the Committee for approval. Consideration of these issues in detail helps ensure there is no double counting or double allocation of public funds.

The Department participates in the bi-annual National Fraud Initiative process conducted by the Northern Ireland Audit Office, and investigates any matches and reports on any findings. The Comptroller & Auditor General (C&AG) has statutory powers to conduct data matching exercises for the purpose of assisting in the prevention and detection of fraud.

The Department processes payments in partnership with the NICS Shared Service provider Account NI. The creation, authorisation and approval of all transactions on the Account NI system are in accordance with the Departmental approval hierarchies. This approach, together with the availability of management information and the application of wider controls, aims to minimise the likelihood of double counting or double allocation of public funds. In certain circumstances, funding is administered by third party organisations on behalf of the Department. These arrangements are managed through Service Level Agreement or Memorandum of Understanding, and the Department relies upon controls in those organisations to ensure prevention of double counting or double allocation of public funds.

**Mr Robinson** asked the Minister for the Economy when does she anticipate the re-opening of static caravan sites.

**(AQW 4423/17-22)**

**Mrs Dodds:** Subject to the continued containment of COVID-19, the Executive has determined that all tourist accommodation, including Caravan Sites, will be permitted to open with effect from 20 July 2020. It is possible that this date may change, subject to further deliberations by the Executive.

**Ms McLaughlin** asked the Minister for the Economy to detail what financial support her Department has made available to hauliers.

**(AQW 4427/17-22)**

**Ms Kimmins** asked the Minister for the Economy whether (i) she has had any engagement with the shopping centre industry; and (ii) her Department has developed guidelines to enable shopping centres to prepare to safely reopen.

**(AQW 4462/17-22)**

**Mrs Dodds:** I recently met with Aodhán Connolly, NI Retail Consortium (NIRC) along with representatives from a range of national retailers and we had a useful discussion about several topics including an Exit Strategy and the reopening of retail in Northern Ireland.

I have also scheduled a meeting this month with Retail NI and other retail businesses to discuss the planning and preparation for the reopening of retail outlets.

My Department and officials will continue to work with both the Executive and the UK Government to ensure the concerns of the NI retail sector are reflected in local/national initiatives, where possible and appropriate.

- (ii) The Engagement Forum was established by the NI Executive, to provide advice and guidance in response to Covid-19 as it impacts on the NI Economy / Labour Market.

This is a unique and very diverse range of stakeholders reporting to me, as Minister. The Forum is drawn from all sectors of the local business and employment community, including the NIRC.

The Forum produced an initial list of priority sectors and sub-sectors that could remain open, subject to applying safe working practices, as well as a new Code of Practice on Safe Working as it applies to the current Covid-19 pandemic. The Priority sector list and Code of Practice, as agreed by the Executive, have been published on the NI Business Info website: [www.nibusinessinfo.co.uk](http://www.nibusinessinfo.co.uk)

Subsequent to this, on 12th May 2020, the Executive announced and published a phased five-stage plan for slowly moving out of lockdown; 'Coronavirus Executive Approach to Decision Making'. The document sets out the approach the Executive will take when deciding how to ease restrictions in the future, see below:

<https://www.executiveoffice-ni.gov.uk/news/executive-publishes-coronavirus-recovery-strategy>

It is therefore for the Executive, through the First and deputy First Minister's Office, to determine when further relaxation measures will be permitted, including those related to the re-opening of employment sectors and specific businesses within each. Details, including the dates on which any further relaxations come into effect, will be provided on a regular basis, and the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 will be updated accordingly.

Meanwhile the Engagement Forum will continue to work closely with the Department, and provide advice and guidance to the Executive on how best to manage the challenge of Covid-19 as it applies to certain issues related to the NI Economy/Labour Market.

**Ms Bailey** asked the Minister for the Economy, given the decreasing cost of renewable energy and the increased risks of investing in fossil fuel projects, what stranded assets analysis has her Department carried out regarding the proposed Belfast Harbour Estate fossil gas power plant.

**(AQW 4481/17-22)**

**Mrs Dodds:** The proposed gas power plant at Belfast Harbour Estate is a privately funded project and therefore the commercial risks sit with the developers.

My Department has no responsibility for undertaking a stranded asset analysis of such a privately-funded project.

**Dr Archibald** asked the Minister for the Economy to outline (i) the number of people that became self-employed since April 2019; and (ii) whether she will amend the criteria for the Hardship Fund to include those self-employed people not eligible for any other support.

**(AQW 4520/17-22)**

**Mrs Dodds:**

- (i) The latest figures indicate that approximately 2,000 people became self-employed in Northern Ireland between April 2019 and December 2019 (the latest date for which data is available).
- (ii) At this point in time no plans are in place to expand the Micro-Business Hardship Fund beyond its current scope.

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# Northern Ireland Assembly

Friday 19 June 2020

## Written Answers to Questions

### The Executive Office

**Mr Allister** asked the First Minister and deputy First Minister to detail (i) the process by which Brendan McAllister was appointed to the role of Interim Advocate for Victims/Survivors of Historical Institutional Abuse; and (ii) whether he declared an interest in relation to his role within the Roman Catholic Church.  
**(AQW 3921/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill (The First Minister and deputy First Minister):** A request was issued to victims' and survivors' groups and also to the Department of Health seeking suitable nominations for the role.

A considerable number of suggestions were received in response. Mr McAllister was nominated by one of the victims' and survivors' groups.

A shortlist was drawn up based on set criteria, and "conversations with a purpose" carried out in May 2019 by a panel comprising TEO officials and an independent advisor with a social care background.

Mr McAllister was deemed the most suitable candidate and was appointed on 2 July 2019 by the Head of the Civil Service.

Mr McAllister informed the panel that he was working towards becoming a deacon in the Catholic Church. However any such appointment would not occur whilst Mr McAllister was in post.

**Mr Allister** asked the First Minister and deputy First Minister for their assessment of the relationship between the Interim Advocate and victims of institutional abuse.  
**(AQW 3922/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Since his appointment in July 2019, the Interim Advocate has worked with victims and survivors groups and individuals including advocating for them during the drafting and implementation of the HIA legislation and the establishment of the Redress Board and Scheme.

We are aware there have been some issues which have arisen, and we have received some complaints. This matter is currently under consideration by the Head of the Civil Service, who appointed the Interim Advocate.

The appointment process for the HIA Advocate is currently underway and we hope to appoint someone to this post as soon as possible in line with the agreed process.

**Miss Woods** asked the First Minister and deputy First Minister, pursuant to their statement on 12 May 2020, and their response to my question on the Executive's responsibility to implement and enforce COVID-19 guidance for employers, (i) to outline the Executive's current oversight mechanisms for ensuring workplace safety in light of COVID-19; (ii) whether they intend to expand or enhance oversight; (iii) when the enhanced messaging, referenced on page 10 of the Coronavirus: Executive Approach to Decision-Making document, around what is permissible in terms of work, will be published; (iv) what enforcement bodies are represented on the Civil Contingencies Group; and (v) whether they intend to increase engagement with Trade Unions.  
**(AQW 4129/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Workplace safety in light of COVID-19 requires all employers to look at how, through a risk assessment process, they can comply with the available public health guidance on managing this community disease and thereby fulfil their legal duty in the workplace to minimise the risk to employees.

The responsibility for enforcement of health and safety at work legislation is split between HSENI and the district councils. HSENI can be contacted by employees or trade unions who either need advice or wish to make a complaint about safety concerns at work. HSENI or the district councils will follow up on complaints using a variety of methods which may in some cases include a site inspection. Matters of wider strategic concern regarding compliance with the available public health guidance should of course be raised with the Executive through departmental channels as appropriate.

As stated in the Coronavirus decision-making document 'The Executive will provide enforcement powers as necessary to the PSNI and other public bodies to address any small minority who may seek to ignore rules in place'.

At each step we will provide further information about how the changes affect employers and employees. We are currently looking at the guidance published recently by UK Government and the Economy Minister has asked the Engagement Forum chaired by the Labour Relations Agency to consider whether this would help our employers, employees and the self-employed understand how to work safely during the coronavirus pandemic.

Organisations represented at CCG meetings in the COVID 19 context are detailed below. Enforcement is carried out by various bodies depending on the activity in question and relevant enforcement bodies are represented either directly, or indirectly, at CCG meetings as appropriate depending on the stage of the response.

- |  |                                    |
|--|------------------------------------|
| ■ Department of Agriculture, Environment and Rural Affairs | ■ Departmental Solicitors Office   |
| ■ Department for Communities                               | ■ Executive Information Service    |
| ■ Department for the Economy                               | ■ NI Civil Service Human Resources |
| ■ Department of Education                                  | ■ Food Standards Agency            |
| ■ Department of Finance                                    | ■ Local Government                 |
| ■ Department of Health                                     | ■ NI Assembly                      |
| ■ Department for Infrastructure                            | ■ NI Office                        |
| ■ Department of Justice                                    | ■ NI Ambulance Service             |
| ■ The Executive Office                                     | ■ NI Fire and Rescue Service       |
|  | ■ Police Service of NI             |

During site inspections HSENI inspectors engage with employees and their representatives wherever possible. HSENI continues to be involved in the Engagement Forum.

**Mr Allister** asked the First Minister and deputy First Minister what arrangements are in place to fill the post and role of Attorney General when the current office holder's term of office expires in June 2020.  
(AQW 4180/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Ms Brenda King, First Legislative Counsel, will discharge the functions of the Attorney General on an interim basis while a process is developed to identify a substantive replacement.

**Mr Allister** asked the First Minister and deputy First Minister (i) whether the process to recruit a new Attorney General has commenced; (ii) if so, when will such be completed; and (iii) if not, why not.  
(AQW 4181/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** We have tasked officials to develop a process to identify a replacement Attorney General and it is our intention that this should be completed as soon as possible.

In the interim period Ms Brenda King, First Legislative Counsel, will discharge the functions of the Attorney General.

We will update the Assembly further in due course.

**Mr Allister** asked the First Minister and deputy First Minister whether (i) the current Attorney General is willing to accept an extension to his term of office until the end of the mandate; and (ii) that has been offered.  
(AQW 4182/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The current Attorney General's term of office expires at the end of June.

We have arranged for Ms Brenda King, First Legislative Counsel, to discharge the functions of Attorney General while a process is developed to identify a substantive replacement.

**Mr Allister** asked the First Minister and deputy First Minister, if the Attorney General's term of office expires without a replacement in position, to detail (i) who will provide legal advice to the Executive; and (ii) who will perform the relevant statutory functions in relation to Assembly legislation.  
(AQW 4183/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** We are considering a number of options to address the matter to ensure continuity in maintaining the responsibilities and statutory functions of the Attorney General and his office.

We will provide a statement to the Assembly in due course.

**Mr McNulty** asked the First Minister and deputy First Minister to outline (i) the number of occasions on which they have been asked by the Minister of Communities or the Minister of Finance to include a request for additional funds for the redevelopment of Casement Park in discussions at Executive meetings; and (ii) the number of occasions on which the redevelopment of Casement Park has been discussed at the Executive, since the return of the Executive in January 2020.  
(AQW 4391/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** It is not our practice to disclose details of Executive business. The content of Executive papers and all aspects of Executive business are confidential.

**Mr McGrath** asked the First Minister and deputy First Minister to detail the decisions taken by urgent procedure by their Department.

**(AQW 4407/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** It is not our practice to disclose details of Executive business. The content of Executive papers and all aspects of Executive business are confidential.

**Mr McGrath** asked the First Minister and deputy First Minister for their assessment of the implementation of the Ireland protocol.  
**(AQW 4408/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill:** In the Command Paper "The UK's Approach to the Northern Ireland Protocol" the UK Government sets out proposals for implementation of the Protocol at the end of the transition period on the 31 December.

The Executive is under a legal responsibility to work with the UK Government on the implementation of the legal obligations arising from the Protocol.

It will not be possible to fully assess the implementation of the Ireland/Northern Ireland Protocol until there is clarity on the future trading relationship between the UK and the EU. We are determined to ensure that the outcome is as favourable as possible to our businesses and citizens.

## Department of Agriculture, Environment and Rural Affairs

**Mr Wells** asked the Minister of Agriculture, Environment and Rural Affairs whether his Department has the power to (i) seek financial compensation for damage caused by the deliberate starting of a fire; and (ii) withdraw any grants his Department pays to anyone proven to have started a fire.

**(AQW 4291/17-22)**

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** The Forestry Act (2010) specifies that a person shall not burn vegetation within one and a half kilometres of a forest unless they have served the forest owner notice of their intention to burn vegetation. A person who burns vegetation in contravention of this commits an offence and is liable, on conviction, for a fine and all damages which are recoverable by the forest owner from the person burning the vegetation.

Farm businesses claiming grants or subsidies under a number of DAERA schemes must meet the conditions contained in the Northern Ireland Cross-Compliance Verifiable Standards. Under the Verifiable Standards, the farm businesses must not burn heather, gorse, whin or fern between 15 April and 31 August each year. A breach of this Verifiable Standard could result in a cross compliance penalty being applied.

**Mr Wells** asked the Minister of Agriculture, Environment and Rural Affairs whether (i) his Department is aware of the identity of the person who started the fire close to Castlewellan Forest Park on 15 May 2020; and (ii) his Department plans to initiate an investigation in this case.

**(AQW 4293/17-22)**

**Mr Poots:** My Department is not aware of the identity of the person who started the fire close to Castlewellan Forest Park on 15 May 2020.

Forest Service report all wildfire incidents on, or with the potential to impact on, its property to the PSNI for investigation. In all cases Forest Service facilitates any police investigation to take place first, and subject to outcomes, consideration is given to any further action that can be taken under the Forestry Act.

**Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs for a breakdown of (i) all COVID-19 resources bids made by his Department; and (ii) allocations received by his Department.

**(AQW 4406/17-22)**

**Mr Poots:**

- (i) In March, a £105m support package was submitted to the Department of Finance (DoF) which has since been reviewed and refined. The bid is now classified as a "Marker bid" and a new substantive Support for Farming Sector - Market Intervention Resource DEL Bid of £107.5m was submitted to DoF on 6 May. Bids were also submitted for Waste, which was subsequently reduced from £16.7m to £5.0m, £1.5m for Support to the Fishing Sector, £1.3m for AFBI COVID-19 Testing Kits and £1.0m for Rural Affairs.

Following an internal review of COVID-19 requirements and allocations by the Executive, a residual bid of £81.5m for Market Interventions for the Agri Food sector was confirmed to DoF on 5 June.

- (ii) The Executive has allocated £25m Resource DEL for Market Interventions in the Agri Food Sector, £3.8m for Waste and £1.5m for Support to the Fishing Sector.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs (i) for his assessment of the continual harvesting of periwinkles, lugworm and ragworm from the Outer Belfast Lough Area of Special Scientific Interest; (ii) to outline the impact this will have on local ecology; and (iii) whether his Department has any plans to address this.

**(AQW 4484/17-22)**

**Mr Poots:** As part of my Department's routine monitoring of protected areas, shellfish gathering and bait digging is occasionally observed at Outer Belfast Lough Area of Special Scientific Interest. My Department also receives reports from members of the public. The current level of activity is not considered to be impacting on the local ecology but there is a risk that excessive harvesting could cause damage and disturbance. My Department is currently reviewing all activities that occur within marine protected areas to identify where additional conservation measures are required and intertidal harvesting will be included within this review.

**Mr McCrossan** asked the Minister of Agriculture, Environment and Rural Affairs (i) where the £25 million pound hardship funding for farmers will be spent; (ii) for a breakdown on how much will be spent on beef farmers and dairy farmers; and (iii) to detail the fund's application process.

**(AQW 4505/17-22)**

**Mr Poots:** Since the NI Executive announced the allocation of the '£25 million COVID-19 support package' I have invited views and sought input from a range of industry representatives and stakeholders.

On 22 May I spoke to the AERA Committee and invited their views on how best to allocate the funding to those most affected. I have also received independent analysis, reports and industry proposals, and I have met with representatives of the Dairy sector, Red Meat sector and Farming Unions to hear their proposals for allocating this funding.

During these discussions, there was a clear acceptance of the need for support to be targeted at those farm businesses hardest hit financially as a direct result of the COVID-19 pandemic.

In addition, I have received numerous emails and letters from political representatives, farmers, businesses, rural groups and organisations representing farmer's interests, requesting support for a range of sectors including dairy, beef, ornamental horticulture, sheep, wool, hill farming, potatoes and poultry breeding egg producers.

I am carefully considering all of these views and opinions and reviewing farm gate market data for the periods when sectors were impacted most. I will use this information to make my decision on how best to allocate this funding, in a fair and equitable way based on evidence, in the near future.

When a final decision is made on the allocation of the funding it is my intention to ensure that it is administered with ease and at pace so that businesses get the funding into their bank accounts quickly to address cash flow concerns.

I want to avoid creating an overly bureaucratic system which would create additional paperwork and complexity for farmers, therefore it is my intention that the delivery mechanism should ideally rely on data that the Department already holds, or is readily available from other sources, but still ensure that the appropriate governance arrangements, and accountability for expenditure of public money is in place.

**Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs to outline the progress made on the introduction of an animal cruelty register.

**(AQW 4506/17-22)**

**Mr Poots:** As I have previously indicated, I am open to the possibility of creating a register of those convicted of animal welfare offences. Given its cross-cutting nature, it is my intention to raise this matter with the Minister of Justice to seek her views on the creation and maintenance of such a register. This has not been progressed over recent months due to the Department's focus on its response to the COVID pandemic.

**Mr Dunne** asked the Minister of Agriculture, Environment and Rural Affairs what progress has been made on managing the risk of the spread of bovine TB in dairy herds as a result of the increasing badger population.

**(AQW 4538/17-22)**

**Mr Poots:** Reducing and ultimately eradicating bovine Tuberculosis (bTB) is a key priority for my Department. I have been working closely with the Chief Veterinary Officer and others to develop a bTB Eradication Strategy for Northern Ireland. The Strategy will seek to tackle all of the factors which contribute to the spread of bTB, including measures to address the threat posed by badgers. In 2012 the NI badger population was estimated at just over 34,000 and there is no data to suggest any significant increase in numbers since then.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs why have Less Favoured Area questions been removed from the Agriculture and Horticultural Census for June 2020.

**(AQW 4603/17-22)**



**Mr Poots:** It is not possible to run the Agricultural and Horticultural Census as normal this year due to COVID-19 and the Department's statisticians have made changes to the data collection method as a result. The Census is being collected online only for the first time, with telephone support provided for those who can't complete it online.

In order to make the online completion as straightforward as possible and to minimise the burden on farm businesses, a number of questions have been removed (contact details, Less Favoured Area (LFA), breeding heifers) and some have been reduced in complexity (labour).

In removing the LFA questions, Departmental statisticians determined that a robust estimate of the land farmed in LFA areas can be made by using returns from previous years, and administrative data held within the Department including the mapping of fields use in Basic Payment application system. The Department remains committed to providing statistics specific to LFA.

**Ms Bailey** asked the Minister of Agriculture, Environment and Rural Affairs what assurances he can give to workers across the agri-food sector regarding (i) health and safety concerns; and (ii) job protection during the COVID-19 pandemic.  
**(AQW 4655/17-22)**

**Mr Poots:** Since the NI Executive announced the allocation of the '£25 million COVID-19 support package' I have invited views and sought input from a range of industry representatives and stakeholders.

On 22 May I spoke to the AERA Committee and invited their views on how best to allocate the funding to those most affected. I have also received independent analysis, reports and industry proposals, and I have met with representatives of the Dairy sector, Red Meat sector and Farming Unions to hear their proposals for allocating this funding.

During these discussions, there was a clear acceptance of the need for support to be targeted at those farm businesses hardest hit financially as a direct result of the COVID-19 pandemic.

In addition, I have received numerous emails and letters from political representatives, farmers, businesses, rural groups and organisations representing farmer's interests, requesting support for a range of sectors including dairy, beef, ornamental horticulture, sheep, wool, hill farming, potatoes and poultry breeding egg producers.

I am carefully considering all of these views and opinions and reviewing farm gate market data for the periods when sectors were impacted most. I will use this information to make my decision on how best to allocate this funding, in a fair and equitable way based on evidence, in the near future.

When a final decision is made on the allocation of the funding it is my intention to ensure that it is administered with ease and at pace so that businesses get the funding into their bank accounts quickly to address cash flow concerns.

I want to avoid creating an overly bureaucratic system which would create additional paperwork and complexity for farmers, therefore it is my intention that the delivery mechanism should ideally rely on data that the Department already holds, or is readily available from other sources, but still ensure that the appropriate governance arrangements, and accountability for expenditure of public money is in place.

**Ms Bailey** asked the Minister of Agriculture, Environment and Rural Affairs what measures he is putting in place to ensure that workers across the agri-food sector will not be financially disadvantaged as a result of being unable to work due to testing positive for COVID-19, or self-isolating pending a test result.  
**(AQW 4656/17-22)**

**Mr Poots:** Since the onset of the COVID-19 pandemic I and my officials have been meeting on a regular basis with industry stakeholders to discuss business issues impacting the agri-food sector.

My officials have also coordinated and facilitated regular meetings between industry stakeholders, the Health and Safety Executive for Northern Ireland (HSENI), the Food Standards Agency Northern Ireland (FSA NI) and the Public Health Agency (PHA). These meetings and associated communications have ensured that the agri-food industry and key stakeholders are familiar with the latest PHA guidance on the management of staff who are unable to work due to testing positive for COVID-19 or self-isolating pending a test result. The primary objective of this advice is to ensure a safe working environment for all personnel and minimising the risk of COVID transmission in the workplace.

NICS staff who have tested positive or who are self-isolating pending a test result will continue to receive full pay during the period of absence.

DAERA is not in a position to comment on employment policies in the Private Sector or wider Agri-food industry.

Throughout the pandemic I have also encouraged agri-food businesses to maintain regular contact with the Department for Economy to ensure they and their staff are able to avail of support measures introduced by Government, including the Small Business Grant Scheme, the £25,000 Business Support Grant Scheme, the NI-Micro Business Hardship Fund, Self Employed Income Support Scheme, the Job Retention Scheme, the Coronavirus Business Interruption Loan Scheme and the Bounce Back Loan scheme.

Further details on the range of COVID-19 support measures for businesses can be found on the NI Business Info website [www.nibusinessinfo.co.uk](http://www.nibusinessinfo.co.uk). These details are updated and added to on a regular basis.

**Miss McIlveen** asked the Minister of Agriculture, Environment and Rural Affairs (i) to detail the uptake of the financial package announced to assist fishermen; and (ii) to outline what other measures have been put in place to support the fishing sector during the COVID-19 pandemic.

**(AQW 4786/17-22)**

**Mr Poots:**

- (i) To date, my Department has issued 169 offers of support under the Sea Fish Industry (Coronavirus Financial Assistance) Scheme (NI) 2020. Of these 161 offers have been accepted with 158 payments totalling £1.21m made to fishing vessel owners.
- (ii) Officials and fishing industry representatives continue to meet on a weekly basis to monitor recovery and determine what, if any, further measures and support might be necessary. In addition, I have recently announced a £360,000 support package for the aquaculture sector and which is now open for applications. To date, nine applications have been submitted.

**Dr Archibald** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the New Decade, New Approach commitment to review the Executive's strategies to reduce carbon emissions in light of the Paris Climate Agreement and the climate crisis.

**(AQW 4808/17-22)**

**Mr Poots:** I am still considering plans to meet climate change commitments and approaches outlined in 'New Decade, New Approach'.

I believe it is imperative that we build the evidence base and ensure government policy making has climate and environment at its core and that future policies and strategies can demonstrably deliver the outcomes people expect.

The introduction of any new cross cutting approaches on climate change will of course require the support of the NI Executive.

**Mr McGuigan** asked the Minister of Agriculture, Environment and Rural Affairs what action he has taken to date to meet the climate change commitments in New Decade, New Approach.

**(AQW 4892/17-22)**

**Mr Poots:** I am still considering plans to meet climate change commitments and approaches outlined in 'New Decade, New Approach'.

I believe it is imperative that we build the evidence base and ensure government policy making has climate and environment at its core and that future policies and strategies can demonstrably deliver the outcomes people expect.

The introduction of any new cross cutting approaches on climate change will of course require the support of the NI Executive.

## Department for Communities

**Miss Woods** asked the Minister for Communities to outline funding for advice services to support the EU Settlement Scheme after March 2020.

**(AQW 2691/17-22)**

**Ms Hargey (The Minister for Communities):** My Department has no role in funding to support advice services to the EU Settlement Scheme; this is administered by the Home Office.

**Mr Carroll** asked the Minister for Communities to detail the (i) areas of public land belonging to the Northern Ireland Housing Executive that have been sold or transferred to the private sector, including housing associations, since 2015; (ii) the open market value of the land; and (iii) the amount received for the land.

**(AQW 3207/17-22)**

**Ms Hargey:** The Housing Executive has provided the following table which details the addresses and size of each area of land that it has sold since 2015, as well as the open market value of that land and the final sale price achieved. For completeness it has also included sales or transfers to bodies other than private and housing associations, such as councils.

Address	District	ULS Ref	Area (Ha)	Date	Transfer to	Open Market Value	Sale Price
Derrycoole Way, Rathcoole	Newtownabbey	605/3B	0.73	06/02/2015	Housing Association	£75,000	£75,000

Address	District	ULS Ref	Area (Ha)	Date	Transfer to	Open Market Value	Sale Price
Moyglass Place, Strathfoyle	Waterside	702/16	0.16	18/02/2015	Housing Association	£80,000	£80,000
Hass Road, Dungiven	Limavady	705/2B	2.2	13/03/2015	Housing Association	£100,000	£100,000
Derrycoole Way, Rathcoole	Newtownabbey	605/3A	0.21	18/03/2015	Housing Association	£25,000	£25,000
Parkside Gardens	North Belfast	314/27B	0.08	20/03/2015	Housing Association	£36,000	£36,000
Carnany Drive	Ballymoney	610/8A	0.12	26/02/2015	Private	£5,000	£5,000
Temple Park	Coleraine	611/35	0.17	27/03/2015	Housing Association	£65,000	£65,000
Lammy Crescent	Omagh	709/20	0.08	30/03/2015	Housing Association	£10,000	£10,000
Lenadoon Avenue	West Belfast	303/36A	0.14	31/03/2015	Housing Association	£20,000	£20,000
Lower Shankill Phase 2	Shankill	315/22B	0.39	31/03/2015	Housing Association	£63,000	£63,000
Rathgill	Bangor	401/3	7.34	31/03/2015	Housing Association	£260,000	£260,000
Kilclief Gardens	Bangor	401/38	0.35	31/03/2015	Housing Association	£160,000	£160,000
Lagan Walk	Lisburn	406/52	0.23	31/03/2015	Housing Association	£60,000	£60,000
Tonagh Bungalows	Lisburn	406/56	0.1	31/03/2015	Housing Association	£80,000	£80,000
Ben Crom Park, Kilkeel	Newry	502/48	0.01	31/03/2015	Housing Association	£30,000	£30,000
Torrens Crescet	North Belfast	316/36	0.09	29/04/2015	Housing Association	£60,000	£60,000
Loughview Cottages	Omagh	709/18	0.39	03/07/2015	Private	£25,000	£25,000
Esmond Street	Shankill	315/55	0.03	08/08/2015	Private	£10,000	£20,000
Burn Road, Ballysally	Coleraine	611/10	6.34	16/12/2015	Private	£315,000	£350,000
Leckpatrick Gardens, Artigarvan	Strabane	708/1	0.82	18/12/2015	Private	£40,000	£28,000
Lisolvan Park, Brookeborough	Fermanagh	512/8	0.63	01/03/2016	Housing Association	£10,000	£10,000
1-17 Chainé Court	Antrim	603/49	0.31	01/03/2016	Housing Association	£70,000	£70,000
Gainsborough	North Belfast	314/25C	0.08	11/03/2016	Housing Association	£45,000	£45,000
Fortwilliam Parade	North Belfast	314/33	1.1	21/03/2016	Housing Association	£80,000	£80,000
Ballybeen Square Phase 1	Castlereagh	404/16	0.6	22/03/2016	Housing Association	£225,000	£225,000
Lenadoon Avenue Remainder	North Belfast	303/36A	0.1	23/03/2016	Housing Association	£35,000	£35,000

Address	District	ULS Ref	Area (Ha)	Date	Transfer to	Open Market Value	Sale Price
New Lodge Phase 1	North Belfast	314/30	0.7	24/03/2016	Housing Association	£325,000	£325,000
Calmor View, Lislea	Newry	502/6B	0.2	24/03/2016	Housing Association	£6,000	£6,000
Beechfield, Donaghadee	Newtownards	402/13	0.4	30/03/2016	Housing Association	£60,000	£60,000
Coleshill Gdns, Belvoir	Castlereagh	404/11	0.17	30/03/2016	Housing Association	£100,000	£100,000
Corcrair Walk Site 3	Portadown	508/9	0.22	30/03/2016	Housing Association	£33,000	£33,000
Nelson Drive Phase 2	Waterside	702/1B	0.81	30/03/2016	Housing Association	£200,000	£200,000
Rathgill Phase 2	Bangor	401/3A	2.72	31/03/2016	Housing Association	£890,000	£890,000
Davaar Avenue, Dundonald	Castlereagh	404/40	0.06	31/03/2016	Housing Association	£70,000	£70,000
Templemoyle, Kells	Ballymena	601/31	0.3	31/03/2016	Housing Association	£55,000	£55,000
Derrycoole Park	Newtownabbey	605/4	0.85	31/03/2016	Housing Association	£150,000	£150,000
Inniscarn Drive, Rathcoole	Newtownabbey	605/65	0.23	31/03/2016	Housing Association	£50,000	£50,000
Loughmoney Park, Rathcoole	Newtownabbey	605/67	0.19	31/03/2016	Housing Association	£40,000	£40,000
Station Road, Dunloy	Ballymoney	610/5	1	15/09/2016	Housing Association	£60,000	£60,000
Village Lands	South Belfast	307/27	1.86	28/10/2016	Private	£525,000	£805,000
178 Banbridge Road	Banbridge	507/41	1.24	31/10/2016	Private	£14,000	£20,500
Grove Road, Craigavole	Coleraine	611/40	0.16	31/10/2016	Private	£20,000	£20,000
Hallidays Road	North Belfast	314/266	0.06	09/11/2016	Housing Association	£24,000	£24,000
Mounthall	Portadown	508/22	0.22	17/01/2017	Private	£60,000	£60,000
McFarland Terrace	Omagh	709/17	0.07	11/02/2017	Private	£21,000	£21,000
New Lodge Phase 2	North Belfast	314/32	1	13/02/2017	Housing Association	£550,000	£550,000
Beersbridge Road	East Belfast	302/16	0.2	23/02/2017	Housing Association	£250,000	£250,000
Braehead Road	Waterloo	701/1	0.25	23/02/2017	Housing Association	£80,000	£80,000
Lawnbrook Phase 3	Shankill	315/62	0.35	01/03/2017	Housing Association	£100,000	£100,000
Blackmountain Phase 3	Shankill	315/54	0.14	22/03/2017	Housing Association	£20,000	£20,000
Parkhead Crescent	Newry	502/15	0.03	22/03/2017	Housing Association	£12,000	£12,000
Westacres	Lurgan	507/39	0.06	30/03/2017	Housing Association	£7,000	£7,000

Address	District	ULS Ref	Area (Ha)	Date	Transfer to	Open Market Value	Sale Price
Gortmore Terrace, Rathcoole	Newtownabbey	605/94	0.31	30/03/2017	Housing Association	£90,000	£90,000
Fahan Street	Waterloo	701/9	0.13	30/03/2017	Housing Association	£110,000	£110,000
Garvaghy Avenue	Ballymena	601/3B	0.39	31/03/2017	Housing Association	£125,000	£125,000
Ballee Way	Ballymena	601/202	0.78	31/03/2017	Private	£30,000	£90,000
Castle Grove	Dungannon	511/15	0.26	29/09/2017	Housing Association	£20,000	£20,000
Lawnbrook Residual	Shankill	315/62	0.67	12/10/2017	Private	£250,000	£165,000
Lenadoon Phase 3	West Belfast	303/36B	0.08	20/10/2017	Housing Association	£25,000	£25,000
Derryhaw Road, Tynan	Armagh	505/27	0.83	22/11/2017	Private	£18,000	£18,000
Windyhall Estate	Coleraine	611/24	0.64	05/02/2018	Private	£28,000	£28,000
Queens Park, Saintfield	Downpatrick	410/13	0.15	26/02/2018	Private	£56,000	£56,000
Forthriver Way/ Road	Shankill	315/37	0.18	22/03/2018	Housing Association	£30,000	£30,000
Rathmullan Drive	Newtownabbey	605/15	0.72	22/03/2018	Housing Association	£100,000	£100,000
Devenish Drive	Newtownabbey	606/12	0.45	22/03/2018	Housing Association	£125,000	£125,000
Hogarth Street, Site 1	North Belfast	314/165	0.22	26/03/2018	Housing Association	£74,400	£74,400
Hogarth Street, Site 2	North Belfast	314/166	0.12	26/03/2018	Housing Association	£40,600	£40,600
Tyndale Gardens	North Belfast	316/30	0.3	28/03/2018	Housing Association	£55,000	£55,000
Sallagh Park	Larne	608/10	0.13	28/03/2018	Housing Association	£20,500	£20,500
St Brigids Park	Newry	502/25	0.3	29/03/2018	Housing Association	£40,000	£40,000
Ardmore Road	Armagh	505/6	1.04	29/03/2018	Housing Association	£250,000	£250,000
Fennel Road	Antrim	603/6	0.38	29/03/2018	Housing Association	£100,000	£100,000
Nelson Drive Phase 3	Waterside	702/1	1.37	30/03/2018	Housing Association	£540,000	£540,000
Donegore Drive	Antrim	603/10	0.28	02/05/2018	Private	£19,000	£19,000
Tassagh Road, Keady	Armagh	505/30	0.03	18/05/2018	Private	£26,000	£26,000
Montague Villas	Omagh	709/8	0.21	22/06/2018	Private	£10,000	£21,000
Moyraverty Road, Craigavon	Lurgan	507/1	0.26	06/07/2018	Private	£61,000	£61,000
Grays Lane	North Belfast	314/23	0.1	31/08/2018	Housing Association	£25,000	£25,000
Roskeen Road	Dungannon	511/11	0.87	06/09/2018	Housing Association	£50,000	£50,000

Address	District	ULS Ref	Area (Ha)	Date	Transfer to	Open Market Value	Sale Price
Lisnamuck Park, Aghadowey	Coleraine	611/6	0.23	25/10/2018	Private	£8,500	£8,500
Mountcollyer	North Belfast	314/16	0.4	30/11/2018	Private	£64,000	£64,000
Gainsborough	North Belfast	314/25	0.94	30/11/2018	Private	£261,000	£269,000
Brantwood Street	North Belfast	314/28	0.07	30/11/2018	Private	£19,500	£19,500
2D Lower Clonard Street	West Belfast	303/29	0.01	21/02/2019	Private	£30,000	£41,000
Stanhope Street	North Belfast	314/28	0.07	28/03/2019	Housing Association	£120,000	£120,000
Ballybeen Sqaure Phase 2	Castlereagh	404/16	0.86	28/03/2019	Housing Association	£290,000	£290,000
97 Gilnahirk Road	Castlereagh	404/17	0.21	26/04/2019	Private	£160,000	£160,000
515 Rosmoyle	Lurgan	507/1350	0.02	29/04/2019	Private	£4,500	£4,500
21 St.Malachy's Drive, Castlewellan	Downpatrick	410/52	0.04	27/08/2019	Private	£3,000	£3,000
Richmond Park	Ballymena	601/169	0.27	18/12/2019	Housing Association	£50,000	£50,000
Sterling Road	Castlereagh	404/7	0.06	13/02/2020	Private	£15,000	£15,000
Cliftonpark Avenue	North Belfast	316/18A	0.41	02/03/2015	Department Social Development	£64,000	£64,000
Blackcave Park	Larne	608/8	0.6	19/08/2016	Education	£180,000	£180,000
St. James Park, Hillsborough	Lisburn	406/4	0.87	20/07/2018	Housing Association - Affordable Housing Pilot	£120,000	£120,000
Glenmore, Hilden	Lisburn	406/355	2.46	31/03/2018	Council	£60,000	£60,000
The Green, Tonagh	Lisburn	406/331	0.36	12/02/2019	Council	£30,000	£30,000
The Green, Scrabo	Newtownards	402/256	0.67	13/06/2019	Council	£25,000	£25,000
Conyngham Street, Moneymore	Cookstown	710/2	0.26	06/09/2019	Council	£100,000	£100,000
Gortfin Street	West Belfast	303/30	0.12	02/01/2017	Blackie River Community Group – DfC approved Community Asset Transfer	£80,000	£ -
Divis Street	West Belfast	303/24	0.16	09/09/2018	Raidio Fáilté - DfC approved Community Asset Transfer	£15,000	£ -

The following information should also be noted:

- Under Department of Finance (DoF) guidance on the disposal of public sector property, all land transfers must take place at the best value obtainable, being no less than Market Value assessed in accordance with RICS "Red Book" standards. The market value of all Housing Executive land disposals is independently assessed by the Land & Property

Services District Valuer in accordance with this requirement. In line with this requirement any transfers at less than the best consideration must be approved by the Department for Communities.

- **Housing Association Transfers** - These are sites which are included in the Social Housing Development Programme (SHDP) for development by a Housing Association to meet social housing need. Transfer sites are valued by Land & Property Services at open market value but are actually transferred to Housing Associations at nil. There is no capital receipt due to the Housing Executive and the Housing Association Grant is reduced by the value of the land being transferred.
- **Open Market Sales** - Disposal of surplus land by way of open market sale are initially marketed at the current Undeveloped Land Schedule (ULS) assessed valuation reported for the Annual Accounts. The final sale price achieved for all open market sales are recommended for acceptance by Land & Property Services before the sale is approved and Contracts drafted.

**Mr Allister** asked the Minister for Communities what progress has been made in securing a veteran's centre, either at the premises previously identified at Regent Street, Newtownards, or elsewhere.

**(AQW 3230/17-22)**

**Ms Hargey:** My Department has not been undertaking work to secure a veterans' centre in Newtownards or elsewhere. This issue was last raised with the then Department for Social Development in 2014, when Minister Storey advised that the Department had no suitable funding programmes for such a project.

**Mr Dunne** asked the Minister for Communities to outline the extent of the public consultation with local residents on the proposed redevelopment of Casement Park.

**(AQW 3263/17-22)**

**Ms Hargey:** UCGAA has sought to consider and respond to the views of local residents throughout the stages of the proposed redevelopment of the Casement Park Stadium. At present on the Planning Portal there are over 3,500 public comments on the project, of which almost 2,300 are positive. I know that the GAA share my view that engagement with the local community is of vital importance.

Ulster GAA held a 32 week Pre-Application Community Consultation to support their new Planning Application for the Casement Park Redevelopment, which concluded in November 2016. This was a more significant public consultation commitment than the minimum 12 week duration specified within The Planning Act (Northern Ireland) 2011.

This consultation allowed the community to provide feedback to Ulster GAA before finalising the design, prior to submitting the Planning Application in February 2017. The level of participation response to the Pre Application Community Consultation process was high and Ulster GAA listened to the views of a range of groups and individuals. The community response to the proposed Casement Park redevelopment plans presented through this process was overwhelmingly supportive, with in-excess of 2,000 people participating across a range of events and forums and 91% of respondents in favour of the project.

During the three years that the Planning Application has been under assessment, Ulster GAA continue to inform members of the local community with up-to-date and accurate information about the proposed development. Ulster GAA is committed to maintaining this engagement throughout the delivery of the project.

**Ms Armstrong** asked the Minister for Communities how many archaeological items are held in storage; and will she undertake a programme to share our history by undertaking a proactive programme of displaying these artefacts in hospitals, schools and libraries.

**(AQW 3268/17-22)**

**Ms Hargey:** My Department's Historic Environment Division (HED) holds the excavation material from 450 excavations carried out by its staff and their predecessors since 1950. Given the fragmentary nature of most of the material recovered in excavations (which can include animal bones, production waste, pottery sherds and environmental samples) it is impossible to state the total number of items but there are certainly tens of thousands of individual items in this material. HED also curates a limited amount of material from non-Departmental excavations, including some works associated with infrastructure schemes.

In regard to display, many of the most significant objects in HED's possession are already on loan to a variety of appropriate and publically accessible institutions, including National Museums NI (NMNI), local authority museums and heritage centres; and some relevant artefacts are also on display on some of the monuments in the care of the Department, such as Greypoint Fort and Bellaghy Bawn.

All loan requests to NMNI are individually assessed to ascertain the security and environmental conditions required for the objects requested. NMNI refer to industry standards and important considerations such as object security, condition, rarity, value and accessibility. NMNI works closely with requesting venues to ensure the standards necessary for the national collections. Libraries and in some instances schools can provide suitable exhibition spaces. However, the level of security required, especially in regard to damage and theft prevention, and environmental stability, is not normally available within public spaces such as libraries, schools or hospitals. In any of these buildings secure, museum-standard cases would be required for display purposes, and these cases are very costly to acquire.

**Ms McLaughlin** asked the Minister for Communities, pursuant to AQW 2132/17-22, (i) to detail the options her Department is considering in respect to self-employment and how best to assist people in this category; (ii) to confirm when she expects a final decision to be made; (iii) to confirm whether the New Enterprise Allowance is being actively considered as one of these options; and (iv) if the New Enterprise Allowance is not amongst those being considered, to detail the reasons why it has been discounted.

**(AQW 3310/17-22)**

**Ms Hargey:**

- (i) Currently, options under consideration are:
  - (a) Continue to provide Work Coach support including sign-posting to local Councils, Enterprise agencies and other organisations to utilise the range of existing support available.
  - (b) Introduce a scheme similar to DWP's New Enterprise Allowance.
  - (c) Introduce an entirely new scheme specific to here to support people to become self-employed and people in the early stages of business development.
- (ii) At this stage it is anticipated that the preferred option will be decided upon by March 2021. The options under consideration will be assessed for affordability in line with current budgetary constraints.
- (iii) My department is currently assessing the viability of support equivalent to the New Enterprise Allowance.

**Miss McIlveen** asked the Minister for Communities (i) how many staff car parking spaces her Department and its agencies have in Belfast city centre; and (ii) whether she is taking any action to reduce this number.

**(AQW 3339/17-22)**

**Ms Hargey:** The Department for Communities currently provides 297 car parking spaces in Belfast City Centre for essential car users. The department monitors the usage of car parking for its core business areas and is currently reviewing its policy and procedures in this regard. At present there are no plans to reduce the number of spaces currently provided.

**Mr McGuigan** asked the Minister for Communities whether her Department has engaged with banks to ensure they provide an option to people suffering from gambling addiction to opt out from being able to use financial products on gambling.

**(AQW 3345/17-22)**

**Ms Hargey:** The current legislation in relation to gambling here dates back to 1985; I recognise that it is outdated and takes no account of the internet and other industry advances nor does it address the serious issue of problem gambling.

My Department's consultation on the regulation of gambling closed on 21 February. The purpose of the consultation was to seek views on the appropriateness of the current law and to identify areas of gambling activity which should be included in any future legislation.

My officials are currently analysing responses to the consultation and I expect to receive a report in a few weeks. I hope to be able to announce the way forward by the summer.

My officials are monitoring the work which a number of financial institutions are engaged in with respect to assisting customers who have a problem with gambling, and will engage directly with them should this be considered necessary.

**Mr McGuigan** asked the Minister for Communities whether the ban on the use of credit cards for the purposes of gambling in Britain, coming in to force on April 14, will also apply here.

**(AQW 3347/17-22)**

**Ms Hargey:** On 14 January, the British Gambling Commission announced its intention to introduce a ban on gambling businesses allowing consumers there to use credit cards to gamble. The ban, which will apply to all online and offline gambling products there with the exception of non-remote lotteries, is to commence on 14 April and will be implemented through changes to the licence conditions.

Gambling here is regulated by The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985. With the exception of bingo clubs, premises based gambling operators here are not prohibited from offering credit and changes to our legislation would be required to address this.

Online operators who wish to advertise to consumers here are required to hold the appropriate Gambling Commission licence and comply with the relevant licence conditions, therefore the ban on the use of credit cards to gamble will also affect consumers here.

My Department's consultation on the regulation of gambling closed on 21 February. The purpose of the consultation was to seek views on the appropriateness of the current law and to identify areas of gambling activity which should be included in any future legislation.

My officials will analyse the responses received and I hope to announce the way forward by the summer.



**Mr McGuigan** asked the Minister for Communities for her assessment of the number of sports teams sponsored by gambling companies and the amount being spent.

**(AQW 3348/17-22)**

**Ms Hargey:** My Department does not hold any record of the number of sports teams sponsored by gambling companies or the amount being spent. With regard to sponsorship by gambling companies of local sport, I recognise the great work sports clubs do, especially for young people and that many of them rely on advertising and sponsorship to raise funds. I am, however, also very concerned at the harm caused by problem gambling in our society.

My Department's consultation on the regulation of gambling here closed on 21 February. The purpose of the consultation was to seek views on the appropriateness of the current law and to identify areas of gambling activity which should be included in any future legislation.

My officials are analysing responses to the consultation and I expect to receive a report in a few weeks. I hope to be able to announce the way forward by the summer.

**Mr McCrossan** asked the Minister for Communities for an update on the planned cycle and walkway route for Strabane.

**(AQW 3355/17-22)**

**Ms Hargey:** I can confirm that my Department has awarded grant funding of £675,769 to Derry City and Strabane District Council towards anticipated project costs of £1.4 million for the Strabane Greenway project. Ground clearance work commenced on the 9 March 2020 and the project is expected to be completed by 31 August 2020. The development, when complete, will provide a 3.5 kilometre walkway and cycle route in the town, connecting the A5 Derry Road, Canal Basin, River Mourne Flood Wall and Strabane Retail Park.

**Mrs D Kelly** asked the Minister for Communities to detail the current budget for each Neighbourhood Renewal Area in Upper Bann.

**(AQW 3359/17-22)**

**Ms Hargey:** Neighbourhood Renewal areas do not have individual budgets and instead, funding is allocated to individual projects. There are three Neighbourhood Renewal areas in Upper Bann – North-West Portadown, Lurgan and Brownlow and in 2019/20 my department allocated a total of £840,693 under the programme to support projects in these areas.

The projects currently funded, work across all three Neighbourhood Renewal areas and it is not possible to identify precisely the proportion of the total funding which is allocated within each of the three areas.

**Mr Lyttle** asked the Minister for Communities what measures her Department can put in place to mitigate unnecessary distress to families whose relatives may be named in records released under the PRONI Annual Release scheme.

**(AQW 3367/17-22)**

**Ms Hargey:** The PRONI annual release scheme is a bi-annual event in which the historic records are reviewed and made publicly available by my Department.

Prior to public release, the content of the records are subject to a sensitivity review by the current Department who are the Responsible Authority for those records. The sensitivity review is carried out in accordance with Freedom of Information legislation which applies to historical files (i.e. those over 20 years old) and Data Protection legislation. The review consists of a page by page consideration of the content of each record, by the Responsible Authority and a recommendation to open, close or partially redact the record.

In order to mitigate unnecessary distress to families consideration is given primarily under the health and safety exemption of FOIA (Section 38). This exemption can be applied where the public release "would, or would be likely to

- a) endanger the physical or mental health of any individual, or
- b) endanger the safety of any individual."

The application of Section 38 results in the redaction of names or personal identifiers of individual's families.

The application of another FOIA exemption relating to personal information (Section 40) will also result in records being redacted to prevent substantial distress to families upon release.

**Ms P Bradley** asked the Minister for Communities where tenants impacted by the Northern Ireland Housing Executive's Tower Block Strategy in Rathcoole will be rehoused.

**(AQW 3368/17-22)**

**Ms Hargey:** The Tower Blocks Action Plan proposes that Monkscoole House and Abbotscoole House should be demolished with new social housing built on the combined cleared site, and that Carncoole House and Glencoole House should be retained for a period of at least ten years and have full improvement works undertaken. Monkscoole House is vacant as the remaining tenants have already been rehoused.

There are currently 35 tenants in Abbotscoole House who will need to be rehoused if the proposal to demolish the block is approved by the Housing Executive's Board and the Department for Communities. As part of the work to prepare the business case for Abbotscoole House the Housing Executive will be consulting its tenants as to their rehousing preferences. If they wish to remain in the Rathcoole area it is estimated that they could be rehoused within 2-3 years into relets in existing Housing Executive and Housing Association stock in the area.

There will also be additional rehousing opportunities in an already programmed 2021/22 scheme by Connswater Housing Association to provide 25 units at Barna Square, and the nearby former Newtownabbey High School site with an estimated development potential of 80 social housing units. The intention is that the combined Monkscoole/Abbotscoole cleared sites will be developed for around 50 new social housing units and it may be that some tenants will want to temporarily decant to relets and then move into this new housing.

**Ms P Bradley** asked the Minister for Communities what sites will be developed for new housing in Rathcoole to rehouse tenants impacted by the Northern Ireland Housing Executive's Tower Block Strategy.  
(AQW 3369/17-22)

**Ms Hargey:** The Housing Executive have advised that there are currently 35 tenants in Abbotscoole House who will need to be rehoused if the proposal to demolish the block is approved by the Housing Executive's Board and the Department for Communities. As part of the work to prepare the business case for Abbotscoole House the Housing Executive will be consulting its tenants as to their rehousing preferences.

If they wish to remain in the Rathcoole area it is estimated that they could be rehoused within 2-3 years into relets in existing Housing Executive and Housing Association stock in the area. There will also be additional rehousing opportunities in an already programmed 2021/22 scheme by Connswater Housing Association to provide 25 units at Barna Square, and the nearby former Newtownabbey High School site with an estimated development potential of 80 social housing units.

The intention is that the combined Monkscoole/Abbotscoole cleared sites will be developed for around 50 new social housing units and it may be that some tenants will want to temporarily decant to relets and then move into this new housing.

**Ms P Bradley** asked the Minister for Communities to outline the consultation undertaken with residents in Rathcoole impacted by the Northern Ireland Housing Executive's Tower Block Strategy.  
(AQW 3370/17-22)

**Ms Hargey:** The consultation exercise undertaken by the Housing Executive in Rathcoole was as follows:

- In June 2018 a letter was issued to each resident and owner in the four blocks advising that the Housing Executive would be consulting with them about the future of the tower blocks.
- In September 2018 a further letter was issued to residents advising them that Housing Executive staff would begin door-to-door consultation to take account of their views on the proposed plan. This letter was accompanied by a block-specific leaflet which set out the proposal for their block and provided advice on issues such as rehousing and compensation.
- The Draft Plan consulted on at that stage proposed the demolition of Monkscoole & Abbotscoole House in the 'Short' term (1-5 years), demolition of Carncoole House in the 'Medium' term (6-10 years) and the retention of Glencooles House for the 'Long' term (+10 years).
- The consultation was carried out over two months and an average 80% contact rate was achieved across the Rathcoole blocks (compared to 82% across the entire Tower Block portfolio).
- Analysis of the consultation results showed that 34% of tenants and 26% of leaseholders in the Rathcoole blocks were supportive of the long term aspiration to remove the tower blocks from the Housing Executive's stock.
- There was strong opposition to the proposals at that time from residents in Abbotscoole House and Carncoole House; responses from these blocks showed that approximately 70% of residents were not in favour of the proposals.
- Residents in the blocks were advised of the results of the consultation exercise in March 2019.

**Ms P Bradley** asked the Minister for Communities whether compensation will be paid to homeowners in Rathcoole impacted by the Northern Ireland Housing Executive's Tower Block Strategy.  
(AQW 3372/17-22)

**Ms Hargey:** The Housing Executive have confirmed that all flat owners affected by this strategy will be offered the market value of their properties which was determined through negotiations between the owners and/or their agents and Land & Property Services (who have acted on the Housing Executive's behalf). Owners may also be entitled to Home Loss and Disturbance Payments subject to them meeting eligibility criteria.

**Mrs Cameron** asked the Minister for Communities how much funding from the Arts Council instrument grants have been awarded to marching bands in South Antrim since this scheme began.  
(AQW 3383/17-22)

**Ms Hargey:** Since the scheme began in 2006/07 a total of £61,937 has been awarded to marching bands in South Antrim.

This is broken down as follows:

Year	Amount £
2006/07	0
2007/08	8,963
2008/09	3,750
2009/10	4,680
2010/11	0
2011/12	18,108
2012/13	4,563
2013/14	7,388
2014/15	0
2016/17	3,060
2017/18	2,081
2018/19	9,344
2019/20	0
	61,937

**Mr Allister** asked the Minister for Communities, pursuant to AQW 1679/17-22, to provide the same information for local office locations and direct labour depots.

**(AQW 3390/17-22)**

**Ms Hargey:** I would draw your attention to the answer which I supplied on the 26 February 2020 in relation to AQW 1238/17-22 which included the relevant Housing Executive figures that you have requested. I have provided a copy of these figures below.

The Housing Executive has provided the following tables detailing the breakdown of its staff by community background and office location.

**Table 1 - Total**

	Protestant	Roman Catholic	Not Known	Total
Housing Executive - Religious Profile	1214 (42.2%)	1538 (53.5%)	123 (4.3%)	2875 (100.0%)

**Table 2 – Belfast Region**

		Protestant	Roman Catholic	Not Known	Total
		581 (40.8%)	764 (53.7%)	79 (5.5%)	1424 (100.0%)
Area	Location				
Belfast	Housing Centre	326	526	40	892
	Lanyon Place	138	152	25	315
DLO	Belfast	117	86	14	217

**Table 3 – North Region**

		<b>Protestant</b>	<b>Roman Catholic</b>	<b>Not Known</b>	<b>Total</b>
		293 (42.7%)	375 (54.7%)	18 (2.6%)	686 (100.0%)
Area	Location				
South Antrim	Antrim	23	13		36
	Newtownabbey 1	24	#	#	#
	Newtownabbey 2	14	#		#
East	Magherafelt	#	#		#
	Larne	#	#	#	#
	Carrickfergus	15	#		#
Causeway	Coleraine	24	21	#	#
	Ballymoney	#	#		#
	Limavady	#	#	#	#
	Ballycastle	#	#		#
West	Waterloo	#	36		#
	Waterside	#	10	#	#
	Collon Terrace				#
	Strabane	#	11		#
Regional	Twickenham	91	100	#	#
	Richmond	22	110	#	#
DLO	Pennyburn	#	#		#
	Coleraine	29	14	#	#
	Ballymena	#	#	#	#

**Table 4 – South Region**

		<b>Protestant</b>	<b>Roman Catholic</b>	<b>Not Known</b>	<b>Total</b>
		340 (44.4%)	399 (52.2%)	26 (3.4%)	765 (100.0%)
Area	Location				
North Down & Ards	Bangor	19	#	#	#
	Newtownards	17	#	#	#
South	Armagh	#	10		#
	Banbridge	#	#	#	#
	Portadown	#	14		#
	Lurgan	#	17		#
Lisburn & Castlereagh	Lisburn	28	24	#	#
	Dairy Farm	#	19		#
	Castlereagh	48	12	#	#
South Down	Newry	#	38		#
	Downpatrick	#	25		#

		Protestant	Roman Catholic	Not Known	Total
South West	Omagh	12	50		62
	Fermanagh	11	25	#	#
	Dungannon	#	17		#
	Cookstown	#	#		#
Regional	Marlborough	58	84	#	#
	Strangford House	73	23	#	#
DLO	Portadown	35	19	#	#

Please Note:-

# Given the protocol that such information should not be disaggregated in circumstances where there are less than 10 in any particular group, to ensure that the identities of any individual cannot be inferred from the data provided, information has been provided as a total based on each office location.

Similarly, in circumstances where identity may be inferred from the office location total, this information has not been provided.

\* Figures as at January 2020:-

- includes staff on external secondment and those on career break;
- excludes agency workers.

**Mr Allister** asked the Minister for Communities, pursuant to AQW 2052/17-22, to list the information requested on the basis that she is not being asked to publish information generally, but to provide information in respect of an Assembly Question in accordance with Standing Orders.

**(AQW 3391/17-22)**

**Ms Hargey:** As I have previously advised, this information is already held in the public domain as a result of the court case.

**Ms Armstrong** asked the Minister for Communities how many people on Universal Credit have received sanctions due to their inability to use online services or lack of access to online services; and whether she will consider updating the system to contact people before sanctions are imposed to check the person is able to use and access online services.

**(AQW 3423/17-22)**

**Ms Hargey:** Information on the number of sanctions imposed for Universal Credit, together with the reasons for imposing the sanction is available in reports on my Department's website at the following link: -

<https://www.communities-ni.gov.uk/publications/welfare-supplementary-payments-discretionary-support-standards-advice-assistance-and-sanctions>.

When someone claiming UC has been unable to fulfil a particular conditionality commitment a number of attempts will be made to contact them, including by telephone, to establish why they were unable to do so. Consideration will also be given as to whether the person is vulnerable or has complex needs. If the case is then referred for a sanction and prior to the decision being made, the Decision Maker will also attempt to phone the person to again confirm whether there is any vulnerability or reason why they were unable to engage with us at that time.

Whilst conditionality is a key part of the existing rules, I want to further explore how we can use that to incentivise rather than punish people, and to make sure we have the necessary safeguards in place to protect the most vulnerable and particularly those with underlying health conditions.

I plan to make further announcements about this in the time ahead.

**Ms Armstrong** asked the Minister for Communities what steps her Department is taking to improve electrical safety in the private rented sector.

**(AQW 3424/17-22)**

**Ms Hargey:** The Department is currently carrying out a comprehensive review of the role and regulation of the private rented sector to ensure the regulatory framework and supporting policy improve standards for the benefit of both tenants and landlords.

I am currently considering 16 proposals for change. One of these is to make it a mandatory requirement for private landlords to carry out periodic electrical checks.

**Mr Beattie** asked the Minister for Communities how much her Department has spent on producing materials in Irish, in each of the last five years.

**(AQW 3430/17-22)**

**Ms Hargey:** The attached table sets out the estimated costs of producing materials in Irish since the Department for Communities was established in 2016.

Year	Cost £
2016-17	8,198
2017-18	10,395
2018-19	7,233
2019-20	16,274

**Ms P Bradley** asked the Minister for Communities for an update on the Housing Executive pilot to build new homes in Rathcoole, for which it already has outline planning permission.

**(AQW 3450/17-22)**

**Ms Hargey:** The Old Irish Highway site in Rathcoole is one of a number of small sites that the Housing Executive had been considering for its re-provision pilot scheme. However, the site that has been selected for the pilot scheme is at Ballysillan in Belfast. A business case seeking approval to implement the pilot scheme has been approved by the Board of the Housing Executive and has been referred to the Department for Communities for its consideration. If approval to proceed with the pilot scheme in Ballysillan is granted then the position of the Old Irish Highway site will be re-considered. If the Housing Executive is unable to proceed then the site will be considered for inclusion in the New Build Transfer Programme for development by a housing association.

**Ms P Bradley** asked the Minister for Communities how many new homes will be built on the sites of the tower blocks earmarked for demolition in Rathcoole.

**(AQW 3452/17-22)**

**Ms Hargey:** The intention is that the combined Monkscoole and Abbotscoole cleared sites will be developed for around 50 new social housing units.

**Ms P Bradley** asked the Minister for Communities when the last Housing Executive flat was sold under the buy to own scheme.

**(AQW 3454/17-22)**

**Ms Hargey:** The date of the last Housing Executive flat sold under the House Sales Scheme was 6th March 2020.

**Miss Woods** asked the Minister for Communities (i) whether she will instruct her Department to carry out a special exercise into the application of Regulation 25 of The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016 for Universal Credit claimants; (ii) what her Department is doing to prevent failures of the application of Regulation 25 for Universal Credit claimants; and (iii) whether her Department is considering compensation for those claimants disadvantaged by a lack of application of Regulation 25 by her Department.

**(AQW 3486/17-22)**

**Ms Hargey:** Regulation 25 of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payment) Regulations (Northern Ireland) 2016 allows the Department to backdate a claim for Universal Credit for up to a month in a limited number of circumstances. This is to protect the most vulnerable who may be delayed in claiming through no fault of their own.

Once an application is made and it is accepted that the provisions of this regulation apply, backdating is always granted. Accordingly, my Department is not aware of any cases where this regulation has not been properly applied.

The issue which prompted Advice NI to raise this concern, was not on the basis my Department was incorrectly applying the legislation, rather on an individual case when the person claiming did not initially apply to have their case backdated.

Once they did, the case was considered, backdating granted and any arrears due paid. If there are other similar cases, I will be happy to have them considered on a case by case basis. However, let me be clear my Department is fully aware of this provision, already applies it and will continue to do so as appropriate.

**Ms Sugden** asked the Minister for Communities for her assessment of the impact of removing the free TV License for anyone over 75 years and not in receipt of pension credit.

**(AQW 3512/17-22)**

**Ms Hargey:** The financial impact of removing the free TV licence for anyone over 75 and not in receipt of pension credit is an annual cost of £154.50.

The BBC have announced that they have extended the free TV licence for over 75's until August 1st however as the COVID-19 crisis is fluid, they will continue to keep this under review.

**Mr Lyttle** asked the Minister for Communities, pursuant to AQW 1013/17-22 and AQW 2132/17-22, to outline the timescale to decide upon a preferred option for support for benefit claimants seeking to begin self-employment; and whether this option will apply to all means-tested benefit claimants, and not just claimants of Universal Credit.

**(AQW 3517/17-22)**

**Ms Hargey:** My Department is continuing to explore options in relation to providing support for people seeking to commence self-employment. All options will be assessed for affordability considering current budgetary constraints. This will ensure a fully informed decision can be reached within the next financial year. The eligibility and entitlement criteria for any proposed new scheme are yet to be determined.

**Mr Durkan** asked the Minister for Communities whether hand sanitiser will be made available to jobs and benefits offices for staff and service users.

**(AQW 3522/17-22)**

**Ms Hargey:** Whilst supplies of hand sanitisers were initially difficult to obtain due to contractors experiencing a higher than usual demand, I can advise that supplies of hand sanitisers have now been provided throughout the Department's office estate, including all of the Jobs and Benefits offices. The Department has also taken steps to suspend the need for customers to attend Jobs and Benefits offices and to reduce face to face contact across all related services. Advice and guidance from the Public Health Agency and the National Health Service continues to be followed and all staff have access to hand washing facilities throughout the office network.

**Mrs Cameron** asked the Minister for Communities (i) what support is available; and (ii) what funding is currently provided for womens football participation in South Antrim.

**(AQW 3526/17-22)**

**Ms Hargey:** Increasing female participation in sport and physical activity is a target in the Sport Matters Strategy and a priority for my Department. As a result, my Department and Sport NI have provided both financial and practical support to grow female participation in sport, including football.

Sport NI's Every Body Active 2020 is a four year lottery funded programme delivered through local councils aimed at getting people, particularly women and girls, more active more often through sport and physical activity. Councils that cover South Antrim i.e. Antrim and Newtownabbey Borough Council and Lisburn and Castlereagh City Council have been awarded £47,030 and £108,238 respectively through Every Body Active.

There has been both financial and practical support to grow the female game. Since 2016, the Department and Sport NI have invested approximately £1.2 million to support the delivery of the Female Sports Forum's Women in Sport Strategy: 'Active, Fit & Sporty'. This investment included funding of just over £65,000 to build on the legacy of hosting the UEFA Women's Under 19 European Football Championship Finals in 2017 and offer opportunities for women and girls to get involved in football, both in terms of participation and club support.

The growth in women and girl's football has also benefited from £204,000 of funding to the IFA through the Department's Volunteering Innovation Fund since 2016.

In terms of practical support, Sport NI has facilitated a Pathway Health Check process for the IFA, in order to provide a baseline from which the IFA can develop the Women's performance system within the sport. This work will help the IFA deliver against its Girls and Women's Strategic Plan 2019-2024, Growing the Game – Maximising Impact.

With specific regard to South Antrim, I can advise that since 2017, Sport NI has provided Exchequer and Lottery funding of approximately £291,000 to a number of football clubs in the South Antrim area. This funding has helped to improve health and safety at facilities and increase access and participation opportunities for both male and female teams.

**Mrs Cameron** asked the Minister for Communities what measures her Department is taking to raise awareness and accommodation of hidden disabilities.

**(AQW 3528/17-22)**

**Ms Hargey:** I am committed to developing a Disability Strategy which addresses the barriers and inequalities faced by all disabled people, including those with hidden disabilities.

The new Strategy will be taken forward using a co-design approach, which will involve disabled people from the outset of the drafting process through to the monitoring mechanisms established to report on the Strategy's progress. I will ensure that meaningful engagement with stakeholders takes place at all stages of the Strategy's development. This co-design approach will involve those with hidden disabilities and their representative organisations. As the Strategy is developed, consideration will be given to actions that can be undertaken to raise awareness of disabilities, including those that are hidden.

I am committed to providing equality of opportunity for all and ensuring that everyone in society is able to have their voice heard, including those with hidden disabilities.

**Mr Allen** asked the Minister for Communities to detail the number of (i) successful; and (ii) unsuccessful Personal Independence Payment appeals, broken down by those with and without tribunal representation, over the last three years. (AQW 3545/17-22)

**Ms Hargey:** During the last three years there have been 14,198 Personal Independence Payment appeals that have had a final decision, of which 8,347 were successful and 5,852 were unsuccessful.

The appellant was represented in 6,547 of the 8,347 successful appeals and the remaining 1,800 were unrepresented.

In relation to the 5,852 unsuccessful appeals, 3,607 appellants were represented while the remaining 2,245 were unrepresented.

**Ms Bradshaw** asked the Minister for Communities what consideration she has given to including Donegall Pass in public realm works, similar to the Three 'C's she announced on 10 March 2020. (AQW 3600/17-22)

**Ms Hargey:** The Five Cs project is a public realm scheme aimed at enhancing several areas within Belfast city centre which will complement previous environmental improvements. There are currently no plans for public realm works in Donegall Pass.

**Mr Allen** asked the Minister for Communities, in light of her announcement of £2 million funding to assist a Public Realm Scheme in Belfast City Centre, whether her Department will be similarly assisting further Public Realm schemes in Londonderry. (AQW 3610/17-22)

**Ms Hargey:** My Department has developed designs for the £4.7 million Inner Walled City Public Realm project in Derry. The scheme will improve the streetscape within the historic City Walls. Planning permission is already in place and the detailed design works are expected to be completed shortly. As with all schemes, a decision on the allocation of funding to the construction phase will need to be considered in the context of my Department's wider budgetary position.

In addition, my Department has invested over £900,000 in a range of regeneration projects in Derry in the current financial year.

**Mr Givan** asked the Minister for Communities for her assessment of prisoners receiving benefits in spite of being in custody for longer than 28 days. (AQW 3639/17-22)

**Ms Hargey:** As you will be aware the policy for social security benefits falls within the remit of the Department for Communities and so your questions to the Minister for Justice have been transferred to my Department. As they relate to the same topic they have been combined and I trust the following answer addresses each of them.

People who had been receiving social security benefits immediately prior to being imprisoned or lawfully detained will not generally remain eligible to receive them while they remain in prison. This is because they will either be disqualified from receiving benefit, they will no longer be entitled to the benefit or they will have an applicable amount of nil for the duration of their imprisonment. This applies to the majority of benefits and is in order to avoid duplication of payment when prisoners have their costs met by the appropriate custodial body.

However under certain circumstances, an exception applies to the housing costs elements of some social security benefits. This is whereby single claimants whose benefit included an element for housing costs may continue to receive payments towards those costs if their term of custody is not expected to exceed 6 months or they are in prison on remand.

There is also an exception in the case of Personal Independence Payment (PIP), under certain circumstances. Article 92 of the Welfare Reform (NI) Order 2015, and regulation 31 of the Personal Independence Payment Regulations (NI) 2016 relates to the payability of PIP for prisoners.

The Order provides that PIP is not payable for a period during which a person is imprisoned or detained in legal custody. However if a person was entitled to PIP immediately before their imprisonment began then it will remain in payment for the first 28 days of that person's imprisonment. Maintaining payment of the benefit for 28 days in these circumstances allows for a continued but limited contribution towards any outstanding disability-related expenditure.

In these circumstances the payment of PIP ceases once someone has been detained in legal custody for 28 days irrespective of the outcome of the proceedings against them. This is in order to avoid duplication of payment when prisoners have their disability-related costs met by the appropriate custodial body and/or health authority.

**Mr Givan** asked the Minister for Communities whether offenders currently in custody or imprisoned remain entitled to receive benefits. (AQW 3640/17-22)



**Ms Hargey:** As you will be aware the policy for social security benefits falls within the remit of the Department for Communities and so your questions to the Minister for Justice have been transferred to my Department. As they relate to the same topic they have been combined and I trust the following answer addresses each of them.

People who had been receiving social security benefits immediately prior to being imprisoned or lawfully detained will not generally remain eligible to receive them while they remain in prison. This is because they will either be disqualified from receiving benefit, they will no longer be entitled to the benefit or they will have an applicable amount of nil for the duration of their imprisonment. This applies to the majority of benefits and is in order to avoid duplication of payment when prisoners have their costs met by the appropriate custodial body.

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In these circumstances the payment of PIP ceases once someone has been detained in legal custody for 28 days irrespective of the outcome of the proceedings against them. This is in order to avoid duplication of payment when prisoners have their disability-related costs met by the appropriate custodial body and/or health authority.

**Mr Givan** asked the Minister for Communities to outline whether those detained in prison remain eligible to receive benefits. (AQW 3642/17-22)

**Ms Hargey:** As you will be aware the policy for social security benefits falls within the remit of the Department for Communities and so your questions to the Minister for Justice have been transferred to my Department. As they relate to the same topic they have been combined and I trust the following answer addresses each of them.

People who had been receiving social security benefits immediately prior to being imprisoned or lawfully detained will not generally remain eligible to receive them while they remain in prison. This is because they will either be disqualified from receiving benefit, they will no longer be entitled to the benefit or they will have an applicable amount of nil for the duration of their imprisonment. This applies to the majority of benefits and is in order to avoid duplication of payment when prisoners have their costs met by the appropriate custodial body.

However under certain circumstances, an exception applies to the housing costs elements of some social security benefits. This is whereby single claimants whose benefit included an element for housing costs may continue to receive payments towards those costs if their term of custody is not expected to exceed 6 months or they are in prison on remand.

There is also an exception in the case of Personal Independence Payment (PIP), under certain circumstances. Article 92 of the Welfare Reform (NI) Order 2015, and regulation 31 of the Personal Independence Payment Regulations (NI) 2016 relates to the payability of PIP for prisoners.

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In these circumstances the payment of PIP ceases once someone has been detained in legal custody for 28 days irrespective of the outcome of the proceedings against them. This is in order to avoid duplication of payment when prisoners have their disability-related costs met by the appropriate custodial body and/or health authority.

**Mr McCann** asked the Minister for Communities what plans she has for additional powers and services going to local government. (AQW 3651/17-22)

**Ms Hargey:** My Department has close working relations with local government officials and we deliver a range of services in collaboration with local government.

I am currently exploring the potential of transferring the landlord registration function to councils.

As regards Urban Regeneration and Community Development my predecessor, the then Minister for Communities, Paul Givan MLA, made an Oral Statement to the Assembly on 22 November 2016 announcing that he did not intend to pursue the transfer of these statutory powers to district councils.

This is something the Department is considering and will be engaging with stakeholders about in due course.

**Mr McCann** asked the Minister for Communities to outline whether proposals on the regeneration of town and city centres will include social and affordable housing as part of any proposed housing developments.

**(AQW 3652/17-22)**

**Ms Hargey:** My Department's regeneration teams are actively pursuing a number of schemes which feature an element of social and/or affordable housing. Following a joint DfC and Belfast City Council Strategic Sites Assessment of Belfast City Centre, officials in partnership with Council are currently exploring the potential for a housing-led mixed use regeneration scheme in an area designated as the Inner North West Cluster (Kent Street, Library Street and Little Donegall Street); such a scheme could provide a mix of private, social and affordable housing. The regeneration teams are also actively seeking to maximise opportunities for housing-led regeneration through comprehensive development agreements to address social and affordable housing needs such as the construction of 140 social housing units at the former military site at St Patrick's Barracks in Ballymena, and at Queen's Parade in Bangor which itself is anticipated to deliver 125 units of social or affordable housing.

While the public realm schemes delivered in town and city centres by my Department and councils do not directly include social and affordable housing, the stimulus created by enhanced public realm does have a positive regeneration impact on cities and towns which may lead to improved economic and social conditions that may stimulate both demand and need for social and affordable housing.

In determining and addressing social housing need in a town or city, the Housing Executive works closely with local councils to assist them to develop a housing policy for their Area Plans that includes social and affordable housing.

My Department is also engaged in an exercise to identify public land and release it for housing where appropriate through the Public Land for Housing Project.

**Mr Durkan** asked the Minister for Communities to detail the amount spent by each local council paying energy bills in each of the last five years.

**(AQW 3671/17-22)**

**Ms Hargey:** My Department is unable to provide details of the amounts spent by local councils on energy bills as this information is not separately disclosed in their annual accounts. The information is not submitted to my Department in any financial return.

**Mr Givan** asked the Minister for Communities to outline the legislation that would allow some prisoners to continue to receive Personal Independence Payment.

**(AQW 3711/17-22)**

**Ms Hargey:** As you will be aware the policy for social security benefits falls within the remit of the Department for Communities and so your questions to the Minister for Justice have been transferred to my Department. As they relate to the same topic they have been combined and I trust the following answer addresses each of them.

People who had been receiving social security benefits immediately prior to being imprisoned or lawfully detained will not generally remain eligible to receive them while they remain in prison. This is because they will either be disqualified from receiving benefit, they will no longer be entitled to the benefit or they will have an applicable amount of nil for the duration of their imprisonment. This applies to the majority of benefits and is in order to avoid duplication of payment when prisoners have their costs met by the appropriate custodial body.

However under certain circumstances, an exception applies to the housing costs elements of some social security benefits. This is whereby single claimants whose benefit included an element for housing costs may continue to receive payments towards those costs if their term of custody is not expected to exceed 6 months or they are in prison on remand.

There is also an exception in the case of Personal Independence Payment (PIP), under certain circumstances. Article 92 of the Welfare Reform (NI) Order 2015, and regulation 31 of the Personal Independence Payment Regulations (NI) 2016 relates to the payability of PIP for prisoners.

The Order provides that PIP is not payable for a period during which a person is imprisoned or detained in legal custody. However if a person was entitled to PIP immediately before their imprisonment began then it will remain in payment for the first 28 days of that person's imprisonment. Maintaining payment of the benefit for 28 days in these circumstances allows for a continued but limited contribution towards any outstanding disability-related expenditure.

In these circumstances the payment of PIP ceases once someone has been detained in legal custody for 28 days irrespective of the outcome of the proceedings against them. This is in order to avoid duplication of payment when prisoners have their disability-related costs met by the appropriate custodial body and/or health authority.

**Mrs D Kelly** asked the Minister for Communities what financial assistance is available for people who are on zero hours contracts, or are self-employed, who find themselves out of work due to the impact of COVID 19, but are not ill themselves; and whether he is considering the creation of a hardship fund to help people most at risk from falling through the welfare support system.

**(AQW 3733/17-22)**

**Ms Hargey:** People who find themselves with reduced or no income because of the impact of COVID 19 can apply for Universal Credit and New Style Jobs Seeker's Allowance. Everyone who makes a claim for Universal Credit can apply for an advance payment if they require financial assistance until their first payment is received. Applications for Universal Credit, including where an advanced payment is needed to meet immediate financial need, can be made online. A grant is also available through the Universal Credit Contingency Fund.

In addition, people are able to apply for financial assistance through the Department's unique Discretionary Support Scheme, which provides immediate help for those in crisis or facing financial hardship. To apply, people can call Freephone: 0800 587 2740 or Textphone: 0800 587 2751. Further information is also available at [www.nidirect.gov.uk/articles/extra-financial-support](http://www.nidirect.gov.uk/articles/extra-financial-support).

Self-employed people may also claim a grant through the coronavirus (COVID-19) Self-Employment Income Support Scheme. Further detail is available at: [www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme](http://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme)

The Department's website also provides helpful information on new measures in response to COVID 19 and will be regularly updated to ensure people know what help is available. [www.communities-ni.gov.uk/covid-19-service-updates](http://www.communities-ni.gov.uk/covid-19-service-updates)

I am committed to protecting the most vulnerable, and will keep the support available under review - in particular at this challenging time.

**Mr Allister** asked the Minister for Communities how much funding her Department has allocated to (i) the Ulster-Scots Agency; and (ii) Foras Na Gaeilge, in each year since 1998.

**(AQW 3746/17-22)**

**Ms Hargey:** The Ulster-Scots Agency and Foras na Gaeilge make up the North South Language Body (NSLB). The Department for Communities (DfC), together with the Department for Culture, Heritage and the Gaeltacht (DCHG) jointly funds the NSLB.

The Member's request for information spanning 22 years cannot be fully met. Guidance contained in the "Department for Communities Disposal of Records Schedule" (Dec 2016), which is published on the Department's public website, states that Accounting and Funding information should be destroyed after 7 years.

The Department for Communities jointly funds Foras na Gaeilge with the Department of Culture, Heritage and the Gaeltacht on a 25:75 basis for operational costs [including pension costs] and on a 50:50 basis for Colmcille<sup>3</sup> and has provided funding to Foras na Gaeilge in the last seven calendar years (£stg) as follows:

Calendar Year	Foras na Gaeilge	
	DfC Contribution (£stg)	DCHG Contribution (€Euro)
2013	£3,617,077	€ 13,690,340
2014	£3,156,575*	€12,711,090
2015	£2,840,621	€12,614,150
2016	£3,140,966*	€12,527,548
2017	£3,285,812	€12,705,982
2018	£3,318,664	€12,619,990
2019	£3,309,404	€12,162,923

\* In addition the Department for Communities provided funding to Foras na Gaeilge of £53,692 in 2014 and £16,000 in 2016 for specific projects.

The Department for Communities jointly funds the Ulster Scots Agency with the Department of Culture, Heritage and the Gaeltacht on a 75:25 basis for operational costs [including pension costs] and has provided funding to the Ulster Scots Agency in the last seven calendar years (£stg) as follows:

Calendar Year	Ulster-Scots Agency	
	DfC Contribution (£stg)	DCHG Contribution (€Euro)
2013	£1,914,316	€752,627
2014	£1,887,435	€758,282
2015	£1,836,836*	€853,719

<sup>3</sup> Colmcille is a jointly funded partnership programme between Foras na Gaeilge and Bòrd na Gàidhlig, promoting the use of Irish Gaelic and Scottish Gaelic in Ireland, Scotland and internationally.

Calendar Year	Ulster-Scots Agency	
	DfC Contribution (£stg)	DCHG Contribution (€Euro)
2016	£1,743,012*	€721,862
2017	£1,806,463	€801,489
2018	£1,885,785*	€705,114
2019	£1,891,112*	€669,719

\* In addition the Department for Communities provided funding to the Ulster Scots Agency of £60,000 in 2015, £75,839 in 2016, £56,000 in 2018 and £253,698 in 2019 for specific projects.

**Mr Humphrey** asked the Minister for Communities how many people were employed in her Department on the Liofa initiative; and what were their roles.

**(AQW 3876/17-22)**

**Ms Hargey:** Two officials, the Liofa Officer and the Liofa Support Officer were employed by my Department on the Liofa initiative. Their roles involve management and administration of the Liofa initiative in both Irish and English alongside wider administrative responsibilities within the Languages team commensurate with their grades.

**Mr McAleer** asked the Minister for Communities for an update on the Social Supermarket Pilot Programme.

**(AQO 420/17-22)**

**Ms Hargey:** The Social Supermarket Pilot Programme has been running since October 2017 with five sites in operation. By the end of September 2019 almost nine hundred people received support through the programme and in excess of seventy eight tonnes of food had been redistributed.

Evaluation to date has indicated that it is achieving significant outcomes for users, with positive impacts on wellbeing, self-efficacy, healthy eating, food stability and, in some cases, employability.

Minister Hargey extended the pilot phase whilst a business case is undertaken to assess the case for rolling out a full programme.

**Mr Stewart** asked the Minister for Communities what services does the Bereavement Service single point of contact provide for people reporting a death.

**(AQW 3987/17-22)**

**Ms Hargey:** The Bereavement Service is a free telephony based service which provides a joined up approach across social security benefits for people reporting a death. The service allows people to:

- report a death – the date of death will be recorded and each office that paid benefit to the deceased will be notified automatically
- check for help with Funeral Costs – if eligible then a claim for Funeral Expenses Payment can be taken during the call;
- check for help from a Bereavement Support Payment – if eligible a claim for Bereavement Support Payment can be taken during the call;
- receive advice on potential benefits or other support that may be available.

**Mr Stewart** asked the Minister for Communities what services provided by the Tell Us Once programme in Great Britain are not provided by the Bereavement Service contact number; and what plans there are to extend those services in line with the rest of the UK.

**(AQW 3988/17-22)**

**Ms Hargey:** The Tell Us Once Service, offered by local authorities in Britain, captures information on a deceased person and conveys it to a number of public sector service providers. The service is voluntary and where it is not used individuals have to report the death to each service provider separately.

The Department's Bereavement Service here;

- shares details of the deceased with benefit branches -the date of death is recorded and each office that paid benefit to the deceased is notified automatically
- checks for help with Funeral Costs – if eligible then a claim for Funeral Expenses Payment can be taken during the call;
- checks for help for a Bereavement Support Payment – if eligible a claim for Bereavement Support Payment can be taken during the call;
- provides advice on potential benefits or other support that may be available.

The General Register Office also shares details of all deaths with a wide range of other public sector service providers.

The development of a Tell Us Once service is being considered as part of the work programme of the Digital Transformation Service within the Department of Finance.

## Department of Education

**Mrs Cameron** asked the Minister of Education whether a classroom assistant designated to a pupil with special educational needs should be continuing to provide support to that pupil during homeschooling due to COVID-19.

**(AQW 4271/17-22)**

**Mr Weir (The Minister of Education):** Classroom Assistants continue to play an active role to support children with a statement of special educational needs during remote learning in the home, across all age groups.

Examples of work undertaken by classroom assistants to support remote learning include:

- reading stories to pupils;
- using online platforms e.g. Seesaw to give pupils weekly challenges;
- Using online platforms to support pupil wellbeing;
- weekly/daily check in arrangements through emails,
- telephone calls or video calls;
- posting activities to children to complete or by way of encouragement;
- assisting pupils with the completion of projects.
- Collation of resources and sharing via email, post and some door visits;
- Food delivery; and
- Direct support in EOTAS centres.

**Mr McCrossan** asked the Minister of Education, pursuant to AQW 4246/17-22, whether legislative measures will be amended in light of the COVID-19 pandemic and the requirement for parents to send children to school.

**(AQW 4331/17-22)**

**Mr Weir:** My Department is currently planning for the formal re-opening of schools following the COVID 19 pandemic.

As guidance is prepared, consideration will be given to whether there is legislative impact or the need to amend existing legislation.

**Mr McCrossan** asked the Minister of Education, once schools reopen following the COVID 19 pandemic, to detail the (i) plans; and (ii) funding available to primary and post-primary schools for (a) personal protection equipment; (b) additional cleaning staff; (c) social distancing signage; and (d) additional amounts of cleaning materials.

**(AQW 4332/17-22)**

**Mr Weir:** My Department is currently developing plans relating to the formal re-opening of schools. This planning will involve consideration of issues including physical protection, practical arrangements for the school day and funding, as well as other issues.

In addition to this, my Department has published guidance to support safe working in educational settings in Northern Ireland. The guidance can be accessed at <https://www.education-ni.gov.uk/news/guidance-support-safe-working-educational-settings-published>

The guidance, written by the Public Health Agency, includes advice on effective infection prevention and control including cleaning and hygiene to facilitate safe working during the coronavirus (COVID-19) outbreak. The guidance also covers the specific circumstances in which personal protective equipment (PPE) should be used and will kept under review plans develop.

My Department recognises the financial impact the current COVID-19 pandemic is having on society as a whole, including the education sector, and will continue, in conjunction with the Education Authority, to assess the financial impact of COVID-19 responses on grant aided schools. Once the detailed plans are established for the re-opening of schools, the resulting funding requirements will be further assessed.

**Mr McCrossan** asked the Minister of Education, once schools reopen following the COVID 19 pandemic, to outline his Departments plans for class sizes; and whether his Department will acquire additional buildings to ensure social distancing is adhered to.

**(AQW 4333/17-22)**

**Mr Weir:** My Department is currently planning for the formal re-opening of schools following the COVID 19 pandemic.

Guidance is being prepared for schools and settings on practical issues such as physical distancing and physical protection. This guidance is being prepared through co-design with practitioners and will be supported through engagement with Public Health Agency.

**Mr McCrossan** asked the Minister of Education, once schools reopen following the COVID-19 pandemic, whether schools will be instructed to monitor the temperature of pupils during school hours.

**(AQW 4334/17-22)**

**Mr Weir:** My Department is currently planning for the formal re-opening of schools following the COVID 19 pandemic.

Guidance is being prepared for schools and settings on practical issues such as physical distancing and physical protection. This guidance is being prepared through co-design with practitioners and will be supported through engagement with Public Health Agency.

**Ms Mullan** asked the Minister of Education whether (i) all post primary schools can avail of the additional funding, offered in a letter dated 7 May 2020 from the Department of Education to Voluntary Grammars Schools, to assist in the teachers pay award; (ii) all schools were required to accrue a 1% saving to assist with the teachers pay award; and (iii) those schools that accrued the 1% saving will now be compensated by his Department as proposed for those Voluntary Grammar schools that did not accrue the saving.

**(AQW 4525/17-22)**

**Mr Weir:**

- (i) There are differences between the financing arrangements for Voluntary Grammar (VG) and Grant Maintained Integrated (GMI) schools as compared to those for Controlled and Maintained schools.

VG and GMI schools are separately identifiable entities in their own right, with the majority operating as companies limited by guarantee and/or charities. Each VG and GMI school must manage their own financial positions and prepare their own individual sets of annual accounts, which are externally audited. VG and GMI schools must also manage their cash flows to mitigate or minimise the need to negotiate overdrafts or loan arrangements with commercial banks, which can incur significant interest charges.

In contrast, Controlled and Maintained schools' cash payments are managed by the Education Authority (EA), with any overspends being reflected as deficits.

As a result of these differing arrangements, it is therefore acknowledged that VG and GMI schools could potentially face cash flow difficulties when paying the teachers' pay award arrears. In recognition of this, the Department advised VG and GMI schools in this position, to contact the EA for emergency cash grants. Such grants would be used to address cash flow difficulties that are unique to VG and GMI schools.

- (ii) In line with Public Sector Pay policy, the EA, as funding authority for all grant-aided schools, has consistently advised schools to accrue on the basis of a potential 1% teachers' pay award in previous years.
- (iii) Any school which faces financial difficulty should contact the EA, as funding authority for all grant aided schools.

**Miss Woods** asked the Minister of Education whether he will extend Youth Service funding over the summer months for community and voluntary organisations to (i) deliver support for young people coming out of lockdown; and (ii) help address emerging issues.

**(AQW 4527/17-22)**

**Mr Weir:** I wrote to the Education Sector on 19 March 2020 setting out arrangements for youth services to continue to provide support to vulnerable young people and existing statutory and community partnerships. At that time I agreed to continue to meet the on-going costs, including salaries, of voluntary youth service organisations. This funding will continue over the summer period.

Many voluntary Youth Service providers have developed innovative ways to continue to deliver youth services via online and social media platforms and such work will also continue over the summer period.

Planning for an Education restart, including youth services, is in progress and includes consideration of what may be possible over the summer period, taking account of limitations in terms of numbers and the need to be compliant with public health guidance. I intend taking a paper to the Executive on the role which the education sector could provide over the summer months, which will include youth services.

Work is also in progress to identify any emerging issues for young people to enable youth services and other education services to deliver appropriate support and address such needs.

**Mr McCrossan** asked the Minister of Education whether his Department has conducted a scoping study to ensure that all schools are fit for purpose when returning from the COVID-19 pandemic.

**(AQW 4560/17-22)**

**Mr Weir:** My Department has established a Restart Programme to consider a range of issues relating to the safe and effective re-opening of schools. As part of this, guidance is being prepared, through co-design with practitioners, on practical issues linked to a "new school day". This will cover issues such as hygiene and cleaning practices, classroom infrastructure and use of personal protective equipment.

Individual schools will be best placed to consider and apply this guidance in the context of their own setting, taking into account their own premises. The Education Authority will work with schools to address any individual discrepancies or concerns identified by school leaders.

**Ms Rogan** asked the Minister of Education (i) what personnel will be required to wear personal protective equipment in schools; (ii) what specific equipment they are advised to wear; (iii) what the current procurement advice is for schools in relation to obtaining personal protective equipment; and (iv) what additional funding will be made available to assist schools with the cost of obtaining this personal protective equipment.

**(AQW 4578/17-22)**

**Mr Weir:** My Department has established a Restart Programme to consider a range of issues relating to the safe and effective re-opening of schools. As part of this, guidance is being prepared, through co-design with practitioners, on practical issues linked to a “new school day”. This will cover issues such as use of personal protective equipment (PPE).

Departmental guidance will follow Public Health Agency (PHA) advice. PHA has already published guidance to support safe working in educational settings in Northern Ireland. This advises that routine use of PPE within education settings is not required other than for certain tasks deemed to be of higher risk of transmission. PPE is only needed in a very small number of cases. These are:

- Working with children, young people and pupils whose care routinely already involves the use of PPE, due to their intimate care needs; and
- Giving children medication.

The PPE required may include fluid-resistant surgical face masks; disposable gloves; disposable plastic aprons; and eye protection (for example a face visor or goggles). PHA guidance advises that children should not wear PPE.

Whilst the Department cannot at this stage quantify the resource or capital requirement in respect of PPE, the potential need for funding for PPE costs has been highlighted to the Department of Finance (DoF) as part of the COVID-19 Re-prioritisation exercise. The Education Authority is leading on procurement of suitable quantities of PPE for educational settings and advice will be provided shortly.

**Mr Easton** asked the Minister of Education to provide details of schools in North Down that currently have year 8 spaces left.  
**(AQW 4595/17-22)**

**Mr Weir:** There are no available places remaining at North Down schools for Year 8 pupils in September 2020.

**Mr Durkan** asked the Minister of Education to outline (i) what action his Department has taken to ensure health and safety measures are implemented in schools on their return after COVID-19; and (ii) when schools should expect to receive details of this guidance.

**(AQW 4604/17-22)**

**Mr Weir:** My Department has established a Restart Programme to consider a range of issues relating to the safe and effective re-opening of schools. As part of this, strategic guidance is being prepared, through co-design with practitioners, on practical issues linked to a “new school day”. This guidance will focus extensively on social distancing and hygiene measures, informed by Public Health Agency advice and will have a “day-one” focus. The guidelines will be supplemented by a suite of further documentation and operational guidance.

I intend to write shortly to all school principals to provide advice on the timing of release of the guidance, after which it will be communicated more widely and published on the DE website.

**Mr Durkan** asked the Minister of Education to provide a breakdown of how the £10 million allocated to Special Educational Needs has been spent to date.

**(AQW 4606/17-22)**

**Mr Weir:** The £10 million funding allocated to the Education Authority, as part of 2019-20 January Monitoring, was to address in-year pressures within the provision of Special Educational Needs (SEN). As outlined previously in AQW 1106/17-22, this allocation was broken down as follows: Special Schools (£1.4m), SEN in mainstream Schools (£3.2m), Pupil Support (£1.5m) and SEN related transport (£3.9m).

**Ms Armstrong** asked the Minister of Education to confirm (i) when wraparound childcare will be allowed to be provided by schools; and (ii) when he will inform parents this childcare provision will be available.

**(AQW 4637/17-22)**

**Mr Weir:** It is acknowledged that childcare is crucial as parents return to work. From Monday 8 June, childcare provision has been extended to those key workers who can currently access school places and also those parents who are returning to work in the wider retail sector in line with Executive decisions on reopening the economy. From 16 June, this also includes workers in the construction and manufacturing sectors.

In line with announcements made by the Executive on 18 June, as part of the Childcare Sector Recovery Plan, with effect from 29 June, there will no longer be a key worker definition for the purposes of childcare. This will allow parents who are returning to work in line with the Executive plans, to access childcare if they require it..

The Early Years teams working in the Health and Social Care (HSC) Trusts are working as collaboratively and as quickly as possible with childcare providers to re-open their provision, this includes those providers offering wraparound services for school age children from August.

Schools can be asked to facilitate childcare provision offered within schools where it is possible, however such decisions relating to the use of school premises are for the Board of Governors of each individual school. Arrangements should be made and agreed locally. Schools should have a written agreement in place with childcare providers for such arrangements and subject to any necessary Covid-19 health and safety requirements and specific Department of Health guidelines and approvals for provision of childcare .

DE and DoH have also established a COVID-19 Childcare Reference Group with key representatives from the childcare sector. A Childcare Communications sub group has also been established with the intention of promoting effective communication with parents and the childcare sector.

All the relevant information in relation to Covid-19 and childcare, is available at the link below:

<https://www.familysupportni.gov.uk/Support/91/covid19-childcare-options-and-associated-guidance>.

I have asked my officials to develop proposals for potential summer scheme provision in schools for some school year groups during July on a voluntary basis. The proposals may include schools being open for all children going into years 5, 6, and 7 for a 2 week period in July. There may also be scope for virtual learning support for pupils going into Year 7. Any access within schools to School Age Childcare would have to comply with medical and scientific advice and health and safety requirements in relation to COVID-19, and would be subject to agreement by the Executive, schools and Trade Unions. Any decision on this would be communicated at the earliest possible opportunity. A survey issued to schools on 17 June which is being analysed, the findings of which will help to establish levels of interest amongst schools in providing summer schemes on an entirely voluntary basis.

Schools participating in the 2020/21 Extended Schools (ES) programme can choose to offer various forms of wraparound support with the resources made available (£9.1m) including pastoral care, or additional learning and development activities before or after the standard school day. Whilst some elements of ES provision have still been possible during the Covid-19 pandemic, most has not taken place as it usually would.

I have ensured that all extended schools will receive funding in 2020/21 at the same rate as last year to ensure that disadvantaged children and young people and their families continue to be supported at this critical time. Schools have been asked to consider what provision may be appropriate this year to best target those pupils most in need or at the greatest risk of underachievement. The particular support measures put in place will be determined by schools and clusters taking account of the evolving context and latest health guidelines.

**Mr Lyttle** asked the Minister of Education (i) how many; and (ii) what percentage of pupils accessed on-road cycle training, in each of the last three years.

**(AQW 4648/17-22)**

**Mr Weir:** The provision of cycle training is coordinated by the Department for Infrastructure, therefore my Department does not hold the necessary information to answer this question.

I note that you have asked a similar question of the Minister for Infrastructure under AQW 4747/17-22. Her Department should hold this information and will therefore be in a position to provide a detailed response.

**Ms Mullan** asked the Minister of Education to outline the timescale for the full implementation of the Addressing Bullying in Schools Act 2016.

**(AQW 4657/17-22)**

**Mr Weir:** Following concerns raised by the teaching unions, the Department agreed to a temporary pause in the planned implementation of the Addressing Bullying in Schools Act (NI) 2016 ('the Act') to facilitate further meaningful dialogue.

While I am unable to confirm an exact date for implementation of the Act, I am considering this in the context of the impact of the Covid-19 pandemic and the Education Restart Programme on schools and their pupils.

I will make an announcement in due course.

**Mr McCrossan** asked the Minister of Education to detail what elements of Northern Ireland's history with racism and slavery are covered in the curriculum.

**(AQW 4683/17-22)**

**Mr Weir:** 'Northern Ireland's history with racism and slavery' is not a specific element within the curriculum. However, there are many opportunities within the curriculum to address the issues of racism, social injustice and intolerance whilst promoting both an understanding and appreciation of equality, diversity and inclusion.



In History, at Key Stage 3 young people explore how the past can affect their personal identity, culture and lifestyle and how their understanding of religion and identity can be shaped by historical events such as colonisation. Young people are also encouraged to investigate how history can be selectively interpreted to create stereotypical perceptions and justify the views and actions of others in relation to, for example, slavery. Additionally, there is scope to examine individuals who are considered to have taken a significant moral stand and explore their motivation and legacy. This includes but is not exclusive to Gandhi, Nelson Mandela, Martin Luther King Jr, Rosa Parks and Oscar Schindler.

**Mr McCrossan** asked the Minister of Education whether his Department currently funds any programmes exploring the impact of racism in Northern Ireland.

**(AQW 4684/17-22)**

**Mr Weir:** The Department of Education does not currently fund any programmes exploring the impact of racism in Northern Ireland.

The Department funds the Northern Ireland Anti-Bullying Forum to develop appropriate strategies to prevent and deal with all bullying behaviours. When schools identify a particular bullying issue, such as racist bullying, the anti-bullying co-ordinator will signpost them to the most appropriate area to receive expert advice.

The 2018 Young Life & Times and Kids Life & Times surveys included a module, funded by the Department, comparing attitudes towards those from different section 75 groups, including ethnicity, between those who had experience of Shared Education and those who had not. These surveys are conducted by Access Research Knowledge, a joint initiative of Queen's and Ulster Universities.

Topics such as disability, racism, sectarianism, homophobia, transphobia and religion are addressed through the concepts of equality, diversity and inclusion which are central to the Northern Ireland Curriculum.

The Department's Community Relations, Equality and Diversity policy encourages formal and non-formal education providers to provide opportunities for young people to build relationships with those of different backgrounds.

**Mr McHugh** asked the Minister of Education what short-term measures are being implemented to enable school children and students working from home in rural not-spot areas to have access to adequate broadband.

**(AQW 4706/17-22)**

**Mr Weir:** My Department is conscious that internet access remains an issue for a number of children and young people particularly those in a rural setting. In line with my strategy to provide digital devices to vulnerable and disadvantaged young people, my officials are working with the Education Authority to progress a business case to provide those young people with internet connectivity using the NI Public Sector Shared Network Contract.

Two options exist; access can be provided via a British Telecom 'Hotspot' using a voucher, or alternatively, young people working from home in rural areas will receive a MiFi device with a built in data allowance.

Further options are also being explored that may include the use of libraries and the wider education estate.

On-line learning is one aspect of remote learning. Where children and young people do not have access to either digital devices or broadband, their schools will be using other approaches to ensure continuity of learning. Such approaches include for example learning packs of resources which can be collected and returned to the school.

**Ms Flynn** asked the Minister of Education, in relation to pupils having to travel to attend a school with an ASD unit, how he will address the lack of ASD unit provision in West Belfast.

**(AQW 4716/17-22)**

**Mr Weir:** I recognise that there is a deficit of specialist mainstream provisions in a number of areas across the region. The deficits in these areas are being addressed in a prioritised way through the Education Authority (EA) Area Planning structures and work to date has been focused in the wider Ballymena and Belfast areas.

There is currently no approved primary or post primary Autism provision within the West Belfast area, however, funding for teaching and non-teaching staff to support a small group of pupils diagnosed with Autism was agreed with The Good Shepherd PS, Holy Evangelist PS, Scoil an Faiseoige and Coláiste Feirste as a response to the immediate and pressing need within the West Belfast area. This funding will continue in the 2020/2021 academic year.

One of the key issues emerging from analysis of current local provision, as identified in the 'Providing Pathways— Strategic Area Plan for Schools 2017-2020' document, was the need to develop proposals to establish additional learning support and autism specific provision within primary and post-primary schools. The EA recognises that there is a deficit of specialist mainstream provisions within the Belfast area, including West Belfast.

The EA intends to consult on the formalisation of this provision and this is demonstrated in the published Area Planning Action Plan. The Action Plan also includes a specific action to consult on options for the establishment of Autism Spectrum Disorder Centres for Children at Key Stage 1 and General Learning Support Centres for children at Key Stage 2 for The Good Shepherd Primary School.

As a result of the current COVID-19 emergency situation, the Department of Education has suspended all Area Planning activity.

The EA continues to review the availability of specialist provision in the West Belfast area on an on-going basis and will link directly with schools to explore solutions to meet the current demand for specialist provision.

**Mr McCrossan** asked the Minister of Education whether (i) he has instructed the Education Authority to scope necessary maintenance works of schools before they reopen; and (ii) he has provided an emergency budget for such works.  
(AQW 4847/17-22)

**Mr Weir:** Guidance for schools is currently being drafted to assist them in planning for the process of restarting education. The means by which schools can access support and the funding arrangements will be communicated in due course when the guidance has been finalised.

It is not envisaged that any significant works will be required to facilitate the return to school over and above normal maintenance or statutory planned and preventative maintenance. It is anticipated that any works required will be accommodated within the existing budgets available.

**Mr Allister** asked the Minister of Education how much his Department has spent on producing material in Irish, in each of the last three years.  
(AQW 4907/17-22)

**Mr Weir:** The Department's expenditure on producing material in Irish, in each of the last three complete financial years, was as follows:

	<b>Total £</b>
2017/18	524.44
2018/19	36.35
2019/20	482.56

**Mr M Bradley** asked the Minister of Education when his Department will consider the amalgamation of Dunluce School, North Coast Integrated College and Coleraine College, as outlined in the action plan.  
(AQW 4972/17-22)

**Mr Weir:** The Managing Authorities of the three affected schools were to have developed options for future provision by March 2020. The area planning process and associated publication of Development Proposals requires significant engagement with key stakeholders and sufficient time to allow for full and meaningful consultation. In the current climate the focus of all stakeholders, including managing authorities, bodies representing sectoral interests, schools and parents, is management of the COVID-19 response. Area Planning activity prior to the publication of a Development Proposal is currently suspended and I have no current time-table for resumption as the re-opening of schools will remain the priority.

## Department of Finance

**Mr Allister** asked the Minister of Finance (i) what progress has been made on setting up the RHI sub-committee; and (ii) which Ministers will sit on it.  
(AQW 4472/17-22)

**Mr Murphy (The Minister of Finance):** At its meeting on 10th March, the Executive agreed the establishment of the RHI sub-committee and its terms of reference. The subcommittee will be chaired by the Minister of Finance and will include the Ministers in those Departments which have been core participants in the Inquiry and representation from each party on the Executive. The Junior Ministers will represent the First Minister and deputy First Minister.

**Mr Allister** asked the Minister of Finance (i) whether they will publish the terms of reference for the RHI sub-committee; and (ii) to detail who was involved in drawing up and approving the same.  
(AQW 4473/17-22)

**Mr Murphy:** The terms of reference for the RHI sub-committee were prepared by the Department of Finance and agreed by the Executive. They will be published following the first meeting of the sub-committee.

**Mr Allister** asked the Minister of Finance (i) whether they will publish the findings of the RHI sub-committee; and (ii) to outline an anticipated timescale.  
(AQW 4474/17-22)

**Mr Murphy:** The sub-committee has not met and has not yet considered publication of its findings. I have previously outlined that the sub-committee will publish an action plan for implementation of recommendations flowing out of the RHI Inquiry report and I committed to keeping the Assembly updated regularly.

**Mr Allister** asked the Minister of Finance to outline how recommendation 30 of the Renewable Heat Incentive Inquiry Report has been implemented; and to what extent.  
**(AQW 4515/17-22)**

**Mr Murphy:** The Executive agreed to establish a Subcommittee on Reform following the RHI Inquiry, as set out in the New Decade, New Approach Agreement. The establishment of the Subcommittee has been delayed as a result of COVID-19. The Department of Finance is preparing a paper to the Subcommittee, setting out proposed responses to the recommendations, including relevant work already completed, for consideration at its first meeting.

**Mr Dunne** asked the Minister of Finance which business types within the retail, leisure and hospitality sectors are eligible for the full one year rate relief holiday, as referenced in his statement on 19 May 2020.  
**(AQW 4541/17-22)**

**Mr Murphy:** In my statement of 19 May, I announced that a targeted rate relief scheme will be introduced from 1 August to provide further support to those sectors identified as having the greatest need: specifically, all retail, hospitality, leisure, tourism and childcare sectors, and the 3 main airports. The precise details, including a number of exceptions, will be included in Regulations, shortly to be laid before the Assembly.

**Mr Carroll** asked the Minister of Finance what action he can take to ensure that Aramark staff will be able to get overpayment for the extra work they have carried out as a result of COVID-19.  
**(AQW 4544/17-22)**

**Mr Murphy:** Construction and Procurement Delivery (CPD) awarded a collaborative cleaning contract to Aramark for 420 sites on behalf of the Civil Service Departments and a number of Arms Length Bodies in January 2020.

Although each Department is responsible for managing the performance of the contract and agreeing any contract variations for their individual locations, CPD will investigate any allegations about Contractor staff not being paid for the hours they have worked.

If you have any specific details about this matter, please forward these to Lila Clarke ([lila.clarke@finance-ni.gov.uk](mailto:lila.clarke@finance-ni.gov.uk)).

**Ms S Bradley** asked the Minister of Finance what budgetary provision he has made to ensure commitments, requiring monetary support, made within New Decade New Approach are being honoured.  
**(AQW 4548/17-22)**

**Mr Murphy:** The New Decade, New Approach (NDNA) Document was produced by the British and Irish Governments. It outlines a number of priorities to be considered by the Executive, and is accompanied by a financial package which includes £1 billion of new funding to be provided over a number of years.

The 2020-21 Budget includes £523 million of new NDNA funding. This is comprised of £4 million for unique circumstances, £44 million to support the transformation of public services, £25 million to support the roll out of ultra-low emission public transport, £15 million to help deliver the Graduate Entry Medical School in Derry, £85 million for the Agenda for Change pay dispute and £350 million of additional funding provided to give the Executive time to place its finances on a sustainable footing, which has been used for a range of pressures.

My officials have been working with Departments to identify the costs of delivering the full range of NDNA priorities. This work has indicated that the costs are far in excess of the current funding package.

Therefore I have been, and will continue, to press the British Government to provide adequate funding to take forward the NDNA priorities.

**Ms S Bradley** asked the Minister of Finance how much funding he had allowed for in the joint bid for personal protective equipment (PPE) with the Irish Government; and for a breakdown of the (i) dates funding was assigned by his Department for the purchase of PPE; (ii) full amount allocated; and (iii) subsequent use of that funding.  
**(AQW 4550/17-22)**

**Mr Murphy:** This PPE order was being progressed in collaboration with DoH.

On 30 March, the Executive agreed that DoH would receive an allocation of £140 million for a range of issues, including but not restricted to: mobilising the health and social care response, including additional staffing, ramping up of testing, and securing essential personal protection and other equipment; providing much needed support for primary and community care sectors and suspension of car parking charges for staff.

It was anticipated that further funding for PPE would be required by DoH. However, as the order was not progressed additional funding was not agreed at that time.

The Executive agreed on 8 April that £150 million would be set aside for PPE. DOH subsequently sought, and was granted, approval for PPE orders of £84.1 million from this funding. Ultimately £22.8 million of this was not required and an allocation of £61.3 million was formalised by the Executive on 18 May 2020 to secure an order with a company in China and delivery is now underway.

**Mr Muir** asked the Minister of Finance what percentage of civil servants are currently able to work from home on a full-time or part-time basis.

**(AQW 4588/17-22)**

**Mr Murphy:** Based on the latest management information, there are 21.5k people employed by the NICS (excluding NI Prison Service and staff on career break or secondments). At 2nd June 2020, management information indicates that 52% are working from home. The information cannot be broken down further to indicate full-time or part-time basis.

**Ms McLaughlin** asked the Minister of Finance (i) whether she has had discussions with the UK Treasury about the future application of the furlough scheme from August; and (ii) whether she can advise if the scheme will be applied differently in Northern Ireland than in England.

**(AQW 4591/17-22)**

**Mr Murphy:** I wrote to the Chancellor prior to his 12 May 2020 announcement on the extension of Coronavirus Job Retention Scheme to call for a delayed, and then only a gradual winding down of the scheme.

There are no difference in how the CJRS is applied in the North, and I also indicated to the Chancellor that consideration should be given to potential differences in how each devolved administration manages the transition to exit the current lockdown restrictions.

While the extension of the scheme until the end of October and the flexibility around part-time working is welcome, I have stated that the tapering of support from August is premature. I intend raising this matter at my forthcoming meeting with the Chief Secretary to the Treasury.

**Mr Newton** asked the Minister of Finance what plans he has for the future of the Construction & Procurement Delivery when the UK leaves the European Union, given the work is heavily regulated by European Directives and the UK regulations that implement them.

**(AQW 4621/17-22)**

**Mr Murphy:** After the EU exit transition period, as a member of the World Trade Organisation Government Procurement Agreement (GPA), government will be required to follow procurement rules which maintain similar principles to EU rules.

The Public Contracts Regulations have been amended so that they will continue to function and meet the legal obligations of GPA membership.

**Mr Carroll** asked the Minister of Finance whether he has plans to alter Building Regulations to incorporate mandatory standards for the provision of changing places toilets in (i) large public buildings; and (ii) future developments.

**(AQW 4631/17-22)**

**Mr Murphy:** I am very sympathetic to the dignity issues arising from the limited provision of changing places toilets here and will continue to support an equitable and accessible built environment for everyone. I am keen to improve the provision of changing place toilets (CPTs) here and have tasked my Department's Building Standards Branch with incorporating mandatory requirements for their provision into local Building Regulations.

Scottish Building Regulations classify the within scope building types as public buildings and I understand that the forthcoming amendments to Building Regulations in England may include a similar classification. In those circumstances the requirements for CPTs may also apply to new developments is so far as they comprise one or more public buildings.

My Department will work with the local Building Regulations Advisory Committee to consider fully recent developments in Building Regulations in the other administrations to shape proposals for public consultation here. Trigger criteria, based on the building type and scale, that would determine if a building here were within scope for mandatory provision, will need particular consideration.

**Miss McIlveen** asked the Minister of Finance what progress is being made to amend Building Regulations to make changing places toilet provision mandatory in new public and government buildings.

**(AQW 4640/17-22)**

**Mr Murphy:** I am very sympathetic to the dignity issues arising from the limited provision of changing places toilets (CPTs) and will continue to support an equitable and accessible built environment for everyone. I am keen to improve the provision of CPTs here and have tasked my Department's Building Standards Branch with incorporating mandatory requirements for their provision into local Building Regulations.

Trigger criteria, based on the building type and scale, that would determine if a building here were within scope for mandatory provision, will need particular consideration. The Scottish Building Regulations classify the within scope building types as

public buildings and I understand that the forthcoming amendments to Building Regulations in England may include a similar classification.

My Department will work with the local Building Regulations Advisory Committee to consider fully recent developments in Building Regulations in the other administrations to shape proposals for public consultation here.

My Department is also taking forward plans to provide a CPT facility on the Stormont Estate near to the children's playpark, which will be fully accessible to the public. This will help inform considerations on the installation of CPTs in appropriate properties in the Central Government Office Estate.

**Miss McIlveen** asked the Minister of Finance to detail the number of vacant Executive Officer 2 posts currently within the Northern Ireland Civil Service.

**(AQW 4641/17-22)**

**Mr Murphy:** The current number of vacancies at Executive Officer 2 and analogous grades is 248.

This number refers to vacancies approved by Departments and forwarded to NICSHR to fill. It may also include a small number in anticipation of an approved future dated vacancy.

**Miss McIlveen** asked the Minister of Finance to detail the number of Administrative Officers who have been temporarily promoted to Executive Officer 2 posts within the Northern Ireland Civil Service.

**(AQW 4642/17-22)**

**Mr Murphy:** The number of Administrative Officers (AO) and analogous grades who have been temporarily promoted to Executive Officer 2 (EO2) and analogous grades within the Northern Ireland Civil Service is 386.

**Miss McIlveen** asked the Minister of Finance to detail the number of (i) vacant Executive Officer 2 posts; and (ii) Administrative Officers who have been temporarily promoted to Executive Officer 2 post, in the Department of Health.

**(AQW 4644/17-22)**

**Mr Murphy:** Most General Dental Practices have remained open to treat non-Covid-19 patients with urgent dental care needs, providing the treatment does not involve the use of Aerosol Generating Procedures (AGPs). Patients needing emergency dental treatment which involves AGPs have been referred to our Urgent Dental Care centres.

The Acting Chief Dental Office, Michael Donaldson, wrote to all General Dental Practitioners on 2 June 2020, outlining the plans for a phased, safe full restoration of General Dental Services.

A copy of the letter can be read at the link below. <http://www.hscbusiness.hscni.net/pdf/Letter%20to%20GDPs%20on%20the%20Re-establishment%20of%20Dental%20Services%2002.06.20.pdf>

My Department will continue to work closely with the Health and Social Care Board and representatives of the dental profession to identify what additional support will be required as we move through the pathway to recovery and re-establish dental services.

**Mr Allister** asked the Minister of Finance, pursuant to AQW 463/17-22, what progress has been made on amendment of Building Regulations to require the provision of disability-friendly changing place facilities in toilets in public buildings.

**(AQW 4650/17-22)**

**Mr Murphy:** I am keen to improve the provision of changing place toilets (CPTs) here and have tasked my Department's Building Standards Branch with incorporating mandatory requirements for their provision into local Building Regulations.

Trigger criteria, based on the building type and scale, that would determine if a building here were within scope for mandatory provision, will need particular consideration. The Scottish Building Regulations classify the within scope building types as public buildings and I understand that the forthcoming amendments to Building Regulations in England may include a similar classification.

My Department will work with the local Building Regulations Advisory Committee to consider fully recent developments in the Building Regulations in the other administrations to shape proposals for public consultation here.

**Ms Dillon** asked the Minister of Finance for his assessment of the provision of special paid leave for domestic abuse victims for public sector workers that fall under his Department's responsibility.

**(AQW 4670/17-22)**

**Mr Murphy:** Civil servants have access to a special leave policy which enables staff paid time off for domestic reasons and in a domestic crisis of one day to a maximum of five in a twelve month period. This may include domestic abuse.

The NICS has a policy on Domestic Violence and Abuse which sets out available advice and support to Departments and Agency staff. In addition it signposts staff to internal sources of organisational support through the Welfare Support Services and the NICS Employer's Assistance Programme, currently provided by Inspire, as well as a list of external contacts offering advice and support.

This year the NICS will be working to attain the 'Workplace Charter Mark on Domestic Violence' as part of our commitment to raise awareness of and provide support for colleagues experiencing domestic and sexual violence and abuse.

**Mr McGlone** asked the Minister of Finance, pursuant to AQW 4092/17-22, for an update on the resolution of online identification verification problems with the Self Employed Income Support Scheme for holders of an Irish Passport and a Northern Ireland Driver Licence.  
**(AQW 4687/17-22)**

**Mr Murphy:** My Department has worked closely with HMRC and the Driver and Vehicle Agency to ensure people from here are now able to access the Self-Employment Income Support Scheme, using their driving licence in the verification process.

This improvement to the HMRC service went live on Friday 12th June 2020, and by 16:00 that day, over 50 applications had already been verified using local driving licences.

HMRC are engaging separately with the Irish Passport Office to provide a similar service.

**Mr Allister** asked the Minister of Finance how were funding grants for the North/South bodies approved in the period 2017-2020.  
**(AQW 4701/17-22)**

**Mr Murphy:** During the period 2017-2020, as permitted by the North/South Cooperation (Implementation Bodies) (Northern Ireland) Order 1999, Department of Finance Officials approved the payment of grants by sponsor departments to the North/South Bodies, to ensure the continuation of service delivery whilst avoiding illegal spend.

**Ms Flynn** asked the Minister of Finance how many people, who were detained under (i) the Mental Capacity Act 2016; and (ii) the Mental Health Order 1986, have died, or are suspected to have died, from COVID-19.  
**(AQW 4717/17-22)**

**Mr Murphy:** The information requested is not available. The General Register Office's Registration System (NIROS) is used to produce vital statistics relating to registered deaths. Although NIROS will record cause of death details such as COVID-19 it does not contain any information on whether the deceased was detained under the Mental Capacity Act 2016 or the Mental Health Order 1986.

**Mr Frew** asked the Minister of Finance whether all emails connected directly or indirectly to the unsuccessful personal protection equipment joint order in March 2020, including the email trails for the 30 March 2020 and 31 March 2020, will be retained and not deleted from the email system after three months, under the Email Retention Policy.  
**(AQW 4744/17-22)**

**Mr Murphy:** All email records are managed in accordance with the DoF Records Management policy and the emails relating to my Department's role in securing PPE from China, including emails for 30 and 31 March have been saved in the official records management system and will not be deleted.

**Mr Dunne** asked the Minister of Finance what measures are being put in place by Central Procurement Directorate to complete the tender process for new capital projects delayed due to COVID-19.  
**(AQW 4774/17-22)**

**Mr Murphy:** To mitigate any further delay in awarding contracts and to assist with economic recovery, tenders that have been received will be evaluated using the costs submitted. Any additional costs associated with the impact of new working practices to maintain social distancing will be agreed with contractors during the delivery phase of the contract. Contractors will be required to agree to operate in a transparent partnership basis in regard to additional costs. Bidders will be asked to confirm that they are content with this approach.

## Department of Health

**Mr Clarke** asked the Minister of Health (i) whether training has been provided to medical staff who are performing abortions; and (ii) who (a) funded; and (b) delivered the training.  
**(AQW 4103/17-22)**

**Mr Swann (The Minister of Health):** No training has been provided, although some clinicians have updated their knowledge to ensure that their practice is current

**Ms Dolan** asked the Minister of Health (I) to list the location of the central stores of personal protection equipment (PPE); and to detail the quantity and type of any PPE items distributed that were past their initial expiry date and required re-tested.  
**(AQW 4136/17-22)**

**Mr Swann:** Business Services Organisation (BSO), an Arms-Length Body of the Department of Health, procures and distributes PPE on behalf of the Health and Social Care (HSC) organisations in Northern Ireland. BSO currently operates 4 warehouses which are located across Belfast, Lisburn and Campsie, Co. Londonderry.

Approximately 712,000 3M FFP3 respirators, held as part of the Department of Health's emergency stockpile, expired in 2019. Following stringent Quality Assurance and age accelerated testing in March 2020, these respirators had their shelf-life extended until 2021. To date, 291,350 of these units have been distributed to HSC organisations for use in primary and secondary care settings.

**Ms Flynn** asked the Minister of Health (i) to list the Nursing and Residential Homes in each Belfast constituency that had an RQIA inspection between 1 March 2020 and 29 May 2020; (ii) which Nursing and Residential Homes in each Belfast constituency received notices from the RQIA; and (iii) how many residents have died in each Residential and Nursing Home from COVID-19.

**(AQW 4348/17-22)**

**Mr Swann:**

- (i) The Nursing and Residential Homes in each Belfast constituency that had a Regulation and Quality Improvement Authority (RQIA) inspection between 1 March 2020 and 29 May 2020 are tabled below:

Constituency	Service	Inspection Date
Belfast East	De La Cour House (RCH)	10/03/2020
Belfast North	Ambassador (NH)	02/03/2020
Belfast North	Chestnut Grove (RCH)	12/03/2020
Belfast North	Rigby Close (RCH)	12/03/2020
Belfast North	Glenabbey Manor (RCH)	30/04/2020
Belfast South	Cedarhurst Lodge (RCH)	05/03/2020
Belfast South	Redlands (RCH)	05/03/2020
Belfast South	Cedarhurst Lodge (NH)	05/03/2020
Belfast South	Nazareth House Care Village (RCH)	06/03/2020
Belfast South	Greerville Manor Care Centre (NH)	10/03/2020
Belfast South	River House (RCH)	11/03/2020
Belfast South	River House (RCH)	12/03/2020
Belfast West	Clifton Nursing Home (NH)	03/03/2020
Belfast West	Glenowen Court (RCH)	04/03/2020
Belfast West	Clifton Nursing Home (NH)	15/05/2020
Belfast West	Clifton Nursing Home (NH)	21/05/2020
Belfast West	Cairnmartin Court Care Home (NH)	26/05/2020
Belfast West	Springhill Residential Care Services (RCH)	26/05/2020
Belfast West	Our Lady's Home (NH)	27/05/2020

- (ii) Clifton Nursing Home, Belfast received one failure to comply notice from RQIA on 20 May 2020 in relation to governance, management and leadership of the home.
- (iii) While it is not possible to provide the number of deaths from Covid-19 by individual nursing and residential care homes, my department publishes information on the number of COVID-19 deaths in care homes on its daily dashboard

**Mr McGrath** asked the Minister of Health how much has been spent addressing wild fires in each of the last 10 years, broken down by Fire Service division.

**(AQW 4452/17-22)**

**Mr Swann:** The table below details Northern Ireland Fire and Rescue Service estimated spend on wildfires in each of the last 10 years, broken down by Area command:

	Northern Area £'000	Eastern Area £'000	Southern Area £'000	Western Area £'000	Total £'000
2010/11	140	55	236	264	695
2011/12	47	19	132	95	293
2012/13	51	17	103	89	260
2013/14	101	26	182	179	488
2014/15	58	20	170	102	350
2015/16	47	20	142	118	327
2016/17	96	25	147	115	383
2017/18	71	23	278	242	614
2018/19	163	55	466	212	896
2019/20	41	16	84	74	215
<b>Total</b>	<b>815</b>	<b>276</b>	<b>1,940</b>	<b>1,490</b>	<b>4,521</b>

**Mr Carroll** asked the Minister of Health whether he will publish the data protection impact assessments carried out on any proposed contact tracing app.

**(AQW 4467/17-22)**

**Mr Swann:** These 3 questions are related and have been answered together.

There has been no formal decision made regarding development of an NI specific Proximity App. If a decision is made to proceed the appropriate legislative and regulatory obligations will be met.

Any Equality Impact Assessments or Data Protection Impact Assessments (DPIA) will be published. DPIAs will include retention and disposal details as appropriate.

**Mr Carroll** asked the Minister of Health whether he will publish the Equality Impact Assessment carried out on any proposed contact tracing app.

**(AQW 4468/17-22)**

**Mr Swann:** These 3 questions are related and have been answered together.

There has been no formal decision made regarding development of an NI specific Proximity App. If a decision is made to proceed the appropriate legislative and regulatory obligations will be met.

Any Equality Impact Assessments or Data Protection Impact Assessments (DPIA) will be published. DPIAs will include retention and disposal details as appropriate.

**Mr Carroll** asked the Minister of Health whether he has consulted with the NI Human Rights Commission as part of the plans to develop a contact tracing app.

**(AQW 4469/17-22)**

**Mr Swann:** There has been no formal decision made to proceed to develop an NI specific Contact Tracing App.

However, a Steering Group commissioned by the Department of Health through the Chief Medical Officer, Dr Michael McBride, has been established to oversee the implementation of the Contact Tracing service in Northern Ireland.

As part of this work the Steering Group has been engaging with a number of key stakeholder organisations.

On 18 May 2020 Mr Les Allamby, the Human Rights Chief Commissioner for Northern Ireland, attended the Steering Group meeting which included a discussion on the proposals for a contact tracing App.

An engagement meeting took place on 29th May, where multiple Human Rights stakeholders in Northern Ireland joined a call with a panel of speakers from the PHA and Department of Health to hear an update on the Contact Tracing plans, including digital considerations. Stakeholders included:

- Office of the Children's Commissioner
- Social Change Initiative
- Privacy Advisory Committee
- Committee for Administration of Justice
- Amnesty International
- Women's Resource and Development Association
- Office of the Older People's Commissioner NI
- Human Rights Consortium
- Northern Ireland Human Rights Commissioner
- Equality Coalition
- Children's Law Centre
- NICVA



**Mr Carroll** asked the Minister of Health when data collected as part of a contact tracing app will be deleted.  
(AQW 4470/17-22)

**Mr Swann:** These 3 questions are related and have been answered together.

There has been no formal decision made regarding development of an NI specific Proximity App. If a decision is made to proceed the appropriate legislative and regulatory obligations will be met.

Any Equality Impact Assessments or Data Protection Impact Assessments (DPIA) will be published. DPIAs will include retention and disposal details as appropriate.

**Ms Flynn** asked the Minister of Health (i) whether the Drink Wise Age Well service will receive continued funding in the Western Health and Social Care Trust area; and (ii) for his assessment of increased alcohol consumption as a growing concern throughout the COVID-19 pandemic.  
(AQW 4489/17-22)

**Mr Swann:**

- (i) The Drink Wise Age Well programme is funded through The National Lottery Community Fund. While this funding was due to cease at the end of March 2020, I understand that the National Lottery has now awarded a 6-month extension until the end of September.
- (ii) While there is at this point no specific prevalence data for Northern Ireland, information from online surveys, media reports and alcohol sales across the four UK administrations and ROI indicates that alcohol consumption is a key issue during the pandemic. With the closure of on-sale premises it is unlikely that alcohol sales overall have increased, however there has been an increase in off-sales purchases. There is a concern that people may engage in different, and more harmful, alcohol consumption behaviours at home, and that family members may be exposed to more alcohol-related harm.

The Public Health Agency has therefore published advice on safer drinking for people staying at home due to the pandemic, and highlighted the health risks associated with alcohol consumption, with specific messaging related to the difficulties some may face during this period of social isolation. PHA will continue to use social media platforms to provide alcohol messaging and advice on an ongoing basis.

**Ms Flynn** asked the Minister of Health to outline the plans to resume services for women receiving treatment at the Belfast Mesh Clinic.  
(AQW 4491/17-22)

**Mr Swann:** You will be aware that on 9 June 2020 I published the Strategic Framework for Rebuilding Health and Social Care, along with Phase 1 (June 2020) rebuilding plans for each of the six Health and Social Care (HSC) Trusts.

The Strategic Framework will underpin the development of incremental service plans by Trusts. The key aim will be to incrementally increase HSC service capacity as quickly as possible across all programmes of care, including services at the Mesh Centre, within the prevailing COVID-19 conditions. Subsequent phases will see these service activity plans and targets updated in three monthly cycles.

Whilst, at present, there is no confirmed date for the resumption of the Mesh Clinic, the issue will be kept under review by the Belfast HSC Trust.

**Ms Flynn** asked the Minister of Health whether his Department has any plans to resume the Towards Zero Suicide initiative.  
(AQW 4492/17-22)

**Mr Swann:** £649k has been allocated through the transformation programme which will support the continuation of the Towards Zero Suicide programme in 2020/21. The programme will resume activity with staff redeployed as a result of the Covid pandemic returning to their roles in Trusts in July 2020. Cognisant of the potential impact of COVID-19 on the mental health on some vulnerable populations an adapted Action Plan for the initiative will be completed and implemented.

**Ms Mullan** asked the Minister of Health to outline the options considered to support families of children with autism where, as a result of current restrictions, sensory rooms and soft play areas are unavailable.  
(AQW 4523/17-22)

**Mr Swann:** Sensory rooms are generally located within Educational settings and in particular special schools. The Health and Social Care Board (HSCB) and the Public Health Agency (PHA) have been jointly working to identify children who, as a result of a needs assessment, should be accessing support in these settings. However, access is extremely limited and priority is given to those families where there is a risk of family breakdown.

There are a number of short break units that do have facilities but, due to infection control issues and subject to PHA advice, access to these units is limited and the number of young people accessing the facilities remains small. Many families have also advised that they do not wish to avail of this type of support at this time.

Trusts continue to link with families where advice and support is required by virtual means and, if required, by face to face contact which is subject to PHA guidance and advice, including access to PPE. Consideration is also given to the impact on children with autism and other conditions and only after consultation with carers and following the appropriate risk assessment.

**Ms Mullan** asked the Minister of Health how his Department plans to address the waiting lists for children with autism referrals.

**(AQW 4524/17-22)**

**Mr Swann:** Autism remains a key priority for my Department and significant investment has been made in autism services in recent years to address the waiting lists which have arisen as a result of the increasing rates of referrals. However, it is clear that reform is needed to secure sustainable improvements in waiting times for assessment and intervention and it must be acknowledged that current restrictions in place, as a result of COVID 19, are likely to have an impact on the current waiting list.

Funding has been provided by my Department to the Health and Social Care Board to support the finalisation of an Emotional Health and Wellbeing Framework for Children and Young People which will focus on greater support and early intervention through regional standardisation of autism services and proactive support for children, their families and carers. The Framework has been informed by a review of children's autism services, recently undertaken by the Public Health Agency and Health and Social Care Board, and consideration is being given to appropriate methods of stakeholder engagement within the challenges presented by the current climate.

The Health and Social Care Board and the Public Health Agency continue to work closely with the Trusts to consider innovative ways to address the needs of children undergoing autism assessment and enable them to access autism specific intervention.

Additionally, preparations in my Department had been at an advanced stage for the next phase of cross-departmental and stakeholder engagement to agree future actions for a revised autism strategy, due for implementation in 2021. Whilst this work has been significantly constrained as a result of the COVID 19 pandemic, planning is currently underway for this work to resume. A key priority within the strategy will be the need for early intervention and support for families.

**Mr Sheehan** asked the Minister of Health how his Department is replenishing levels of personal protection equipment, including for a potential second surge of COVID-19.

**(AQW 4553/17-22)**

**Mr Swann:** A regional health resource model has been developed to predict projected demand for PPE as we begin to rebuild services and prepare for a potential second wave later in the year.

The protection of our frontline health and safety staff is an absolute priority and we are working extremely hard to build up our PPE supplies to meet the anticipated demand.

Every feasible route locally and indeed internationally is being pursued to ensure we have the appropriate PPE available.

**Mr Sheehan** asked the Minister of Health for an update on his Department's plans for targeted preventative spending that will address (i) children's oral health inequalities; and (ii) childhood obesity levels, in more deprived communities.

**(AQW 4554/17-22)**

**Mr Swann:**

- (i) The Oral Dental Health specialists from the five Health and Social Care Trusts have developed and delivered a new training programme which focuses on key dental messages to be reinforced in the Health Visitors' and Child Health Assistants' contacts with families. The training has been offered across all Trusts.

In 18/19 Trusts received funding to allow 81,238 young children to participate in oral health and Improvement programmes across the region. The regional Happy Smiles programme for pre-school children accounts for 18,000 of these children. This is targeted at children from lower socioeconomic groups and delivered in a nursery setting

PHA is responsible for the yearly update of the Birth to Five Book which is given to every mother having their first baby. The importance of tooth brushing is highlighted, along with the option of downloading the free Brush DJ app.

- (ii) The current obesity prevention framework, A Fitter Future for All 2012-2022, was launched in March 2012. The ten year strategy takes an integrated approach to obesity prevention and contains outcomes and actions across the life course for the entire population of Northern Ireland. Work is currently underway to look specifically at the issue of childhood obesity through an innovation lab process.

As well as a number of population wide programmes to improve participation in physical activity and promote healthy eating among children and young people, the PHA have developed and are funding the Early Years Obesity Prevention Programme (EYOP) across NI. This targeted programme will address risk and protective factors for childhood obesity, adopting a holistic approach focusing on parenting skills, family lifestyle habits, diet and nutrition, physical activity and emotional wellbeing. The PHA has awarded a contract to HENRY (Health, Exercise & Nutrition for the Really Young) in Feb 2020, to provide an early years obesity prevention training programme to HSCT and SureStart staff across Northern Ireland

**Mr Frew** asked the Minister of Health why, in relation to childminding services, people working in gas and electricity services are not classed as key workers.

**(AQW 4572/17-22)**

**Mr Swann:** With the approval of the Executive, the definition of keyworker for the purpose of accessing childcare was expanded on Monday 8 June. Under the new definition within the category of Utilities, those working in gas and electricity services are classed as key workers and able to access childcare at this time as a result. Further guidance for parents and childcare providers is available at:

<https://www.familysupportni.gov.uk/Support/91/covid19-childcare-options-and-associated-guidance>

**Mr Gildernew** asked the Minister of Health how much money has been set aside, both capital and resource, to develop the COVID-19 contact tracing programme.

**(AQW 4581/17-22)**

**Mr Swann:** The information that you have requested is not currently available. It is anticipated that the total costs in respect of the Contact Tracing Programme will be finalised in the coming weeks.

**Mr Gildernew** asked the Minister of Health to detail the number of (i) suspected; and (ii) confirmed, cases of COVID-19 referred to COVID-19 primary care centres since they opened, broken down by (a) centre location; and (b) week.

**(AQW 4582/17-22)**

**Mr Swann:** Patients are referred to the COVID-19 Centres when they are suspected of being COVID-19 positive. Data is not available for those who are confirmed as COVID-19 either prior to or after their COVID-19 Centre attendance.

The tabulated information overleaf details the weekly count of all COVID-19 patient contacts broken down by COVID-19 Primary Care Centre location for the period week beginning 9th April 2020 to week beginning 28th May 2020.

	Week Beginning								Total
	9th April	16th April	23rd April	30th April	7th May	14th May	21st May	28th May	
Beech Hall COVID-19 PCC	298	299	312	273	223	233	187	149	<b>1,974</b>
COVID-19 Antrim	110	149	131	154	151	133	113	114	<b>1,055</b>
COVID-19 Ballymena	152	182	149	157	112	133	105	71	<b>1,061</b>
COVID-19 Coleraine					11	27	22	17	<b>77</b>
Ards COVID-19 PCC	63	78	74	90	75	92	83	56	<b>611</b>
Downe COVID-19 PCC	23	14	13	15	7	15	19	10	<b>116</b>
Lagan Valley COVID-19 PCC	43	52	41	32	20	17	22	16	<b>243</b>
Banbridge COVID-19 PCC	63	58	60	44	31	44	50	31	<b>381</b>
Dungannon COVID-19 PCC	49	60	51	44	37	30	40	31	<b>342</b>
COVID-19 Altnagelvin Area Hospital	81	72	62	62	67	56	27	37	<b>464</b>
COVID-19 South West Acute Hospital	29	24	20	19	10	20	14	13	<b>149</b>
<b>Total</b>	<b>911</b>	<b>988</b>	<b>913</b>	<b>890</b>	<b>744</b>	<b>800</b>	<b>682</b>	<b>545</b>	<b>6,473</b>

**Mr Allister** asked the Minister of Health (i) whether the 'R' number being published weekly is the actual 'R' number on that day, an average number collated over the previous week or something else; and (ii) does the range given indicate the high point and low point over the week, or something else.

**(AQW 4612/17-22)**

**Mr Swann:** The published position in respect of reproduction number R each week represents the best estimate of the range in which the R number falls as agreed by the Covid-19 modelling group. This assessment takes account of the outputs from modelling conducted in Northern Ireland and the rest of the UK by a number of separate groups. Each of the models provides an estimate of R with a 95% confidence interval.

The range does not indicate the high or low point over the week, but the best estimate of the range in which the R number falls as agreed by the modelling group.

**Mr Allister** asked the Minister of Health (i) whether it is possible to be prescribed Natural Desiccated Thyroid (NDT) tablets through the Health Service; (ii) how many patients are being prescribed NDT tablets; (iii) whether there is a difference in approach across Health and Social Care Trusts; (iv) which Trusts allow NDT on prescription for low thyroid conditions; (v) whether a GP can prescribe NDT tablets without the advice of a consultant; and (vi) to outline any difference of approach to prescribing NDT tablets in Northern Ireland as to the practice in GB, including the rationale for the difference in approach.  
(AQW 4613/17-22)

**Mr Swann:** NDT products are not licensed for use in the UK and their use is not recommended by national and international clinical guidelines (including those produced by the Royal College of Physicians, British Thyroid Association and European Thyroid Association). Recent NICE guidelines published on 20 November 2019 also recommend against the use of NDT's in the treatment of hypothyroidism (<https://www.nice.org.uk/guidance/ng145>)

The use of NDT is not therefore supported by the Northern Ireland Formulary which clinicians are expected to consider when making prescribing decisions (<https://niformulary.hscni.net/formulary/6-0-endocrine/6-2-thyroid-and-antithyroid-drugs-and-parathyroid-disease/6-2-1-hypothyroidism/>). Subsequently, no HSC Trusts currently support the prescribing of NDT to patients for low thyroid conditions.

Licensed products should always be used in the treatment of any condition, unless there are exceptional clinical circumstances which make this impossible. Medical practitioners including GPs can however, without the advice of a consultant, prescribe NDT tablets in clinical situations where it is judged that, on the basis of the available evidence, use of the unlicensed medicine in question would be in the best interest of the patient. This is done under the proviso that the prescriber is then willing to take personal responsibility for the treatment. With this being the case I am advised that 24 patients have been identified as having NDT tablets prescribed to them on a "named patient" basis in Northern Ireland.

There is no known difference in approach or practice to the prescribing of NDT tablets in NI to that undertaken in GB.

**Miss McIlveen** asked the Minister of Health, pursuant to AQW 2489/17-22, for an update on the draft regulations to prohibit the sale of nicotine inhaling products to under 18 year olds.

(AQW 4643/17-22)

**Mr Swann:** Draft regulations to prohibit the sale of nicotine inhaling products to under eighteens were being progressed by officials before the COVID-19 outbreak. Since then, staff have been redeployed to assist with the Department's response to the pandemic and work on the regulations was paused. Officials will soon be in a position to resume work on these draft regulations.

**Mr Allister** asked the Minister of Health what has been the cost, to date, of the 11 COVID-19 centres; and what has been the throughput of each.

(AQW 4654/17-22)

**Mr Swann:** COVID-19 Centres ensure that patients with COVID symptoms can be assessed and treated by a GP, whilst minimising the risk to patients who do not have COVID symptoms

The operational of the centres is managed locally, based on demand. Rotas are developed a number of weeks in advance of each shift and seek to ensure that centres can be staffed to full capacity should the need arise. Where capacity in the Centres exceeds patient demand during particular periods, the number of staff who are on the rota to support a Centre may be reduced. Staff can also be put on standby, allowing them to carry out other duties whilst remaining available to assist patients in the Covid-19 centres should the need arise.

The expenditure to date for the COVID Centres is £1,538.4k.

A total of 6,473 people have attended the centres during the period 9 April – 3 June 2020. This is broken down by location in the table below:

COVID Centre Location	Total Contacts
BEL: Beech Hall Covid PCC	1974
DUC: COVID Antrim	1055
DUC: COVID Ballymena	1061
DUC: COVID Coleraine*	77
SET: Ards Covid PCC	611
SET: Downe Covid PCC	116
SET: Lagan Covid PCC	243
SHS: Banbridge Covid PCC	381
SHS: Dungannon Covid PCC	342
WUC: Covid AAH	464

COVID Centre Location	Total Contacts
WUC: Covid SWAH	149
<b>Total:</b>	<b>6473</b>

\* Coleraine Centre opened 11 May 2020

**Mr Easton** asked the Minister of Health when dental practices will be able to reopen.

**(AQW 4664/17-22)**

**Mr Swann:** Most General Dental Practices have remained open to treat non-Covid-19 patients with urgent dental care needs, providing the treatment does not involve the use of Aerosol Generating Procedures (AGPs). Patients needing emergency dental treatment which involves AGPs have been referred to our Urgent Dental Care centres.

The Acting Chief Dental Office, Michael Donaldson, wrote to all General Dental Practitioners on 2 June 2020, outlining the plans for a phased, safe full restoration of General Dental Services.

A copy of the letter can be read at the link below. <http://www.hscbusiness.hscni.net/pdf/Letter%20to%20GDPs%20on%20the%20Re-establishment%20of%20Dental%20Services%2002.06.20.pdf>

My Department will continue to work closely with the Health and Social Care Board and representatives of the dental profession to identify what additional support will be required as we move through the pathway to recovery and re-establish dental services.

**Mr McGrath** asked the Minister of Health to detail the comparative impact of COVID-19 on Black, Asian and minority ethnic people.

**(AQW 4692/17-22)**

**Mr Swann:** Public Health England (PHE) have recently published their report examining disparities in the risk and outcomes of COVID-19. The report examines important factors including ethnicity and its key finding was "Risk of dying among those diagnosed with COVID-19 was also higher in males than females; higher in those living in the most deprived areas than those living in the least deprived; and higher in those in Black, Asian and Minority Ethnic (BAME) groups than in White ethnic groups".

My Department is currently considering this report in detail. This will include any potential implications and lessons for the Black, Asian and minority ethnic people.

It is important to note that the Public Health Agency (PHA) commission services with various organisations that target and support Minority Ethnic and Migrant communities across Northern Ireland. This is especially important during the current pandemic.

**Ms Bradshaw** asked the Minister of Health to outline his plans for putting in place comprehensive and expanded rehabilitation services for people who have had COVID-19 that involve Allied Health Professionals, particularly with regard to ensuring that anyone who has had COVID-19 has access to a dietitian and suitable nutrition.

**(AQW 4695/17-22)**

**Mr Swann:** I have asked the Chief Medical Officer to set up a working group to consider how the rehabilitation process will be taken forward. In so doing consideration will be given to the important roles all Health and Social Care (HSC) staff including dietitians will have to play in delivering rehabilitation services.

Dietitians have vital roles to play across the HSC in assessing, diagnosing and treating dietary and nutritional problems. Good nutrition will be a vital part of the recovery and rehabilitation process for all patients with Covid-19, many of whom will require individual nutritional support.

**Ms Bradshaw** asked the Minister of Health how Allied Health Professionals will be represented on the management board overseeing the Strategic Framework for the Re-opening of Health and Social Care.

**(AQW 4697/17-22)**

**Mr Swann:** The Chief Nursing Officer Charlotte McArdle as head of the Nursing, Midwifery and Allied Health Professionals Directorate provides representation on behalf of nurses, midwives and allied health professions on the Management Board overseeing the Strategic Framework.

The Chief Allied Health Professions Officer in the department reports directly to the Chief Nursing Officer and will be in attendance at Board meetings to deal with specific issues as they arise in relation to AHPs.

**Mr Allister** asked the Minister of Health what progress has been made in approval of the Trikafta drug for cystic fibrosis patients.

**(AQW 4702/17-22)**

**Mr Swann:** Trikafta does not have an EU or UK marketing authorisation and so is an unlicensed medicine. This means that it has not yet been fully assessed by the European Medicines Agency or the Medicines and the Healthcare Products Regulatory Agency in terms of its safety, quality and efficacy, and so is not currently available for routine commissioning.

I regret that until the licensing position of Trikafta is confirmed there is nothing further that can be added. However, I can assure you that the Department will continue to monitor the situation and keep developments under review.

**Ms Flynn** asked the Minister of Health, pursuant to AQW 4350/17-22, whether he will commit to amending the Mental Health Order 1986 to remove barriers to establishing a dual diagnosis service for addictions and mental health.

**(AQW 4713/17-22)**

**Mr Swann:** There are currently no legal barriers within the Mental Health Order (Northern Ireland) Order 1986 prohibiting the establishment of a dual diagnosis service for addictions and mental health.

**Mr Carroll** asked the Minister of Health why there are no Allied Health professionals or trade union representatives on his Department's Rebuilding Health and Social Care Services Strategic Framework's Management Board.

**(AQW 4722/17-22)**

**Mr Swann:** The interests of all HSC colleagues are represented through the current membership of the Board. The Chief Nursing Officer represents the views of Nurses, Midwives and Allied Health Professionals on the Management Board and will be advised by the Chief Allied Health Professions Officer in my Department.

I am currently taking initial soundings on my proposed amendments to the HSC Framework Document and this will be followed by a 12 week consultation in due course in the light of any significant matters that may emerge from the soundings.

**Mr Givan** asked the Minister of Health what guidance has been issued to local councils and leisure providers in respect of the phased reopening of gyms, swimming pools, sporting facilities and community centres.

**(AQW 4772/17-22)**

**Mr Swann:** At present, facilities such as gyms and swimming pools must remain closed and, as such, no specific guidance in respect of phased reopening of these facilities has been provided to councils and leisure providers. Outdoor sports facilities may open for use and guidance on The Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020, including detail on the restrictions, social distancing and hand hygiene, which you may find helpful, is available at:

<https://www.health-ni.gov.uk/publications/health-protection-coronavirus-restrictions-northern-ireland-regulations-2020>.

I am clear that we will not retain the current restrictions any longer than is absolutely necessary.

**Ms Sugden** asked the Minister of Health for his assessment of the Community Pharmacy Workforce Survey Report 2019; and whether there is improvement on the 320 community pharmacist deficit estimated last year.

**(AQW 4842/17-22)**

**Mr Swann:** My Department recognises the importance of ensuring that the pharmacy workforce has the capacity and capability to support the challenges faced by the HSC. For that reason prior to the pandemic, a formal review of the pharmacy workforce had been completed. Although progress was interrupted by coronavirus, it is the intention to re-start this work and to publish the review with an implementation plan, in the coming months, subject to COVID-19.

In respect of pharmacist numbers, the review found that there was no way of accurately assessing need in community pharmacies, unlike Trusts where vacancies are monitored. It is the intention to address this during implementation of the review with a proposal to develop a structured process to monitor current and projected workforce needs in all sectors.

In the absence of a robust method of analysis I am unable to comment on the 2019 deficit figures quoted in the independently commissioned community pharmacy review undertaken by Community Pharmacy NI. However, you will be aware that a range of interventions were made to support community pharmacy in recent months in their response to COVID-19.

In addition to significant additional funding, a number of short term actions were taken that aimed to support the workforce. This included the re-registration of recently retired pharmacists, promotion of locums, delay of general practice pharmacist commencement dates, protected lunch breaks, engagement of pharmacy undergraduates, foundation dental students and the community and voluntary sector. The implementation of the Department's pharmacy workforce review will build on this to drive longer term change.

**Ms Sugden** asked the Minister of Health for his assessment of the safety risk to both patients and pharmacists from the shortage of community pharmacists.

**(AQW 4843/17-22)**

**Mr Swann:** The Health and Social Care Board (HSCB), as commissioner of community pharmacy services, has advised that community pharmacies are continuing to provide pharmaceutical services in both a professional and safe manner and it is not aware of any apparent known safety risks to patients or pharmacists as a consequence of a shortage of community pharmacists in Northern Ireland.

In accordance with the professional standards of conduct, ethics and performance for pharmacists in Northern Ireland, a community pharmacist would be professionally obligated to notify the HSCB immediately should they ever become unable to deliver pharmaceutical services in a manner that was both safe to them and their patients.

## Department for Infrastructure

**Mr G Kelly** asked the Minister for Infrastructure (i) whether modes of public transport are marked out for social distancing for passengers; and (ii) if so, when it was instituted; and (iii) how it is being enforced.

**(AQW 4366/17-22)**

**Ms Mallon (The Minister for Infrastructure):**

- (i) Translink has implemented a wide range of Covid 19 controls with a clear focus on the safety, health and well-being of both customers and staff. These measures have included the roll out of social distancing measures and signage, guidance and controls across the public transport network together with enhanced cleaning and sanitisation of buses, trains and facilities; additional protection for Translink staff including protective screens and additional PPE; and customer messaging via multiple channels including press and social media. Translink has also proactively amended Bus and Rail timetables to ensure that sufficient capacity is provided ahead of demand in order to assist social distancing. All services are monitored for passenger demand and where required, additional capacity has been provided to ensure social distancing can be facilitated. On buses, seats have been marked off behind driving cabs to ensure passengers are at least 2m away from the driving cab. Whilst seats beyond this are not currently marked out, passengers are reminded through signage within each vehicle regarding their responsibilities for practising social distancing on our public transport network. We are also asking passengers to 'Help Us Help You' by being respectful to other passengers and utilise the space provided to maintain social distancing. The vast majority of passengers have respected the social distancing guidelines, customers are also kept regularly informed of the latest health guidance via customer channels including the local press and social media.
- (ii) All measures to help with social distancing guidelines were established over the period from the end of March 2020 to date and are kept under constant review.
- (iii) As seats are not currently marked out on our public transport network, there is no system to enforce. It is worth noting that Translink has worked closely with the PSNI to provide assistance through our network to help with social distancing when required. This has included ensuring that our public are travelling for essential travel only. I have also asked officials to explore markings in light of plans in the south to ensure an island wide approach to safety on our public transport network for staff and passengers.

**Ms Ní Chuilín** asked the Minister for Infrastructure, given the complaints from residents around drivers' speed in built-up residential areas, whether she plans to introduce traffic management measures in the (i) Torrrens; (ii) Oldpark; and (iii) Rosapenna areas of North Belfast.

**(AQW 4367/17-22)**

**Ms Mallon:** My Department recognises the importance of traffic calming and road safety measures and is committed to exploring solutions that deliver better for communities and improve lives across Northern Ireland. I have asked my officials to carry out an updated assessment in these areas.

In the meantime if residents are concerned about persistent issues with speeding, or persons driving inappropriately, they may wish to report such incidents to the PSNI on their non-emergency number 101.

**Mr Muir** asked the Minister for Infrastructure (i) for a list of planning applications under the remit of her Department that have yet to be determined; and (ii) how long each application has been awaiting a decision.

**(AQW 4377/17-22)**

**Ms Mallon:** Data extracted from my Department's Planning Portal shows the following list of live planning applications with my Department at 31 December 2019. This is taken from the latest published information.

Figures up until the end of March 2020 will be published on 2 July 2020.

### Current DfI planning applications at 31 December 2019

Application number	Time in the system (weeks)
T/2005/0977/F	698.6
T/2005/1054/F	695.6
H/2009/0264/O	529.0
H/2009/0270/F	527.2

Application number	Time in the system (weeks)
H/2009/0271/LB	527.2
P/2015/0218/F	236.6
LA03/2015/0234/F	224.6
LA05/2015/0342/O	224.6
LA10/2015/0292/F	224.2
LA09/2016/0232/F	180.0
LA08/2016/0676/DCA	179.6
LA02/2016/0968/F	151.6
LA01/2017/0250/LBC	141.4
LA01/2017/0251/F	141.4
LA04/2017/0541/HSC	141.2
LA04/2017/0474/F	141.0
LA03/2017/0310/F	138.6
LA01/2017/0689/F	130.2
LA02/2017/0453/LBC	129.4
LA06/2017/0778/RM	125.8
LA11/2017/0586/RM	125.8
LA01/2017/1287/F	112.0
LA01/2017/1289/LBC	112.0
LA10/2017/1249/F	103.8
LA01/2018/0446/LBC	85.2
LA03/2018/0605/O	75.8
LA06/2018/0997/RM	65.4
LA11/2018/0926/RM	62.6
LA06/2018/1295/RM	54.0
LA03/2018/1116/RM	51.4
LA04/2019/0871/F	35.0
LA06/2019/0568/RM	29.6
LA03/2019/0751/F	18.4
LA10/2019/1386/F	3.2
LA11/2019/1000/F	3.2
LA06/2019/1252/RM	1.6
LA06/2019/1265/RM	1.2
LA06/2020/0129/RM	1.2

My Department's Strategic Planning Directorate is also continuing to process 3 other applications remitted back to the Department by the Courts [one in July 2018 and the other 2 in February 2019] following their original determination/approval.

You will note the extensive timescales taken to process some of these applications. The timescales reflect the inherent complexity and often controversial nature of some of these applications, the volume of information comprising the application, the level of representations received, the conducting of Inquiry and Hearings into the applications and the tendency for legal challenges to a number of these controversial proposals.

**Ms Kimmins** asked the Minister for Infrastructure whether (i) the progression of the A1 safety improvements will be a priority for her Department; and (ii) funding will now be committed, following the conclusion of the public inquiry.  
(AQW 4379/17-22)



**Ms Mallon:** I recognise that many in the local community support the safety improvements which are being proposed along the A1 between Hillsborough roundabout and Loughbrickland village. I am very aware how important the A1 improvements are for the many people who have expressed their support, especially those who have lost loved ones.

As announced last week, I have asked my officials to continue developing the current Strategic Road Improvement programme, including the A1 Junctions Phase 2 safety improvement scheme, during the current year within the capital budget made available to me. I am awaiting the report from the Public Inquiry and am keen to progress to the next stage as quickly as possible, whilst of course completing all of the necessary statutory processes.

**Mr McNulty** asked the Minister for Infrastructure to detail the consultations outstanding from statutory consultees in relation to the planning application for the redevelopment of Casement Park before a final report can be drafted by officials for her consideration.

**(AQW 4444/17-22)**

**Ms Mallon:** All consultation responses have now been received. My officials continue to work at pace to complete their assessment of this significant planning application to bring forward a recommendation for decision.

**Ms Ní Chuilín** asked the Minister for Infrastructure, given the complaints from residents around drivers' speed in built-up residential areas, whether she plans to introduce traffic management measures in the area of new housing in New Lodge, North Belfast.

**(AQW 4456/17-22)**

**Ms Mallon:** My Department is a statutory consultee to the planning authority and through that process provides advice on the proposed road layout of any new developments. These layouts are designed in accordance with planning guidance, "Creating Places - Achieving Quality in Residential Developments" which seeks to restrain vehicle speeds and provide a safer environment for pedestrians, cyclists and other road users.

This is achieved at design stage through the arrangement of buildings and spaces within the layout to provide measures such as short through roads, cul-de-sacs and roads with 'easy' bends to control speeds. Where the road layout in itself does not produce low speeds, further traffic calming measures, such as chicanes and road humps, are integrated as necessary into the design.

Traffic calming has already been given consideration at design stage of the new housing in the New Lodge, however I have already asked officials to carry out an assessment.

**Mr Robinson** asked the Minister for Infrastructure to outline (i) what NI Water works are being carried out at Walworth, Ballykelly; (ii) the proposed duration of the works; (iii) whether neighbourhood notification was carried out; and (iv) whether she will undertake to investigate noise complaints from neighbours.

**(AQW 4458/17-22)**

**Ms Mallon:** NI Water is currently constructing the final phase of a £6.4million essential project for the upgrade of Ballykelly Wastewater Treatment Works. The works upgrade project will cater for future population demands and environmental standards to return treated effluent to the environment. Due to the poor bearing capacity of the coastal alluvial soil, NI Water requires driven piled foundations to be installed to support concrete structures. The programme of work has been impacted by the implementation of Covid-19 social distancing measures, and currently piling work is programmed to continue until 31st July.

Letters were issued by hand on 3rd June to local customers and residents. Noise levels are monitored by the contractor on a daily basis and I am advised that to date these levels have not exceeded normal working practices at the boundary of the works site. Under the contract, the contractor is limited to working only between 8am and 6pm. Any noise complaints will be investigated by NI Water to confirm whether noise levels have been exceeded.

**Mr Newton** asked the Minister for Infrastructure, regarding the classification of vehicles as classic cars and motorcycles, whether she will address the anomalies between Northern Ireland and Great Britain by amending the Northern Ireland legislation to bring it into line with other parts of the UK.

**(AQW 4459/17-22)**

**Ms Mallon:** I am aware that this exemption was introduced in Great Britain in 2018 which has led to a difference as to how Vehicles of Historic Interest (VHIs) are treated in GB and NI.

Following requests to align Northern Ireland legislation with that in GB, from both elected representatives and members of the public my Department ran a public consultation exercise in 2019 seeking views as to whether this exemption should be introduced here. Officials have prepared an analysis of responses for my consideration and to assist me in taking a final decision on the way forward.

**Mr Beattie** asked the Minister for Infrastructure whether her Department has any plans to adopt the UK rules on 40-year old cars being exempt from an annual MOT.

**(AQW 4471/17-22)**

**Ms Mallon:** I am aware that this exemption was introduced in Great Britain in 2018 which has led to a difference as to how Vehicles of Historic Interest (VHIs) are treated in GB and NI.

I am also aware that following requests to align Northern Ireland legislation with that in GB, from both elected representatives and members of the public my Department ran a public consultation exercise in 2019 seeking views as to whether this exemption should be introduced here. Officials have prepared an analysis of responses for my consideration in making a final decision on the way forward.

**Mr Newton** asked the Minister for Infrastructure to detail (i) the level of investment she has committed; and (ii) the number of additional public use electric car charging points planned to be provided for (a) Northern Ireland; (b) Belfast; and (c) East Belfast, within the next 12 months, 24 months and 36 months.

**(AQW 4478/17-22)**

**Ms Mallon:** I am focused on delivering clean public transport and active travel options to build connectivity, reduce emissions and promote health and well-being for all. Given the impact of transport on greenhouse gas emissions and air quality, reducing congestion and decarbonising public transport must be a priority. However, we need to achieve this at a time when our public finances are constrained, particularly, now with added financial pressures arising as a result of the Covid-19 pandemic. I will be supporting a Green Recovery in the North, making use of all available resources to achieve this. My Department is working closely with the UK Office for Low Emission Vehicles (OLEV) which is working across government to support the early market for ultra-low emission vehicles (ULEV). This includes the provision of a range of e-car related grants including home, workplace and residential charge points to support the uptake of electric vehicles. The UK Government also recently announced that government funding will be increased to £20 million (up from £10 million) for 2020/21 for the installation of charge points on residential streets. The application process is open to relevant Local Authorities throughout the UK and in the North.

I would refer you to my previous reply to AQW 4341/17-22 in respect of the number of planned additional public use electric car charging points. I am committed to ensuring that the public charge point infrastructure remains fit for purpose commensurate with growth. The DEARA Minister and I met earlier this year to discuss this matter and opportunities for partnership working. As such, officials are currently exploring a range of options and solutions to enhance our infrastructure, improve lives and tackle the climate emergency, particularly, in the context of COVID-19 recovery plans.

**Mr Boylan** asked the Minister for Infrastructure to outline the measures her Department is considering to address road safety concerns during COVID-19, including (i) increased public awareness campaigns; (ii) the introduction of 20mph zones outside schools; (iii) speed limit decreases on certain roads; and (iv) advancing projects vital for road safety such as the A1 upgrade.

**(AQW 4493/17-22)**

**Ms Mallon:** As Minister for Infrastructure, I take my responsibility for promoting and improving road safety very seriously, particularly through the current Covid-19 situation. I continue to work actively with partners to reduce death and serious injuries on our roads.

With the increase of all age groups walking and cycling, and a decrease in traffic flow, road safety messages are tailored towards emerging changes in road user behaviour during this time.

My Department was immediately proactive in adapting its road safety bus rear campaigns to reflect the current situation, around travelling safely and only when essential. We have a full programme of road safety messages running on the 'Share the Road to Zero' social media channels, all underpinned with current Government safety messaging.

I have recently met with the Chief Constable to discuss priority road safety issues of mutual interest to which I am giving consideration.

My Department is committed to introducing measures that reduce the speed of traffic on our roads. We are currently trialling an arrangement of signs on some rural roads that is intended to allow the introduction of more part-time 20mph limits at schools. To further demonstrate my commitment, I also announced in my budget that I have allocated funding for the roll out of 20mph limits for some 100 schools this year.

We are also trialling the effectiveness of introducing 20mph limits using traffic signs alone, which would be more economical and could be used more widely in appropriate environments, such as residential areas with schools, than would be possible with the current approach of providing 20mph limits along with traffic calming features. I am expecting receipt of the findings of the trials imminently, and I fully intend to see what potential there is to build on the work already undertaken in terms of these 20mph limits and other limits. Speed limits are assessed on a site-by-site basis in line with current policy and in response to incidents and public requests.

In areas where we have widened footways and pop-up cycle lanes for social distancing we will consider the placing of temporary speed reductions and we are actively working with partners, particularly councils, to explore what is possible.

Whilst I am currently faced with serious and challenging resource budgetary constraints, I am committed to working to find solutions that deliver better for our communities and improve lives across Northern Ireland. I recognise that many in the local community support the safety improvements which are being proposed along the A1 between Hillsborough roundabout and Loughbrickland village. I am very aware of how important the A1 improvements are for the many people who have expressed their support, especially those who have lost loved ones. As I announced recently, I have asked my officials to continue

developing the current Strategic Road Improvement programme, including the A1 Junctions Phase 2 safety improvement scheme, during the current year, within the capital budget made available to me. I am keen to progress to the next stage as quickly as possible, whilst of course completing all of the necessary statutory processes.

I recognise the continuing challenges of preventing road deaths and serious injuries and as such, it is key that my Department, in collaboration with partners continues to address the issues using all practicable methods.

**Mr Beggs** asked the Minister for Infrastructure to detail (i) the number of motorcycle driving tests that have been carried out in each of the last 12 months; and (ii) the difficulties that have had to be overcome to enable this outdoor test, in which the examiner does not travel in the same vehicle, to be carried out safely.

**(AQW 4496/17-22)**

**Ms Mallon:** The table below provides the number of motorcycle tests delivered each month between April 2019 and March 2020. The information is broken down into Off-Road Motorcycle Tests, On-Road Motorcycle Tests and Extended Tests following disqualification.

Motorcycle Tests	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Off-Road	162	164	167	191	179	173	127	127	74	74	44	51
On-Road	110	127	162	107	174	131	144	87	73	57	67	56
Extended Test	0	0	0	0	1	0	0	0	1	0	0	0

From 20 March 2020, in the interest of public safety and to tackle the spread of COVID-19, the Driver & Vehicle Agency (DVA) suspended all driving tests at all DVA testing centres for three months, until 22 June 2020.

The DVA has been undertaking a full review of risk assessments for the standard operating procedures for delivering motorcycle tests with particular focus on key issues such as PPE, Health and Safety in light of current Public Health Agency advice, delivery of tests when test centres are closed and how to manage communications between examiner and candidate during the on-road element of the test. Revised processes will be agreed with staff and Trade Unions before motorcycle tests resume.

I know that this is currently causing inconvenience and concern to some customers. I can assure you I am keeping this position under constant review with the aim of reintroducing practical driving tests for motorcycles as soon as it is safe to do so, taking account of guidance on social distancing and in line with the Executive's Pathway to Recovery, to ensure the safety of staff and customers.

**Ms Bunting** asked the Minister for Infrastructure to outline any discussions she has had with the Minister of Justice and the Chief Constable in relation to the capability and equipment necessary to identify those engaged in driving under the influence of drugs and to understand the extent of the problem.

**(AQW 4518/17-22)**

**Ms Mallon:** I recently met with the Chief Constable to discuss a number of road traffic concerns along with any road safety issues emerging throughout the lockdown period. While the issue of drug driving in Northern Ireland and the use of the current field impairment test formed part of our discussions the main focus, in terms of equipment, was on procuring evidential breath testing devices. These are required to enable the introduction of the new lower drink drive limits provided for in the Road Traffic (Amendment) Act (NI) 2016.

I have considered the extent of the drug driving problem in terms of road casualties. During the period from 1st January 2014 to 31 December 2018, 41 people were killed or seriously injured where the driver/rider was impaired by drugs. This compares with 352 deaths or serious injuries during the same period, where the driver/rider was impaired by alcohol.

I am concerned about the ongoing dangers of drink and drug driving and want to do whatever it takes to make it quicker and easier to hold drunk and drug-drivers to account.

Drug driving is a complex issue and before I bring forward any new strategies I plan to consider the approaches that have been implemented in both Britain and Ireland in recent years, and see what we can learn. In the meantime I will continue to keep the issue under review and liaise with the Chief Constable and the Minister of Justice.

**Ms Bailey** asked the Minister for Infrastructure to provide an update on the progress of her Department's Planning Environmental Governance Work Programme against previously agreed actions and timescales.

**(AQW 4521/17-22)**

**Ms Mallon:** The Environmental Governance Work Programme (EGWP) outlines a number of areas of work being taken forward which are aimed at improving environmental governance and practice across the planning system.

Progress has been maintained across the main strands of the Programme. In relation to capacity building and support, there has been positive engagement with all councils with the delivery of tailored training in conjunction with an external environmental expert. An 'Environmental Officer's Forum' has also now been established which includes planning officers

from DfI and councils. This work was all completed as programmed, however, the current COVID-19 crisis has delayed the next phase of the training and the timing of practice guidance. Work is underway to take this forward as soon as possible.

My Department continues to engage with councils in relation to certain operational environmental compliance issues where appropriate. Work in other areas of the Programme, including engagement and co-operation with other organisations and authorities, remains ongoing.

**Miss Woods** asked the Minister for Infrastructure pursuant to AQW 4000/17-22, (i) whether she considers the Regional Development Strategy (RDS) objective of reducing Northern Ireland's carbon footprint and facilitating mitigation and adaptation to cover both demand-side issues and supply-side issues, including the wider infrastructure that keeps Northern Ireland locked into dependency on fossil fuels; and (ii) for her assessment of whether significant additional new capacity for the storage and distribution of fossil fuels are contrary to the objectives of the RDS and Strategic Planning Policy Statement for Northern Ireland (SPSS).

**(AQW 4531/17-22)**

**Ms Mallon:** The Regional Development Strategy 2035 (RDS) is the overarching strategic framework which facilitates and guides long term spatial development in Northern Ireland and as such, its objective of reducing Northern Ireland's carbon footprint through facilitating mitigation and adaptation, covers both demand and supply side issues and applies to key infrastructure projects. It is my assessment that any planning application for new capacity for the storage and distribution of fossil fuels will be considered by the relevant planning authority on a case by case basis taking into account the local development plan, the RDS, the Strategic Planning Policy Statement for Northern Ireland (SPPS) and all other material considerations. As the relevance and weight to be attached to the RDS, SPPS and all other material considerations is a matter of planning judgement for the decision taker, it would be inappropriate for me to predetermine such considerations in advance.

**Ms Kimmins** asked the Minister for Infrastructure whether she will commit to rolling out the 20mph zone initiative outside schools.

**(AQW 4532/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am determined to make roads safer around our schools and as a demonstration of my commitment I have allocated £2m to introduce 20 mph speed limits at around 100 schools across the North, so that parents, children and staff are safer as they go to and from school on a daily basis.

**Ms Ennis** asked the Minister for Infrastructure whether she will commit to advancing the Narrow Water Bridge project.

**(AQW 4537/17-22)**

**Ms Mallon:** As outlined previously and as recently as last week in a public statement, I remain committed to advancing the Narrow Water Bridge Project. This is a commitment in New Decade, New Approach and I look forward to engaging with my counterpart in the South in advancing this important cross border project.

I will be pressing to ensure that we can maximise the tourism potential of this cross border region whilst protecting the natural environment in this area of historic and ecological significance. I hope to work with local communities, driving change from the ground up rather than the top down. I look forward to engaging with all stakeholders including the Council and local interest groups.

**Mr Boylan** asked the Minister for Infrastructure (i) whether her Department intends to produce safe travel guidance for drivers and passengers during COVID-19; and (ii) whether this will also include guidance for taxi drivers.

**(AQW 4597/17-22)**

**Ms Mallon:**

- (i) My Department is in the process of finalising safe travel guidance, which will provide advice to public transport users, walkers, cyclists and drivers, and to public transport operators during Northern Ireland's recovery from coronavirus (COVID-19). The guidance will be published in support of the Northern Ireland Executive's five-stage coronavirus recovery plan and will be updated as appropriate to reflect the changing situation as we progress through the various stages of the plan.
- (ii) My department is responsible for regulation of the taxi industry. Provision of guidance for taxi drivers during COVID-19 falls within the remit of the Department for the Economy. I have written to the Minister for the Economy on this matter and she has advised me that she has tasked the NI Engagement Forum to consider whether the existing guidance for employers, employees and self-employed people can be enhanced to strengthen the advice to taxi drivers.

**Mr K Buchanan** asked the Minister for Infrastructure (i) what discussions have been had; and (ii) recommendations issued regarding protection equipment in public taxis.

**(AQW 4629/17-22)**

**Ms Mallon:** The Department's remit in relation to taxis is regulatory, and a priority for me during the current public health emergency has been to facilitate the necessary rapid two way communication with the industry on regulatory issues that need to be addressed. My officials and I have been in regular and ongoing contact with the industry, including with individual drivers and operators, augmented by open letters to the industry.

The Department for the Economy is the Department responsible for issuing guidance on protective equipment. I have contacted the Minister for the Economy on a number of occasions seeking an update as to when guidance will be available for the taxi industry.

**Mr Easton** asked the Minister for Infrastructure whether she will suspend the sale of Portavoe Reservoir, in light of fencing being erected and before a right of way has been considered by Ards and North Down Borough Council.

**(AQW 4665/17-22)**

**Ms Mallon:** Northern Ireland Water has advised me that the sale of Portavoe Reservoir has been completed. Therefore, consideration of your request to suspend the sale is not possible.

However the fact that the reservoir is now in private ownership, or that fencing has been erected, should not prevent Ards and North Down Borough Council continuing to consider the possible creation of a public path around the reservoir, using its powers under the Access to the Countryside (Northern Ireland) Order 1983.

**Ms Kimmins** asked the Minister for Infrastructure for a list of schools to be included in the roll-out of the 20mph zone, as detailed in her budget statement.

**(AQW 4710/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to have been able to commit funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. As the budget commitment has only been confirmed, priority listings are currently being developed for each Division. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised.

**Miss McIlveen** asked the Minister for Infrastructure to detail the locations which will be developed as park and ride sites this financial year.

**(AQW 4730/17-22)**

**Ms Mallon:** I have allocated £4m for the development of Park and Ride sites in 20/21 and I will shortly be considering my priorities for this programme.

**Mr Dunne** asked the Minister for Infrastructure for an update on bringing forward MOT exemptions for Vehicles of Historical Interest that are 40 years old or more.

**(AQW 4778/17-22)**

**Ms Mallon:** I am aware that this exemption was introduced in Great Britain in 2018 which has led to a difference as to how Vehicles of Historic Interest (VHIs) are treated in GB and NI.

Following requests to align Northern Ireland legislation with that in GB, from both elected representatives and members of the public my Department ran a public consultation exercise in 2019 seeking views as to whether this exemption should be introduced here. Officials have prepared an analysis of responses for my consideration in making a final decision on the way forward.

**Mr Robinson** asked the Minister for Infrastructure whether there is a timetable to restart driving tests.

**(AQW 4865/17-22)**

**Ms Mallon:** The Driver and Vehicle Agency (DVA) suspended all practical driving tests from 20 March until 22 June 2020 as it is not possible to deliver them safely and adhere to current Public Health Agency advice and guidance on social distancing.

I know this is currently causing inconvenience and concern to some customers. I am keeping this position under constant review with the aim of reintroducing practical driving tests as soon as it is safe to do so, taking account of guidance on social distancing and in line with the Executive's Pathway to Recovery.

My priority is to keep staff and customers safe, for this reason and given the clear guidance from the Department of Health on 2m of social distancing, I do not expect the DVA to be able to commence driving tests from 22 June. However, as soon as practical driving tests can be resumed safely, I will move to do so and ensure there is clear communication to our customers.

I will be providing an update on the resumption of DVA services in the coming days.

## Department of Justice

**Mr Newton** asked the Minister of Justice what actions her Department is taking to encourage applications from young people living in areas of social deprivation to consider a career in the Police Service of Northern Ireland.

**(AQW 4477/17-22)**

**Mrs Long (The Minister of Justice):** I want talented young people from across Northern Ireland, who want to make a contribution to their community to come forward and be part of our Police Service. We need people based on their skill sets who can do the job and have the capacity to help people and that includes applicants from areas of social deprivation.

The Department's role is to ensure regulations are in place which help the PSNI meet its business needs and the current recruitment regulations make provision for targeting advertising in places likely to reach under-represented groups.

The Police Service of Northern Ireland has advised that, in advance of the most recent police officer recruitment campaign, a detailed outreach plan was implemented which encompassed a range of local engagement activities and outdoor advertising within working class areas. In addition, advertisements in local press and sporting programmes were also supplemented with a targeted social media campaign to attract those from working class communities.

**Ms Bunting** asked the Minister of Justice to outline any discussions she has had with the Minister for Infrastructure and the Chief Constable in relation to the capability and equipment necessary to identify those engaged in driving under the influence of drugs and to understand the extent of the problem.

**(AQW 4519/17-22)**

**Mrs Long:** I have not had any discussions with the Minister for Infrastructure or the Chief Constable on these matters. The capability and equipment necessary to deal with the identification of those engaged in driving under the influence of drugs, and to understand the extent of the problem, are operational matters for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the Northern Ireland Policing Board. You may, therefore, wish to direct your question to the PSNI.

However, my Department is acutely aware of the risks associated with any unsafe usage or abuse of drugs and alcohol. Policing and Community Safety Partnerships (PCSPs) located in each Council area across Northern Ireland work to raise awareness of the dangers of drugs through supporting campaigns such as 'One Pill Can Kill' and through their sponsorship of RAPID (Remove All Prescription and Illegal Drugs) bins located in community locations for the safe and anonymous disposal of prescription and non-prescription drugs. Over 150,000 tablets have been disposed of using these bins over recent years. PCSPs also run road safety awareness campaigns targeting young drivers and highlight the risks of drink and drug driving as part of these schemes.

Further, my Department, in collaboration with the Department of Education, PCSPs and the Lyric Theatre Creative Learning Department, has been delivering a drama production in secondary schools to increase awareness of the harm and potential consequences of taking alcohol and drugs. We are also engaging with the Department of Health on the development of a new Northern Ireland response to tackling the issue of substance misuse and the wider societal harms related to both alcohol and drug misuse.

**Mr Dunne** asked the Minister of Justice what plans are being put in place to reopen court houses to facilitate a return to normal working arrangements.

**(AQW 4542/17-22)**

**Mrs Long:** In keeping with the Northern Ireland Executive's plans for recovery, the Northern Ireland Courts and Tribunals Service is working on a phased recovery from the critical business model implemented as a response to the Covid-19 pandemic and subsequent PHA advice.

It is recognised that the traditional model for courts is very difficult to use in the current circumstances. Members of the public and legal practitioners are advised not to attend court buildings unless directed to do so. The majority of hearings are taking place remotely.

The Lord Chief Justice has initiated a programme of work to commence the incremental recovery of court business. This will see an increase in the number of legal practitioners and court users attending court buildings.

My officials in the Northern Ireland Courts and Tribunals Service are currently working through a series of Covid-19 Risk Assessments on our operational buildings to ensure that they comply with PHA guidelines on managing the risk of Covid-19 and are safe for staff, judiciary and court and tribunal users.

Risk assessments have already been completed in the main court venues in Belfast and the next phase is the operational hubs of Lisburn, Dungannon and Londonderry followed by additional administrative venues, which are to be assessed during June.

**Mr Newton** asked the Minister of Justice to detail the number of animal cruelty cases, involving domestic animals, that have been prosecuted and resulted in (i) a custodial sentence; (ii) a fine; and (iii) other court decisions in (a) 2017/18; (b) 2018/19; and (c) 2019/20.

**(AQW 4577/17-22)**

**Mrs Long:** The information requested is not readily available. Prosecutions and convictions data held in Departmental datasets are on the basis of offence description and there is no specific offence relating to domestic animals.

To identify cases which related to domestic animals would require a manual search of case records for offences which involved animal cruelty or offences under the Welfare of Animals Act (Northern Ireland) 1972, Welfare of Animals Act (Northern Ireland) 2011 and Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013, of which there have been more than 50 dealt with at courts in each of the last three years. We estimate that to locate, retrieve and extract information that might be relevant to your request would involve work of more than the appropriate limit.

The appropriate limit is specified in regulations and for central government is set at £700. There were approximately 230 potentially relevant cases over the period. It is estimated that to search systems manually for relevant information to identify whether offences for which a conviction was handed down related to domestic animals, it will take one member of staff approximately ten minutes per case, giving a total of over 38 hours work. At a cost of £25 per hour, this equates to over £950 which is higher than the appropriate limit.

With the above in mind, information has therefore been provided on the total number of prosecutions and convictions at courts for all animal cruelty offences under relevant Welfare of Animals legislation. The most recent year for which finalised information is available is 2018. Therefore, figures provided for 2019 are provisional.

#### Prosecutions and Convictions at courts for animal cruelty offences, 2017 – 2019

	2017	2018	2019 (p)
Prosecutions	70	97	69
Convictions	47	67	53
of which	-	-	-
Custodial sentence	4	5	5
Monetary penalty	22	31	24
Other	21	31	24

#### Note:

- Figures relate to cases prosecuted by PPS on behalf of PSNI or other bodies.
- Figures relate to initial disposal at court only. Results of appeals are not included.
- Figures relate to cases with a prosecution or conviction for at least one animal cruelty related offence under the legislation specified.
- Animal cruelty offences included are relevant offences under Welfare of Animals Act (Northern Ireland) 1972, Welfare of Animals Act (Northern Ireland) 2011 and Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013.
- Prosecutions for offences in respect of Wildlife legislation and Livestock regulations are not included, as the question posed is in respect of domestic animals. Similarly, offences under Welfare of Animals (Slaughter or Killing) Regulations (Northern Ireland) 1996, Welfare of Animals (Transport) Regulations (Northern Ireland) 2006, Welfare of Farmed Animals Regulations (Northern Ireland) 2012 and Welfare of Livestock Regulations (Northern Ireland) 1995 were also excluded.
- Figures for 2019 are provisional.

**Mrs D Kelly** asked the Minister of Justice to detail the number of convictions secured for racially motivated crimes, in each of the last five years.

**(AQW 4685/17-22)**

**Mrs Long:** The information requested is provided in the following table. The most recent year for which finalised information is available is 2018. Therefore, figures provided for 2019 are provisional.

#### Cases that resulted in conviction at court, where race was recorded as a motivational factor, 2015 - 2019

Year	No. cases
2015	90
2016	98

Year	No. cases
2017	57
2018	56
2019 (p)	62

**Note:**

- 1 Figures relate to initial disposals at court. Appeals are not included.
- 2 Figures relate to cases where the motivational factor specified was recorded against at least one offence for which a conviction was handed down.
- 3 Figures relate to cases where race was recorded as a motivational factor, as assessed by Public Prosecution Service.
- 4 (p) - Figures provided for 2019 are provisional.

## Department for the Economy

**Mr Dickson** asked the Minister for the Economy whether she plans to introduce any new financial support measures in the case of illness, for self-employed workers and independent contractors, in response to COVID-19.

**(AQW 3422/17-22)**

**Mrs Dodds (The Minister for the Economy):** As part of my Department's strategy to support people affected by the Covid-19 public health emergency, we are making a number of temporary changes to our benefit processes and legislation to ensure people who need financial help have access to the benefit system when they need it.

To avoid increasing the burden on the health system and the risk of further infection, we are temporarily removing the requirement for fit notes in relation to both Employment and Support Allowance (ESA) and Universal Credit (UC) claims relating to Covid-19 only. Anyone who claims and is infected with Covid-19 or who is required to self-isolate will be treated as having Limited Capability for Work in ESA and UC without being required to provide a fit note or to undergo a Work Capability Assessment.

In addition, to better support the needs of people, particularly the self-employed and those not eligible for Statutory Sick Pay and/or Universal Credit, we are removing the seven waiting days that currently apply to Employment and Support Allowance.

To further support those self-employed people who choose not to self-isolate there will be a temporary suspension of the minimum income floor used to calculate the household's Universal Credit entitlement. This will provide greater financial security during this period.

I will continue to keep these and any other available supports under review.

**Ms Sugden** asked the Minister for the Economy (i) to give her assessment of the impact and competitive disadvantage to businesses in Northern Ireland of the suspension of business rates in England for those companies with a rateable value of less than £51,000 and; (ii) to outline her plans to work with the Minister of Finance to address any impact.

**(AQW 3580/17-22)**

**Mrs Dodds:** The Member will be aware that significant progress on business support has been made in the intervening period since she tabled her question.

To date, my own Department has distributed over £300 million in grants to businesses and the micro-businesses fund has also opened, with over 2,000 applications received. In total, over 40,000 businesses in Northern Ireland will have been eligible to apply for support under all of the Northern Ireland Covid-19 grant schemes. Many businesses have also received support from UK-wide schemes with rates relief being a significant support factor.

As noted above, in the intervening period the Executive has implemented its approach to supporting businesses with relief on rates. Initially the introduction of a 3 months rates holiday, subsequently extended to 4 months, provided an immediate support to businesses. That was subsequently followed by a targeted rate relief scheme that will provide businesses in retail, hospitality, leisure, tourism, childcare and airports with 100% rate relief for the full financial year. It should also be noted that the scheme to be applied over 12 months has a wider scope in NI than it does in other parts of the UK.

**Mr Muir** asked the Minister for the Economy to detail what her Department can offer to the taxi industry in terms of (i) financial support measures; and (ii) guidance in relation to implementation of social distancing requirements.

**(AQW 4019/17-22)**

**Mrs Dodds:** Schedules 1 and 3 to the Budget Act 2020 allocate funding to the Department for Infrastructure for "transport licensing, enforcement and regulation", as well as "support for transport services including grants in respect of rail and road passenger services including fare concessions". Taxis are clearly regarded as "transport services".



Within this context I have set out below my own Department's actions, as well as those of the Executive and UK government, in providing financial support and guidance to this industry.

#### Financial Support measures for the Taxi Industry

The Executive and UK Government has introduced an unprecedented number of interventions and packages of financial support to help those who have been affected by the consequences of Covid-19.

Information on current and evolving support options are being updated continuously on the NI Business Info website:

<https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>

I understand that over 30 taxi firms which met the eligibility criteria, were able to access the business support grants available in Northern Ireland. In addition taxi firms and self-employed taxi drivers who met the relevant criteria are able to access national support packages including the Coronavirus Job Retention Scheme (CJRS) and the Self-Employment Income Support Scheme (SEISS), which have both been extended to October 2020.

#### Health and Safety Guidance, including social distancing

Neither the Health and Safety Executive Northern Ireland (HSENI) nor my Department are responsible for providing specific advice or direction on the application of the public health guidance on social distancing and safe working practice for the transport industry, which includes taxi companies, owners and drivers. To reiterate, these are public health matters, with specific policy responsibility for this industry residing with the Department for Infrastructure.

A safety guidance document, Covid-19: Working Through This Together, A Practical Guide to Making Workplaces Safer', is available on the NI Business Info website and has been informed by input from the Public Health Authority (PHA) and HSENI:

<https://www.nibusinessinfo.co.uk/sites/default/files/Covid-19-Working-Through-This-Together.pdf>

There are a large number and wide variety of businesses and working environments, and an assessment of each has to be fact-specific. It is, therefore, for each business, in light of its own legal advice, to determine whether it can continue to, or start to operate in accordance with the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 and the guidance that has been produced.

**Mr Stewart** asked the Minister for the Economy to outline what agency or Department is the decommissioner of last resort relating to energy projects in the event of an operator of marine infrastructure becoming insolvent and unable to decommission equipment installed under the terms of a marine licence in Northern Ireland.

**(AQW 4137/17-22)**

**Mrs Dodds:** There are currently no 'decommissioner of last resort' arrangements in place in Northern Ireland. Arrangements to ensure the safe decommissioning of marine infrastructure related to energy projects which have ceased operations are matters for the authorities who may have granted environmental consents for their original construction, including the Department of Agriculture, Environment and Rural Affairs which grants marine licences, and The Crown Estate which awards seabed rights.

**Mr Robinson** asked the Minister for the Economy what impact the announcement of the medical school at Magee Campus will have, if any, on the future of the Coleraine Campus of the Ulster University.

**(AQW 4185/17-22)**

**Mrs Dodds:** Whilst my Department provides funding and sets the strategic direction for the higher education sector, universities are autonomous institutions responsible for the location of the courses which they provide.

However, my Department continues to be supportive of the provision of higher education at Ulster University's Coleraine Campus.

The University has advised that it remains committed to its regional mission and multi-campus operation, including the on-going success of the Coleraine campus, and it will continue to optimise the capacity of the campus in a coherent and sustainable way.

**Mr Dickson** asked the Minister for the Economy to provide her Department's assessment of the number of social enterprises registered as charities, broken down by constituency, that, thus far, have been excluded from COVID-19 Business Support Schemes.

**(AQW 4235/17-22)**

**Mrs Dodds:** The number of applications from social enterprises registered as charities that have been excluded from the £10,000 or £25,000 Business Support Grant Schemes cannot be provided as the information was not captured in the application process and therefore is not held by the Department.

The status of a business as a social enterprise was not part of the eligibility criteria for either scheme. Eligibility for the £10,000 Small Business Support Grant scheme included the business receiving Small Business Rate Relief or Industrial derating, subject to exclusions, and having a Total Net Annual Value (NAV) of £15,000 or less. For the £25,000 Retail,

Hospitality, Tourism and Leisure Grant scheme, eligibility was based on the business operating in one of the four eligible sectors, subject to exclusions, as well as having a Total NAV of between £15,001 and £51,000.

It is acknowledged that social enterprises, if receiving Charitable Exemption for rates, would not be able to apply for the £10,000 Small Business Support Grant scheme, and, if they have charitable status, will not qualify for the NI Microbusiness Hardship Fund. Eligibility for the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme would depend on the sector the social enterprise operates within and the Total NAV.

The Department for Communities has announced a £15.5 million fund for charities which is aimed at providing support to all charities who are facing financial difficulties as a result of the COVID-19 pandemic.

**Mrs D Kelly** asked the Minister for the Economy (i) how many businesses in Upper Bann have received the £10,000 small business support grant; (ii) how many have received the £25,000 retail, hospitality, tourism and leisure grant; and (iii) how many are still awaiting a decision on their application.

**(AQW 4336/17-22)**

**Mrs Dodds:** For the £10,000 Small Business Support Grant, 1,453 businesses in the Upper Bann Parliamentary Constituency have been paid grants as of 1 June 2020. There are 251 small businesses in the constituency, where an application has been made to the online portal with valid IDs, or where bank details are held against a Direct Debit in the Land & Property Services rating system, which are still awaiting a decision on their application.

For the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme, 205 businesses have been paid grants in the Upper Bann Parliamentary Constituency as of 3 June 2020. There remain 3 applications from within the constituency currently being processed.

Information on the number of businesses in the Upper Bann Parliamentary Constituency that have applied for and received payment of the £25,000 grant scheme, are published in the 'Operation of the scheme by council, constituency and sector' section on the following webpage - <https://www.nibusinessinfo.co.uk/content/coronavirus-£25000-retail-hospitality-tourism-and-leisure-grant>.

Based upon applications received, this details applications by decision status (paid/rejected/being processed), and provides a facility to interrogate by District Council area, Parliamentary Constituency, and supported sector. This data is updated on a regular basis.

**Mr McNulty** asked the Minister for the Economy to detail any discussions she has had with the Irish Government to coordinate the lifting of lockdown restrictions on hotel operators and caravan parks.

**(AQW 4389/17-22)**

**Mrs Dodds:** I have had several telephone calls with Shane Ross TD, Minister in the Department of Transport Tourism and Sport, to discuss the impact of COVID-19 on our respective tourism industries. However, our discussions have not focussed on co-ordinating the lifting of lockdown restrictions on hotel operators and caravan parks. These are matters for the Northern Ireland Executive and the Irish Government to consider in the context of our respective COVID-19 lockdown roadmaps.

**Ms Bailey** asked the Minister for the Economy what analysis has been carried out regarding the climate change impact of the proposed Belfast Harbour Estate fossil gas power plant.

**(AQW 4479/17-22)**

**Mrs Dodds:** To avoid duplication, I will provide a single answer to cover AQW 4479/17-22 and AQW 4480/17-22 together.

My Department has no responsibility in analysing the climate change or air pollution impacts arising from the planned construction of a new power station.

The Department of Infrastructure granted planning permission for the construction of the 480 Megawatt combined cycle gas turbine generating plant at Belfast Harbour Estate in April 2019. I understand the development was subject to an environmental impact assessment and including compliance with the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.

Any further questions in relation to these assessments would need to be directed to the Minister of Infrastructure.

**Ms Bailey** asked the Minister for the Economy what air pollution impact analysis has been carried out regarding the proposed Belfast Harbour Estate fossil gas power plant.

**(AQW 4480/17-22)**

**Mrs Dodds:** To avoid duplication, I will provide a single answer to cover AQW 4479/17-22 and AQW 4480/17-22 together.

My Department has no responsibility in analysing the climate change or air pollution impacts arising from the planned construction of a new power station.

The Department of Infrastructure granted planning permission for the construction of the 480 Megawatt combined cycle gas turbine generating plant at Belfast Harbour Estate in April 2019. I understand the development was subject to an

environmental impact assessment and including compliance with the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.

Any further questions in relation to these assessments would need to be directed to the Minister of Infrastructure.

**Ms Kimmins** asked the Minister for the Economy whether (i) people have any consumer protection under current legislation for users of Liquid Petroleum Gas (LPG) for home heating; and (ii) she can provide figures for the number of households using LPG in comparison with oil fired, electric storage and mains gas central heating.

**(AQW 4486/17-22)**

**Mrs Dodds:**

- (i) The liquid petroleum gas (LPG) market in Northern Ireland is not regulated by the Northern Ireland Authority for Utility Regulation in the same way as the natural gas and electricity markets and there are currently no plans to introduce regulation. Due to the relatively small number of LPG customers in Northern Ireland, the potential benefits of introducing regulation could well be offset by the cost of doing so which would be reflected in consumer bills.

The Consumer Council for Northern Ireland (CCNI) represents consumers' interests on energy matters, monitoring the marketplace on their behalf, and has powers to investigate complaints. CCNI carried out research into consumers' experience of using electricity, oil and gas for home heating in 2019 which included a survey of a small sample of LPG users. Following on from this work, the CCNI has provided evidence to the Competitions and Markets Authority (CMA) on the home heating oil and LPG markets in Northern Ireland and is awaiting confirmation on whether the CMA proposes to undertake an investigation.

- (ii) LPG suppliers have advised that around 12,000 households in Northern Ireland currently use LPG. While there will have been some changes since 2016, the most recent comparison figures available for all types of heating, as noted in the 2016 House Condition Survey (published by the Northern Ireland Housing Executive in May 2018), show that 526,190 households (67.5%) were using oil-fired heating; 186,010 households (23.8%) were using natural gas; and 61,060 households (7.8%) were using solid fuel, electric, dual fuel or other fuel (including LPG) in 2016. This report is at the following web link: <https://www.nihe.gov.uk/Working-With-Us/Research/House-Condition-Survey>

**Mr Dickson** asked the Minister for the Economy what engagement there has been between management, staff and trade unions in the six further education colleges to discuss and plan for the academic year ahead, to ensure the safe operation of colleges and the best outcomes for students and young people.

**(AQW 4498/17-22)**

**Mrs Dodds:** The Department has established an Advisory and Oversight Group to work collaboratively with the six Further Education (FE) Colleges, as well as the non-statutory training contractor sector, to prepare for the safe resumption of on-site educational delivery and related activity at all colleges and campuses. The Advisory and Oversight Group includes representatives from the Department for Economy, representatives from the FE Colleges and non-statutory training contractor sectors, and Advisors.

It is the Department's priority that all learners should be enabled to succeed in, and complete, their respective courses, while maintaining their safety and their physical, mental and emotional well-being. In establishing this group, the Department recognises its responsibility to facilitate this by working collaboratively with the FE and non-statutory sectors, and by taking account of the sectors' own skills and expertise in the design and delivery of vocational education. It also recognises that that these plans must be made with appropriate consultation with advisors and stakeholders, and that plans must be communicated clearly and in a timely fashion to ensure not only the safety, but the confidence, of all.

As key stakeholders, we recognise the importance of the full support and participation of the Trade Unions throughout this process. The Department is engaging regularly with all six Trade Unions, and they have also nominated a member from both the University and College Union and Northern Ireland Public Service Alliance to represent them on the Advisory and Oversight Group. The first meeting of the group was held on 9 June 2020

In addition to the engagement through the Advisory and Oversight Group, on 9 June 2020, the Committee for the Economy heard representations from the FE Colleges about a range of issues, including the challenges they face in the year ahead. The Department is committed to ensuring that the FE Colleges and non-statutory contractors are sufficiently supported as they prepare to resume safe operation of educational provision and are enabled to achieve the best outcomes possible for students and young people.

**Mr Dickson** asked the Minister for the Economy, as of 3 June 2020, how many applications have been submitted to the Micro-business Hardship Fund.

**(AQW 4499/17-22)**

**Mrs Dodds:** There were 2,521 submitted applications to the Micro-business Hardship Fund as at 3 June 2020.

**Mr O'Dowd** asked the Minister for the Economy whether she will amend the criteria for the Micro-business Hardship Fund to include sole traders.

**(AQW 4501/17-22)**

**Mrs Dodds:** At this point in time no plans are in place to expand the Micro-Business Hardship Fund beyond its current scope.

For any plans to be feasible a budget allocation would need to be available from the Finance Minister that might plausibly cover potential applications from up to approximately 88,000 businesses that (excluding the business owner) have zero employees that might be eligible to apply if the criteria were amended.

**Mr M Bradley** asked the Minister for the Economy what guidance will be provided for photographers, make up artists, musicians and hairdressers that may be asked to work at outdoor weddings of less than 10 people from week commencing 8 June 2020.

**(AQW 4517/17-22)**

**Mrs Dodds:** This issue needs to be considered in the current context of the exclusions set out in the Health Protection (Coronavirus, Restrictions) Regulations (NI) 2020, and those listed within Part 2 of Schedule 2. Currently the regulations specifically prohibit hairdressers and beauticians from operating. More generally, businesses need to consider if they can safely operate while exercising the social distancing and hygiene guidelines.

Guidance on making workplaces safer prepared by the NI Engagement Forum – ‘Covid-19: Working Through This Together’ – is available on [nibusinessinfo.co.uk](http://nibusinessinfo.co.uk) and is there for all businesses and employers to consult and consider the principles of how to work safely. It is up to each individual business which is allowed to operate to decide if and how these principles can be applied to their specific work and their working environment.

**Mr Dunne** asked the Minister for the Economy what additional COVID-19 funding has been put in place to support the return of our further education colleges.

**(AQW 4540/17-22)**

**Mrs Dodds:** For the 2020/21 period, my Department has already allocated a resource budget of £210.0 million to the Further Education sector, representing over 25% of the Department’s resource budget. The allocation includes £22.8 million of additional funding to colleges this year.

In addition capital investment of circa £32.3m has been allocated in the current financial year to enable colleges to progress the delivery of the planned capital works programme. This will also fund essential equipment to deliver critical skills for the Northern Ireland economy and achieve the strategic outcomes which I and the Executive have set.

Additional resource and capital funding is being sought in June monitoring to meet known COVID-19 requirements. The Department is continuing to monitor college funding requirements in relation to COVID-19.

I will continue to consider the specific impacts of COVID-19 on colleges within the context of the Executive’s overall approach to managing the emergency.

**Mr Allister** asked the Minister for the Economy (i) to outline the basis, both financial and otherwise, on which the South Eastern Regional College Professional Skills Centre in Dublin was established; (ii) what involvement the Department had in this; and (iii) what, if any, public funding commitment results from this.

**(AQW 4567/17-22)**

**Mrs Dodds:** South Eastern Regional College’s (SERC’s) Professional Skills Centre in Dublin was established on a commercial, profit generating basis.

(ii) The Department’s involvement has been limited to providing advice to SERC on the requirements for setting up a company, as permitted under the Further Education (Northern Ireland) Order 1997, to manage the activities of the Professional Skills Centre. No approval has yet been given for the establishment of a company.

(iii) There has been no public funding commitment.

**Mr Allister** asked the Minister for the Economy for a breakdown of the number of students attending the South Eastern Regional College Professional Skills Centre in Dublin from (i) Northern Ireland; and (ii) the Republic of Ireland.

**(AQW 4568/17-22)**

**Mrs Dodds:** To date 90 learners have attended a range of commercial training courses relating to the Gas Installation industry at the South Eastern Regional College’s Professional Skills Centre in Dublin. These courses include Domestic Gas, Gas Boiler Servicing and Flu Gas analysis. All of the learners are from the Republic of Ireland.

**Ms Mullan** asked the Minister for the Economy whether she will consider calling on colleges and other public sector organisations within her Department’s remit to continue paying staff who are on zero hour contracts at this time.

**(AQW 4585/17-22)**

**Mrs Dodds:** All six Further Education (FE) Colleges have confirmed they are implementing the FE Sector policy in relation to casual/zero hour contracts, which is to pay for any work or hours agreed before the lockdown came into effect (23rd March 2020).

Stranmillis University College, the Department's only Higher Education Non Departmental Public Body, has confirmed that all staff, who would have been due to undertake work had the College been open as usual, will continue to be paid.

I have asked my officials to develop policy proposals in relation to zero hour contracts. In developing these proposals, I will wish to take account of the views of stakeholders. Any proposals to regulate the use of zero hour contracts would be subject to public consultation.

**Mr Muir** asked the Minister for the Economy how businesses can ascertain whether they are permitted to re-open in line with (i) The Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020; and (ii) the Northern Ireland Executive Pathway to Recovery.

**(AQW 4590/17-22)**

**Mrs Dodds:** It is the Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020 which set the legal position in relation to which businesses can open in which circumstances. Amendments update those regulations to reflect the latest position in terms of the circumstances under which businesses can open. Those regulations and amendments are publicly available on the Department of Health website for all to access. In addition there are supporting communications from the Executive and within NIBusinessinfo (nibusinessinfo.co.uk) that help explain and publicise that update.

**Mr Dickson** asked the Minister for the Economy for a weekly breakdown of the number redundancies and redundancy consultations, notified to the Department since the beginning of 2020.

**(AQW 4635/17-22)**

**Mrs Dodds:** The Northern Ireland Statistics and Research Agency (NISRA) collects redundancy notifications on behalf of the Department for the Economy. Since the beginning of January 2020, the Department has been notified of 3530 proposed redundancies, originating from 33 different notifications. The table below gives a breakdown of these notifications over the year to date. In order to preserve confidentiality, data has been combined into 4 week bands so that no individual returns can be identified.

Date HR1 received	Number of notifications received	Number of redundancies proposed
28th Dec 19 - 24 Jan 20	3	424
25 Jan 20 - 21 Feb 20	0	0
22 Feb 20 - 20 Mar 20	5	584
21 Mar 20 - 17 Apr 20	5	784
18 Apr 20 - 15 May 20	5	204
16 May 20 - 12 Jun 20	15	1534
	<b>33</b>	<b>3530</b>

**Ms Armstrong** asked the Minister for the Economy to confirm (i) what equality impact assessment her Department has undertaken to consider employees who are people with dependants in the Coronavirus economic strategy and relaxation of rules enabling people to return to work; and (ii) what support will be in place to ensure people who are parents or carers will be protected so that they are not subject to redundancy or have to resign from employment as a result of lack of childcare or daycare provision.

**(AQW 4638/17-22)**

**Mrs Dodds:**

#### **Relaxation of Restrictions and Economic Recovery**

On 12th May 2020, the Executive announced and published a new phased five-stage plan for slowly moving out of lockdown; 'Coronavirus Executive Approach to Decision Making'. The document sets out the approach the Executive will take when deciding how to ease restrictions in the future, as we move through the phases of relaxation to recovery.

It is for the Executive therefore, through the First and deputy First Minister's Office, to determine when further relaxation measures will be permitted, including those related to the re-opening of employment sectors, and the subsequent return to work of employees.

Details, including the dates on which any further relaxations come into effect, will be provided on a regular basis, and the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 will be updated accordingly.

In making such decisions, the Executive Office will be guided by most up-to-date scientific evidence; the ability of the health service to cope; and the wider impacts on our health, society and the economy.

Further to this Executive announcement, my Department took the lead on a piece of work, focussed on economic recovery. Working with a number of key stakeholders, officials committed to developing a series of papers that would be presented to the Executive. These papers will outline initial thinking on how the economic recovery plan could materialise.

This will include consideration of safe working practices for individual sectors or working environments, the need for continued social distancing and flexible working in the foreseeable future, and the support, financial and otherwise that will be required to enable different businesses and employers to implement such.

My Department has now published the first of these papers; an analysis on how we can take our first steps to restart our economy safely. This is available at: <https://www.economy-ni.gov.uk/publications/charting-course-economy>

My Department is not developing a Coronavirus economic strategy, and therefore, it is not deemed necessary to carry out an equality impact assessment

### **Childcare and Day care provision**

Lead policy and operational responsibility for childcare and daycare provision in Northern Ireland resides with the Department of Health and the Department of Education.

Obviously, this will be a key factor and integral to the work of the Executive in implementing further relaxation measures and implementing the economic recovery plan.

The Executive will take a collective approach therefore, to ensure that adequate childcare and daycare provision is in place, as soon as this is safe and practicable to do so, and this will be reflected in the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020.

### **Employment Rights**

With regard to employment protection for employees and workers with caring responsibilities, Northern Ireland has strong and robust employment law, whereby all employees are protected by law against unfair treatment and dismissal.

Redundancy is a form of dismissal, and where an employee is dismissed for exercising or trying to exercise a statutory employment right, they will have been automatically unfairly dismissed. An employee's statutory employment rights include but are not limited to:

- maternity, paternity or adoption leave
- parental leave
- time off for dependants
- the right to request flexible working arrangements

Employers must use a fair and objective way of selecting people to make redundant. If the reasons an employee is selected for redundancy are unfair then they will have been unfairly dismissed.

Anyone who finds themselves in this position may consider contacting the Labour Relations Agency Workplace Information Service on 03300 555 300 for free, confidential and impartial information. In addition, the Law Centre NI provides free, independent, specialist legal advice on employment rights. The Law Centre can be contacted on their advice line on 028 9024 4401 or by email: [employmentadvice@lawcentreni.org](mailto:employmentadvice@lawcentreni.org)

**Ms Dolan** asked the Minister for the Economy whether she would consider introducing paid carers leave as envisaged in the EU Work-life Balance Directive, to help support women with dependants.

**(AQW 4679/17-22)**

**Mrs Dodds:** It is my long term vision to build on existing Northern Ireland employment law with measures that will introduce better support for working families. Leave for those in work who also undertake a caring role will be considered as part of this strategic process.

I am keen that we start to make progress in developing proposals for Employment Relations and Law in NI. To that end I am interested in hearing the views of all interested stakeholders and would encourage you to participate in any relevant forthcoming consultations.

**Mr McHugh** asked the Minister for the Economy whether her Department has given any consideration to bringing forward short-term measures to help school children and students living in rural not-spot areas to have access to adequate broadband to ensure they are not at an educational disadvantage.

**(AQW 4707/17-22)**

**Mrs Dodds:** My Department fully appreciates the impact of poor broadband on local communities, particularly in rural areas of Northern Ireland. I also recognise that the Covid-19 crisis has highlighted the greater challenges faced by those with poor broadband coverage, especially for those tasked with home schooling responsibilities.

You will be aware that my Department has developed Project Stratum to utilise £165m available funding to improve broadband connectivity for those premises across Northern Ireland currently unable to access infrastructure capable of delivering broadband services of 30 Mbps or greater.

This is a transformational project which has the potential to positively impact the lives of citizens and the productivity of businesses, by providing the infrastructure to support access to broadband services. The target intervention area consists of just under 79,000 premises, some 97% of which are rural, defined as NISRA Band H – settlements of fewer than 1,000 people or open countryside. Almost 9,773 of these premises are in the West Tyrone Constituency.

Analysis undertaken by the Department and advice from independent advisors, indicates that it is not possible to prioritise specific geographical areas, without potentially sacrificing overall coverage, increasing costs and slowing delivery.

While the precise number and location of premises that will directly benefit will not be known until after contract award, the aspirations of the Department continue to be to maximise broadband coverage from the funding available, and to secure an outcome that closes the broadband connectivity gap that exists in Northern Ireland compared with other parts of the UK. It is not possible to fast track the procurement or the required governance procedures, however, the project team continues to manage the project against an ambitious timeframe aligned to industry requirements.

The closing date for submission of tenders for Project Stratum has now passed. The evaluation of bids is underway, with contract award expected in late September 2020.

There are also a number of other UK Government broadband schemes operating in Northern Ireland and available to both citizens and businesses. These are listed below and links have been provided:

Universal Service Obligation: <https://www.ofcom.org.uk/phones-telecoms-and-internet/advice-for-consumers/broadband-iso-need-to-know>:

Rural Gigabit Connectivity Scheme: <https://gigabitvoucher.culture.gov.uk/rural/>.

I will also take this opportunity to provide an update on the range of initiatives that the telecommunications industry, led by the Department for Digital, Culture, Media and Sport (DCMS), has implemented to ensure that customers, especially the vulnerable, can keep connected with work, family, friends and important services during the Covid-19 crisis. The following links relate to recently published initiatives:

- Vulnerable consumers DCMS notice - [here](#) and further information [here](#).
- Information on mobile connectivity from Mobile UK - [here](#) (including links through to the pages of the major mobile operators – each operator has different packages of support available).
- You may be aware of the raising up of voice minutes included in packages and raising data limits as a boost to staying connected. Ofcom has pulled together some great advice under its 'stay connected' banner which can be found [here](#).

In terms of vulnerable consumers who may be having difficulty with payments, the telecommunications providers are very keen for these consumers to make direct contact with them so that they can make arrangements for appropriate support at this time.

**Mr McHugh** asked the Minister for the Economy to detail what financial aid, other than from Student Finance NI, would be available to biomedical graduates who wish to pursue graduate-entry level veterinary medicine in Scotland.  
(AQW 4757/17-22)

**Mrs Dodds:** My Department is responsible for Higher Education support provided through Student Finance NI. Graduates should contact their University who may be able to advise what additional financial aid may be available.

**Dr Archibald** asked the Minister for the Economy for an update on her Department's reviews of the petroleum and minerals licensing regimes.  
(AQW 4807/17-22)

**Mrs Dodds:** The strategic reviews of both petroleum and mineral licensing policy are ongoing. Given the importance of these reviews, in terms of informing our future policy on both petroleum and mineral licensing, the decision has been taken to commission two separate pieces of independent, NI specific research into the economic, societal and environmental impacts of exploration for, and extraction of, our petroleum and minerals resources.

You will be aware that my Department is currently considering two petroleum licence applications; in order to inform decisions on issues raised in public consultations on those applications, the decision has been taken to commission the research into the impacts of petroleum exploration and extraction first.

The tender for the petroleum research was published on 9 June and work is ongoing to finalise the specification for the minerals research, with a view to publishing this tender in the coming months.

The outputs from the two research projects will be used to inform the development of future policy positions on petroleum and minerals licensing.

**Dr Archibald** asked the Minister for the Economy to detail how much of the allocated funding was spent on (i) the COVID-19 Small Business Grant Scheme; and (ii) the COVID-19 £25,000 Business Support Grant Scheme for retail, hospitality, leisure and tourism businesses.  
(AQW 4809/17-22)

**Mrs Dodds:** As of 15 June 2020, 23,152 payments have been issued under the £10,000 Small Business Support Grant scheme totalling £231,520,000. For the £25,000 Retail Hospitality Leisure and Tourism grant scheme, 2,917 payments have been issued totalling £71,695,000.

To note under both schemes, a number and value of payments is subject to variation as some payments may fail, be voided or be returned.





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# Northern Ireland Assembly

Friday 26 June 2020

## Written Answers to Questions

### The Executive Office

**Ms McLaughlin** asked the First Minister and deputy First Minister (i) for an update on the use of the former Shackleton Barracks, Ballykelly; (ii) how many jobs were promised to have been created on the site (a) by Government; and (b) by the private sector; and (iii) how many people are currently employed on the site by the (a) public; and (b) private sectors. **(AQW 4711/17-22)**

**Mrs Arlene Foster and Mrs Michelle O'Neill (The First Minister and deputy First Minister):** In 2016 the Department of Agriculture, Environment and Rural Affairs (DAERA) confirmed it intended to relocate at least 320 posts to its new nine acre Head Quarters site on Shackleton, Ballykelly by 2021. A total of 334 staff have relocated to date and a further 73 are due to move by 2021. This will bring the total staff compliment to 407 which will achieve full occupancy of the building. However, in light of COVID-19 and the ongoing need for social distancing measures, the number of staff located in the building will be subject to further review.

On purchasing 721 acres of the Shackleton site in 2016, MJM Group committed to creating 100 jobs on site with 21 currently employed. Planning applications for a new Data Centre and a Manufacturing Unit on Shackleton have been submitted and MJM is pursuing several other significant opportunities.

### Department of Agriculture, Environment and Rural Affairs

**Mr O'Dowd** asked the Minister of Agriculture, Environment and Rural Affairs, in light of his decision to give £360,000 support to the aquaculture sector, whether he will review his decision not to offer financial support to the Lough Neagh eel fishing industry.

**(AQW 4445/17-22)**

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** In terms of financial support for families, many fishermen are self-employed and may be eligible for the self-employed support scheme or for Universal Credit.

The Department has increased the European Maritime Fisheries Funding (EMFF) grant for glass eel stocking into Lough Neagh, from 50% to 60%, thereby reducing this cost to the LNFCS.

My officials will meet with the Lough Neagh Fishermen's Cooperative Society to consider options following the recent amendment to EMFF funding which may provide a further avenue of support for the fishermen affected by the cessation of fishing.

**Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs (i) what plans he has for the reopening of Touring in the Trees facilities for self-contained motor homes; and (ii) what assessment exists to demonstrate that this restriction remains necessary.

**(AQW 4453/17-22)**

**Mr Poots:** You will be aware of the Executive's five stage recovery plan, published 12 May 2020, following which the initial date of 20 July was agreed for the re-opening of tourist accommodation, depending on the rate of transmission of Covid-19.

The NI Executive subsequently agreed, on 15 June 2020, to bring forward the re-opening of caravan parks, camping sites and self-catering tourist accommodation to 26 June 2020.

My Department will reopen its caravan parks, including touring in the trees facilities, from the 26 June 2020, in line with the Executive's decision.

**Mr McHugh** asked the Minister of Agriculture, Environment and Rural Affairs to detail what financial aid, other than from Student Finance NI, would be available to biomedical graduates who wish to pursue graduate-entry level veterinary medicine in Scotland.

**(AQW 4813/17-22)**

**Mr Poots:** The Department of Agriculture, Environment and Rural Affairs' role in financing higher education is limited to support for those availing of the courses provided by CAFRE, in Northern Ireland, and the awarding of post-graduate research grants.

The Department has no mechanism to make financial aid available to students wishing to pursue other courses (including veterinary medicine, graduate entry or undergraduate) at other institutions, either in the United Kingdom or further afield.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the impact of leaks, from slurry tanks into water courses, on environmental quality and biodiversity.

**(AQW 4866/17-22)**

**Mr Poots:** There is no doubt that if slurry is incorrectly managed and stored within tanks then there is an increased risk of leakage leading to significant environmental impacts.

Slurry leakage into water courses can give rise to higher levels of ammonia, increased eutrophication and lower levels of dissolved oxygen which can contribute to an overall increase in nutrient loading. This will have a negative impact on water quality and in more serious cases it can kill fish and other freshwater or marine life.

Leaking slurry tanks can also have wider biodiversity impacts on sensitive habitats such as fens and bogs, adversely altering the plant community composition in those specialised habitats due to nutrient enrichment. This favours more generalist plants and animals at the expense of specialised, range-restricted species.

My Department carry out intensive routine biological and chemical monitoring in rivers across Northern Ireland. Where water quality is assessed as being at less

than good status they will investigate the pressures impacting on that water course.

In response to specific pollution events further investigative monitoring may also be carried out to assess oxygen levels in the river, to ascertain if there is any impact on invertebrate life in the river and to help identify the source of the pollution.

My Department, through CAFRE and the Knowledge Advisory Service, provides advice, guidance and training on slurry tank maintenance to reduce the risk of leakage, while checks for leakage from tanks form part of the routine cross-compliance inspections undertaken on farms by NIEA. In cases where a leaking slurry tank causes pollution to a water way enforcement action may also be taken under the Water (Northern Ireland) Order 1999.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs (i) when the regulation procedure for slurry tanks was last reviewed; and (ii) , in the interests of environmental protection and water quality, whether he has any plans to review this procedure in the future.

**(AQW 4867/17-22)**

**Mr Poots:**

- (i) Slurry storage tanks are regulated under the Nutrients Action Programme (NAP) which was last reviewed in 2019. The current Nutrients Action Programme Regulations (Northern Ireland) 2019 came into effect on 11 April 2019, and are in place for the period 2019 – 2022. As a result of the 2019 review, additional requirements to the previous NAP 2015-2018 were introduced for above ground slurry tanks constructed after 1 January 2020. These requirements are for new above ground slurry tanks to be sited at least 50m from any waterway into which slurry could enter if it were to escape and for the tanks to be covered.
- (ii) The NAP is reviewed every four years and the next review is planned for 2022.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs, pursuant to AQW 4344/17-22, (i) when he will publish the Strategic Investment Board report entitled an Analysis of NI Residual Waste arisings to 2035'; and (ii) for a full list of the stakeholders consulted by the Strategic Investment Board and the Northern Ireland Environment Agency in the preparation of the report.

**(AQW 4868/17-22)**

**Mr Poots:**

- (i) I wish to consider the report in detail and as waste arisings closely align with economic activity, this may necessitate further modelling by SIB to address post-Covid projections for the economy and broader recovery requirements. Consequently I have not yet set a date for publishing this report.
- (ii) In preparing the report, SIB consulted with the Northern Ireland Environment Agency (licensing and permitting teams), the Department for Infrastructure (major plant planning applications team) and the planning departments of the 11 Councils. Current Illegal Waste Sites Identified

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs (i) to detail the locations of all current illegal waste sites that have been identified by his Department, (ii) to detail the approximate tonnage of waste that are contained within each of the illegal sites identified by his Department; and (iii) for his assessment of which of the illegal sites is best dealt with in situ rather than onward removal and transportation.

**(AQW 4869/17-22)**

**Mr Poots:**

- i) My officers currently have 81 open enforcement cases of alleged waste offending throughout Northern Ireland, ranging from unauthorised landfills to unlicensed vehicle breakers. I am not in a position to detail the location of individual incidents, as doing so could compromise ongoing and potential legal proceedings.
- ii) Calculation of site waste tonnages is often a complicated process as the volume of waste is dependent on a number of factors such as the type of waste, how the waste has been deposited, ability to take volumetric measurements, the availability of historical map data, etc., and in some cases, sites do not lend themselves to tonnage calculations at all. In addition to this, only after a site investigation has reached an advanced stage where all available information has been collated, will my officers estimate waste volume. Given these constraints and tonnages yet to be calculated, I can confirm that of the 81 sites, 28 have tonnage data available. The total tonnage of waste contained in these 28 site is estimated to be 163,065 tonnes. This figure excludes the infilled waste at the Mobuoy Road site in Londonderry.
- iii) I am unable to give you an assessment on individual sites, for the reasons set out in point i). However, I can assure you that for any type of illegal waste disposal the risks to the environment are assessed and appropriate remediation is determined.

**Ms McLaughlin** asked the Minister of Agriculture, Environment and Rural Affairs (i) whether he is aware of the leisure use of Lough Neagh by jet ski users, the disturbance to other users of the lough and to protected wildlife in a nature conservation area; (ii) whether he has plans to strengthen regulatory enforcement against the use of Lough Neagh and other nature conservation areas by jet ski users.

**(AQW 4877/17-22)**

**Mr Poots:** My Department is aware of leisure use of Lough Neagh by jet ski users, but has not received any complaints regarding such activity in respect of Lough Neagh and Lough Beg Area of Special Scientific Interest.

My Department has no current plans to change the regulatory enforcement powers relating to activities which have the potential to have a detrimental effect on the features of this or other designated sites.

**Ms McLaughlin** asked the Minister of Agriculture, Environment and Rural Affairs (i) whether he is aware of the leisure use of Benone beach by quad bike users, the disturbance to other users of the beach and to protected wildlife in a nature conservation area; (ii) whether he has plans to strengthen regulatory enforcement against the use of Benone beach and other beaches by quad bike users.

**(AQW 4878/17-22)**

**Mr Poots:** My Department is aware of quad bike activity within Magilligan Area of Special Scientific Interest (ASSI), which includes Benone Beach, and have been liaising with Causeway Coast and Glens Borough Council who manage beach access at this site, as well as other relevant parties in respect of such activities.

My Department has no current plans to change the regulatory enforcement powers relating to activities which have the potential to have a detrimental effect on the features of this or other designated sites.

**Ms Bailey** asked the Minister of Agriculture, Environment and Rural Affairs, pursuant to AQW 4257/17-22, to outline how the Office for Environmental Protection will be independent from government.

**(AQW 4916/17-22)**

**Mr Poots:** The Environment Bill will establish the Office for Environmental Protection (OEP) as a body independent of government. The Bill provides for the body to have its own chief executive and board independent of government, hold its own assets, employ its own staff and manage its own budget.

The principal objective, functions and duties of the OEP are set out in the Bill, including the requirement for the body to prepare a strategy setting out how it will exercise its statutory functions. This will include the preparation of the OEP's enforcement policy and while the Bill provides guidance on what should be contained in the strategy, neither Defra nor DAERA will have any direct role in its preparation. The OEP will report independently to Parliament and the Assembly. The Secretary of State and DAERA also have a statutory duty to have regard to the need to protect the OEP's independence.

**Ms Bailey** asked the Minister of Agriculture, Environment and Rural Affairs, pursuant to AQW 4257/17-22, to outline a timeframe on issuing a discussion document to gauge stakeholder views on how environmental plans, principles and governance should be dealt with in the future.

**(AQW 4917/17-22)**

**Mr Poots:** It was my intention to publish this discussion document earlier this year but unfortunately, as a result of the measures required to control the spread of Covid-19, I decided that its publication should be deferred until: (a) my Department had sufficient resources available; and (b) stakeholders were in a better position to respond. While the most acute phase of the Covid-19 emergency has now passed, resources remain stretched within DAERA and many of our key stakeholder organisations have significant numbers of staff still on furlough.

While I am not in a position to confirm a timeframe for the publication of the discussion document, I am hopeful that it can issue sooner rather than later.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs (i) why £1.5 million was cut from the research & development and staff budgets relating to climate change for the 2020/21 financial year; (ii) for his assessment on how this decision will impact his Department's efforts to respond to the climate change threat.

**(AQW 4922/17-22)**

**Mr Poots:**

- (i) As part of the 2020-21 June Monitoring Round, my Department declared £1.5m of the Climate Change Capital budget as part of the £12.7m total DAERA Capital reduced requirements. The £1.5m included £1.0m for ICT (the development of an ICT platform to support Climate Change) and £0.5m for Research & Development (R&D). This budget was allocated in late March at the time the COVID-19 pandemic was developing and DAERA has not been able to proceed as anticipated. My Department will of course keep this matter under review as the year progresses.
- (ii) Although the above funding was declared as a reduced requirement my Department will still take forward tackling plastic pollution to support the UK Plastics Pact and establishing a grants panel for future capital funding to tackle marine litter. DAERA will also continue to carry out its duties to meet the requirements of the UK Climate change Act 2008, which will include actions to adapt to a changing climate and reduce emissions to sectors for which my Department has responsibility, for example, in agriculture, land use change and forestry, and waste sectors. DAERA continues to fund Climate NI to increase adaptation awareness and action in the Non-Government Sectors and is also exploring how the Climate NI platform could be used to provide Climate Change Mitigation advice and guidance to Non-Government sectors including Local Government.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for an update on funding opportunities for Lough Neagh commercial eel fishermen.

**(AQW 4958/17-22)**

**Mr Poots:** My officials have met CEO Pat Close and other representatives of the Lough Neagh Fishermen's Co-operative Society (LNFCS) and are working on the details of a scheme under the European Maritime and Fisheries Fund (EMFF) (Regulation 2020/560- Article 33) which might offer some assistance to Lough Neagh fishermen. I hope to make an announcement on a scheme in due course.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the rural policy framework.

**(AQW 4960/17-22)**

**Mr Poots:** My officials are currently finalising the draft Rural Policy Framework document and preparing to launch an online consultation in July. The five stakeholder working groups, established to inform the framework development, have recently been afforded the opportunity to review their reports in response to the impact of Covid 19. Officials are also preparing to take forward a number of pilot schemes this year that would support rural businesses and community needs and further inform the framework development and any future programme requirements.

**Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs how much his Department has spent on producing material in Irish, in each of the last three years.

**(AQW 4965/17-22)**

**Mr Poots:** The information which is currently available shows that the Department has spent a total of £2,616.00 on translation costs between the financial years beginning on 01 April 2017 and ending on 31 March 2020.

Below details the breakdown to the following financial years –

- 2017 – 2018: £2,616.00
- 2018 – 2019: Nil
- 2019 – 2020: Nil

**Mr McGuigan** asked the Minister of Agriculture, Environment and Rural Affairs to detail the extent of climate change-related research and development in his Department.

**(AQW 5001/17-22)**

**Mr Poots:** My Department has funded or co-funded 21 climate change related projects over the last five years. This funding supports a broad range of projects, including research into developing a better understanding of greenhouse gas emissions

from livestock enterprises; research on carbon sequestration in our soils; and modelling potential impacts of climate change on land and marine environments to inform policy development.

A list of these research project titles is provided below:

List of climate change related research projects and those with climate change elements / benefits funded by DAERA

Programme	Title
DAERA Evidence and Innovation programme	Evaluation of the potential for changing land use practices to encourage soil and grass carbon sequestration
	Research to support development of an Agricultural Land Use Strategy
	Improving forest productivity and exploiting opportunities
	Arable weeds in Northern Ireland - current situation and potential threat to efficiency of arable production systems
	Baseline and evaluation study: Farm Business Improvement Scheme - Capital Scheme. Data analysis to inform the policy around future capital investment schemes and a scoping study to develop a framework for the longer term evaluation of the capital scheme (study2)
	Strong Report: C2: Crops: Increased research and development work, through DAERA, to examine crop performance and potential for alternative land uses in floodplain
	Evaluation of ammonia and greenhouse gas emissions from the livestock production sector in Northern Ireland
	Targeted agri-environmental landscape interventions exploiting SRC willow to mitigate the negative effects of sustainable intensification on water quality, energy use and the land-use nexus.
	Developing the resilience and resistance of Northern Ireland's tree species against pests, pathogens and climatic effects
	Effects of reseeded and liming on soil carbon stocks under intensively managed grassland in Northern Ireland
DAERA PhD funded (2015 – 2019)	Assessing the resilience of conservation objectives to climate change predictions for the critically endangered <i>D. intermedia</i>
	Effects of long- term nutrient fertilisation and land use change on the carbon sequestration potential of agricultural grasslands.
	Effects of land use practices on C sequestration and their implications for tackling GHG emissions for the agri-food sector in NI.
DAERA / DAFM funded	Smartsward: Future. Proofing Irish livestock sustainability
	Mine: Manipulation and Integration of Nitrogen Emissions
	Irish Land Use Emission and Sequestration Support Tool
	METH-ABATE: Development and validation of novel technologies to reduce methane emissions from pasture based Irish agricultural systems
	FitForests: Response of tree species to climate change
	SuHeGuide: Food based dietary guidelines for sustainable and healthy lifestyles
INTERREG Va	MarPAMM: Marine Protected Area Management and Monitoring
	COMPASS: Collaborative Oceanography and Monitoring for Protected Areas and Species

**Mr McGuigan** asked the Minister of Agriculture, Environment and Rural Affairs what plans he has produced to assist with the development of the green and low-carbon economy sectors as part of the post-COVID-19 recovery.

(AQW 5002/17-22)

**Mr Poots:** Covid-19 recovery will involve sustainability, specifically economic, social and environmental, at the heart of everything that we do. I am recommending economic renewal that recognises the importance of our environment and advocates green growth as a pathway to a sustainable future.

In my recent Assembly statement, I set out my concept to achieve a healthy environment alongside a healthy bottom line for our economy, as part of the recovery from Covid-19. Using a co-design approach, I have asked Dr Denis McMahon, DAERA Permanent Secretary, to lead development of a multi-decade Green Growth Strategy and delivery framework, in partnership

with other Departments, Local Government and stakeholders from across the business and voluntary sectors. The outcome will be a framework of programmes which will help deliver a resilient recovery through a greener, low carbon and circular economy for Northern Ireland.

To underpin this, I will establish and lead an inter-ministerial group to help embed Green Growth throughout all future Government policies and I very much look forward to engaging with colleagues on this.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for an update on determining the facility requirements for (i) the points of entry; and (ii) potential border control posts.

**(AQW 5049/17-22)**

**Mr Poots:** My Department is currently scoping and implementing a cross-cutting programme of work as follows:

- understanding the processes required to reduce friction on trade as far as is possible while meeting the legal requirements of our statutory role which is to carry out Sanitary and Phytosanitary (SPS) checks at the Points Of Entry;
- understanding the IT requirements that will facilitate movement of trade while seeking to minimise the impacts on traders;
- understanding the minimum requirements for each of the designated or potentially designated points of entry to Northern Ireland that will meet EU specifications.

My Department's focus is to determine the facility requirements for the NI Points of Entry by the end of June. My officials are engaging with Senior Port Authority Officials and a range of key stakeholders to ensure appropriate measures are in place to facilitate the movement of goods and products between GB and Northern Ireland whilst complying with the statutory requirements of the Northern Ireland Protocol. I have been clear that I wish to implement the Northern Ireland Protocol in a way that maximises the flow of trade, and which works for Northern Ireland's businesses and citizens.

## Department for Communities

**Mr M Bradley** asked the Minister for Communities what Housing Executive improvement schemes are planned for the East Londonderry constituency in the next three years, broken down by area.

**(AQW 2370/17-22)**

**Ms Hargey (The Minister for Communities):** The 3 tables below set out the Housing Executive's maintenance schemes for the requested constituency over the next three years.

It should be noted that:

- These schemes are subject to the availability of finance, the necessary scheme approvals being obtained and the appropriate Contractor capacity being available to carry out the works.
- Some of the schemes will include dwellings that are not in the constituency.

**Table 1**

Scheme	20/21
External Cyclical Maintenance	The Heights, Coleraine
Roofs	Ferryquay Place/ Long Commons, Coleraine
Bathroom/ Kitchen/ Rewire	Ballysally, Coleraine Phase 1
	Bellany/ Fairview, Coleraine Kitchens only
Bathroom	Roemill/ Kennaught, Limavady
	The Heights, Coleraine Bathrooms, Phase 2
Heating	Waterside Heating Phase 1
	Coleraine Heating phase 1
	Coleraine Heating electric dwellings
External Wall Insulation	(ERDF) Coleraine phase 1 No Fines

**Table 2**

Scheme	21/22
External Cyclical Maintenance	Churchland Road/ Drumard Drive, Coleraine

<b>Scheme</b>	<b>21/22</b>
Bathroom/ Kitchen/ Rewire	Ballysally Coleraine Phase 2
	Coleraine Rural
	Causeway Area
	Causeway Area Kitchens only
	Coleraine/ Kilrea Kitchens
Heating	Waterside Heating phase 2
	Limavady Boiler replacement Phase 1
	Ballysally, Coleraine Heating Phase 2
	Coleraine Heating phase 2

**Table 3**

<b>Scheme</b>	<b>22/23</b>
External Cyclical Maintenance	Ballysally, Coleraine ECM Phase 1
	Coleraine Rurals
	Anderson/ Edenmore, Limavady
Bathroom/ Kitchen/ Rewire	Dungiven/ Feeny Kitchens only
	Hillmount, Coleraine Kitchens only
	Parker Avenue/ Maple Drive, Coleraine kitchens
Bathroom	Lilac Avenue, Limavady
	Garvagh/ Kilrea
Heating	Limavady Boiler replacement Phase 2
	Quickthorn Place/ Killowen Street, Coleraine Heating
	Ballysally, Coleraine Heating Phase 3
	Ballysally, Coleraine Heating Phase 4

**Mr Allister** asked the Minister for Communities (i) what was the total cost of running the former 26 local councils in their last full year of operation; and (ii) what was the total cost of running the current 11 local councils in the last year for which figures are available.

**(AQW 2446/17-22)**

**Ms Hargey:** The total cost of running councils is taken as meaning the net cost of services as disclosed in the annual accounts for councils, which is also the figure submitted to the Office of National Statistics in council expenditure returns.

- (i) The total net cost of services for 26 councils in 2014-15 was £742,298k.  
(ii) The total net cost of services for 11 councils in 2018-19 was £790,994k.

**Mr Givan** asked the Minister for Communities for her assessment of the role carried out by the Local Government Commissioner for Standards in investigating complaints.

**(AQW 2631/17-22)**

**Ms Hargey:** I propose to answer AQWs 2631/17-22, 2632/17-22, 2633/17-22 and 2634/17-22 together.

The Local Government Act 2014 which makes provisions for the ethical standards framework for district councillors, gives the Local Government Commissioner for Standards (the Commissioner) authority to investigate and adjudicate on allegations that councillors have breached the Local Government Code of Conduct for Councillors (the Councillors' Code). All complaints regarding alleged breaches of the Code must be sent to the Commissioner's Office for consideration.

In accordance with section 56 of the 2014 Act, the procedure for conducting an investigation under section 55 of the 2014 Act is to be such as the Commissioner considers appropriate in the circumstances of the case. Section 56 also provides that the Commissioner must give any person who is the subject of an investigation an opportunity to comment on any allegation that the person has failed, or may have failed, to comply with the Councillors' Code.

I have no role to play in the process established by the Commissioner. This process is intended to provide confidence to the rate payers that councillors' behaviour is in keeping with the standards laid out in the Councillors' Code.

The Ombudsman is required, under section 46 of the Public Services Ombudsman Act (NI) 2016 (the 2016 Act), to lay a report annually before the Assembly. Section 63 of the 2014 Act, as amended by paragraph 5 of Schedule 7 to the 2016 Act, requires the Ombudsman to include in their annual report an account of their functions carried out as the Commissioner.

With regard to the Commissioner investigating matters not detailed in a formal complaint, section 55(1)(b) of the 2014 Act provides that the Commissioner may only investigate such matters where they have come to their attention during an investigation conducted as a result of a complaint being made.

The order in which investigations are conducted is a matter for the Commissioner to determine.

Departmental officials are carrying out preliminary work on an evaluation and review of local government legislation. This review will include the ethical standards framework set out in Part 9 of the 2014 Act.

**Mr Givan** asked the Minister for Communities for her assessment of the scope around which the Local Government Commissioner for Standards uses powers to investigate matters not detailed in a formal complaint.  
**(AQW 2632/17-22)**

**Ms Hargey:** I propose to answer AQWs 2631/17-22, 2632/17-22, 2633/17-22 and 2634/17-22 together.

The Local Government Act 2014 which makes provisions for the ethical standards framework for district councillors, gives the Local Government Commissioner for Standards (the Commissioner) authority to investigate and adjudicate on allegations that councillors have breached the Local Government Code of Conduct for Councillors (the Councillors' Code). All complaints regarding alleged breaches of the Code must be sent to the Commissioner's Office for consideration.

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The order in which investigations are conducted is a matter for the Commissioner to determine.

Departmental officials are carrying out preliminary work on an evaluation and review of local government legislation. This review will include the ethical standards framework set out in Part 9 of the 2014 Act.

**Mr Givan** asked the Minister for Communities whether complaints made to the Local Government Commissioner for Standards are investigated chronologically or assessed against severity.  
**(AQW 2633/17-22)**

**Ms Hargey:** I propose to answer AQWs 2631/17-22, 2632/17-22, 2633/17-22 and 2634/17-22 together.

The Local Government Act 2014 which makes provisions for the ethical standards framework for district councillors, gives the Local Government Commissioner for Standards (the Commissioner) authority to investigate and adjudicate on allegations that councillors have breached the Local Government Code of Conduct for Councillors (the Councillors' Code). All complaints regarding alleged breaches of the Code must be sent to the Commissioner's Office for consideration.

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I have no role to play in the process established by the Commissioner. This process is intended to provide confidence to the rate payers that councillors' behaviour is in keeping with the standards laid out in the Councillors' Code.

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The order in which investigations are conducted is a matter for the Commissioner to determine.

Departmental officials are carrying out preliminary work on an evaluation and review of local government legislation. This review will include the ethical standards framework set out in Part 9 of the 2014 Act.

**Mr Givan** asked the Minister for Communities whether she has any plans to reform legislation regarding the investigation of complaints made against local councillors.

**(AQW 2634/17-22)**

**Ms Hargey:** I propose to answer AQWs 2631/17-22, 2632/17-22, 2633/17-22 and 2634/17-22 together.

The Local Government Act 2014 which makes provisions for the ethical standards framework for district councillors, gives the Local Government Commissioner for Standards (the Commissioner) authority to investigate and adjudicate on allegations that councillors have breached the Local Government Code of Conduct for Councillors (the Councillors' Code). All complaints regarding alleged breaches of the Code must be sent to the Commissioner's Office for consideration.

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I have no role to play in the process established by the Commissioner. This process is intended to provide confidence to the rate payers that councillors' behaviour is in keeping with the standards laid out in the Councillors' Code.

The Ombudsman is required, under section 46 of the Public Services Ombudsman Act (NI) 2016 (the 2016 Act), to lay a report annually before the Assembly. Section 63 of the 2014 Act, as amended by paragraph 5 of Schedule 7 to the 2016 Act, requires the Ombudsman to include in their annual report an account of their functions carried out as the Commissioner.

With regard to the Commissioner investigating matters not detailed in a formal complaint, section 55(1)(b) of the 2014 Act provides that the Commissioner may only investigate such matters where they have come to their attention during an investigation conducted as a result of a complaint being made.

The order in which investigations are conducted is a matter for the Commissioner to determine.

Departmental officials are carrying out preliminary work on an evaluation and review of local government legislation. This review will include the ethical standards framework set out in Part 9 of the 2014 Act.

**Mr Givan** asked the Minister for Communities what protections exist to enable separation of work duties and private life for local councillors.

**(AQW 2709/17-22)**

**Ms Hargey:** Councillors provide an important service and their role covers a wide range of functions which are provided at irregular times of day. It is therefore important that councillors take time to enjoy their private life away from their work duties.

The Councillors' Code of Conduct recognises this separation. Paragraphs 2.7 to 2.9 of the Councillors' Code set out when the Code applies. Briefly, this is when a councillor acts, claims to act or gives the impression of acting as a councillor or sits on an outside body to which they were appointed by the council.

However, there may be circumstances in which a councillor's behaviour in their private life could reasonably be regarded as bringing their council into disrepute and in these circumstances the Councillors' Code would apply.

The Local Government Commissioner for Standards (the Commissioner) has the responsibility for determining whether the Councillors' Code applies in a particular circumstance and has, in their Guidance for Councillors, recognised that Councillors are entitled to privacy in their personal lives. A copy of the Commissioner's guidance is available at <https://nipso.org.uk/site/wp-content/uploads/2018/02/Guidance-for-Councillors-from-the-Northern-Ireland-Commissioner-for-Complaints-April-2017-2-1.pdf>.

The issue of when the Councillors' Code applies, has been considered by the High Court. A councillor appealed the Commissioner's decision to suspend him to the High Court. The decision of the High Court at appeal-

- referred to the guidance of the Commissioner where it gives examples of behaviour which may constitute bringing a council into disrepute, and
- referred to the Commissioner's consideration of the guidance.

A copy of the decision is available at - <https://judiciaryni.uk/judicial-decisions/2018-niqb-62>.

The work life balance of a councillor is important and councillors should take steps to mitigate their public duties merging into, or conflicting with, their private and personal lives.

**Ms Armstrong** asked the Minister for Communities what is the average time taken for the Charity Commission to register charities, from first application to registration, over the last five years.

**(AQW 2722/17-22)**

**Ms Hargey:** The Charity Commission for Northern Ireland does not hold information in a way which would readily allow a calculation of the average time taken from submission of an Expression of Intent to registration. This is due to a range of factors including the complexity of individual cases and the volume of cases in progress at any point in time. A further complicating factor is the McBride Judgment of 2019, and subsequent Court of Appeal ruling, which have resulted in the Charity Commission operating through a Committee, making emergency decisions. My officials are currently working with the Charity Commission to explore the implications of these Judgments and I have asked them to consider options for any necessary changes to future operations, including the registration process.

**Ms Armstrong** asked the Minister for Communities (i) for her Department's definition of objective need; (ii) what criteria she will use when allocating funding to prioritise issues identified as delivering an objective need; and (iii) whether she will publish this criteria.

**(AQW 2723/17-22)**

**Ms Hargey:** I am committed to ensuring that my Department's resources are targeted where need is greatest, based on sound evidence and objective need. An agreed definition of objective need may be required as it is not currently defined in legislation. However, it will be challenging to agree a definition that fits all circumstances and, it is possible, the definition will change depending on the need we are trying to address.

**Ms Armstrong** asked the Minister for Communities (i) how many Housing Executive homes were found to have the presence of mould and fungus in each of the last three financial years; (ii) whether any of this mould was tested; (iii) whether any of the moulds tested were found to be dangerous to residents; and (iv) what is being done to resolve this issue.

**(AQW 2724/17-22)**

**Ms Hargey:** The Housing Executive does not generally undertake testing when mould is found, but offers advice to tenants to remove the mould and prevent it from returning.

However, the Housing Executive takes complaints of mould seriously and, when actions taken by its response maintenance staff have not resolved the situation, it appoints expert consultants to carry out investigations to survey properties, identify the cause and provide recommendations. Once completed, a planned scheme can proceed to remedy this situation. These works could be a combination of improved ventilation, insulation and heating, along with providing advice to the tenant to avoid reoccurrence. Whilst the Housing Executive cannot provide statistics relating to exactly how many properties have had these investigations carried out, it is currently progressing three schemes as planned works to deal with damp and mould.

The Housing Executive has also recently awarded contracts to insulate the No Fines stock to help avoid and remedy damp and mould issues which can be prevalent in this form of construction. The term "no fines" refers to a type of concrete found in older dwellings of non-standard construction that does not contain fine aggregates.

The Response Maintenance teams also educate tenants on lifestyle choices which can contribute to the causes of condensation, which can frequently cause mould.

**Ms Armstrong** asked the Minister for Communities (i) how many people on Universal Credit have been notified that they have received an overpayment as a result of system errors in the last 12 months; (ii) what is the average amount of overpayments made as a result of system error; (iii) what action she is taking to ensure these errors stop; and (iv) whether she will bring in a fair method of repayment or options to cancel debt to ensure people are not faced with further hardship as a result of mistakes made in the Universal Credit processes.

**(AQW 2725/17-22)**

**Ms Hargey:** The information requested under (i) and (ii) is not currently available.

As with other social security benefits, a single system, developed and managed by the Department for Work and Pensions, is used to collect and store Universal Credit data. We are working closely with the Department for Work and Pensions to improve the range of data available to us.

It is worth reflecting that Universal Credit brought together six former benefits into one new process. It involved a substantial amount of training for our people delivering the service from our 35 Jobs and Benefits offices alongside our Service Centres in Foyle, Newry and Belfast. .

Whilst the new UC system is more automated than any of the benefit systems it replaced, there is still a degree of manual intervention required. It is also worth noting that this is truly an agile system, it is still being developed and system changes are introduced on a fortnightly basis. We invest significantly to keep our people aware of these changes and we have a Service Improvement Lead in every office to support that local learning and development.

My Department is obliged to consider the recoverability of all Universal Credit overpayments, irrespective of how the overpayment arose. This is covered under Section 69ZB of the Social Security Administration (Northern Ireland) Act 1992. However, we can and do apply discretion in respect of the issue of recoverability.

We advise all people with an overpayment to contact our Debt Management Centre in the first instance. This is their opportunity to tell us how recovery of the overpayment is impacting them, either financially or through ill-health. All cases are dealt with on their individual merits.

I am keen to make sure we deliver a service that is empathetic and protects the most vulnerable in our society. I can assure you that we will continue to review our approach here to make sure it meets that test.

**Mr Carroll** asked the Minister for Communities what progress has been made to establish a child funeral fund in order to ease the burden on families suffering the loss of children, as outlined in New Decade, New Approach.

**(AQW 2801/17-22)**

**Ms Hargey:** Officials within my Department continue to work on the development of a Child Funeral Fund including identifying the correct legislative vehicle. It is anticipated that proposed legislation for this fund shall be presented to the Assembly in due course.

As an interim measure, steps have already been taken by councils to voluntarily waive certain fees as set by councils, to ease the burden on parents dealing with the expenditure of a burial or cremation of a child.

**Ms Armstrong** asked the Minister for Communities to outline the accessibility audit used by the Appeals Service to measure the appropriateness of venues it uses to hear benefit appeals; and whether the accessibility audit will be revised to add consideration for the impact such venues have on appellants with mental ill health, learning disabilities and limited mobility.

**(AQW 2807/17-22)**

**Ms Hargey:** Appeals are heard in public and privately owned venues based on the facilities available in each area.

Before any venue is confirmed as suitable for an appeal tribunal hearing the location and facilities are assessed based on a number of criteria, including accessibility/DDA compliance, parking, privacy, lighting, ventilation, heating and other criteria which consider the needs of the parties involved in the hearings.

A review of the criteria upon which venues are assessed has commenced and this will include any additional considerations which should be taken into account as part of the process.

**Mr Allister** asked the Minister for Communities what are the borrowings of each of the 11 councils; and what limits are applicable.

**(AQW 2847/17-22)**

**Ms Hargey:** The level of outstanding borrowing (long term and short term), as disclosed in the balance sheet of the councils' annual certified accounts at 31 March 2019 is set out in the table below.

Council	Borrowing at 31 March 2019
Antrim & Newtownabbey	49,736,014
Ards & North Down	78,900,163
Armagh, Banbridge & Craigavon	40,669,273
Belfast City Council	62,888,981
Causeway Coast & Glens	71,188,000
Derry & Strabane	50,234,150
Fermanagh & Omagh	7,215,870
Lisburn & Castlereagh City Council	27,032,294
Mid & East Antrim Council	62,798,320
Mid Ulster Council	6,746,933
Newry Mourne & Down	69,750,776

Sections 11 to 16 of the Local Government Finance Act 2011 make provision for district council borrowing. Section 13 imposes a broad duty on councils to determine and keep under review the amount they can afford to borrow. Councils have to comply with any relevant regulations made by my Department, and have regard to codes of practice specified in regulations, when determining an affordable borrowing limit.

**Mr Beattie** asked the Minister for Communities what her Department has done to promote and recognise mixed martial arts as a sport in Northern Ireland.

**(AQW 2902/17-22)**

**Ms Hargey:** At present Mixed Martial Arts is not recognised as a sport and there is no official governing body for the sport in the north of Ireland. Both SportNI and Departmental Officials have previously met with representatives of the sport to provide assistance and support as they continue to seek recognition and establish a governing body. I understand that a further meeting is expected soon.

Recognition is a process shared by all five Sports Councils (UK Sport, Sport Scotland, Sport England, Sport Wales and Sport NI) which determine the Governing Bodies responsible for governing the sporting activities that the Sports Councils are willing to consider supporting and working with and acknowledges the status of the Governing Body as a private organisation which governs a particular sport through the common consent of the sport itself.

My officials and Sport NI will continue to assist representatives of the sport as they seek recognition and try to establish a recognised governing body in the north.

**Mr McGlone** asked the Minister for Communities how many cases of Universal Credit overpayment have occurred due to departmental error; and what measures she will take to alleviate the consequent hardship for claimants.

**(AQW 2913/17-22)**

**Ms Hargey:** Information requested on the number of Universal Credit cases with an overpayment is not currently available.

We are working to improve the range of data available to us.

My Department is obliged to consider the recoverability of all Universal Credit overpayments, irrespective of how the overpayment arose. However, we can and do apply discretion in respect of the issue of recoverability.

We advise all people with an overpayment to contact our Debt Management Centre in the first instance. This is their opportunity to tell us how recovery of the overpayment is impacting them, either financially or through ill-health. All cases are dealt with on their individual merits.

I am keen to make sure we deliver a service that is empathetic and protects the most vulnerable in our society. I can assure you that we will continue to review our approach here to make sure it meets that test.

**Mr Allen** asked the Minister for Communities to detail the average price to build a social and affordable house, broken down by bedroom size.

**(AQW 2929/17-22)**

**Ms Hargey:** The current average social housing development allowances for new build homes are as follows:-

Unit	Area	Total Cost Indicator
One person one bedroom flat	35/40m <sup>2</sup>	£101,433
Two person one bedroom flat	50/55m <sup>2</sup>	£125,383
Three person two bedroom two storey house	70/75m <sup>2</sup>	£140,883
Five person three bedroom house two storey house	90/95m <sup>2</sup>	£163,450
Six person four bedroom two storey house	100/105m <sup>2</sup>	£169,050

The TCI is the DfC benchmark for the average cost of development for a social housing general needs home procured via "new build acquisition and works". It includes land cost, construction cost, associated professional fees and statutory charges.

The Department funds the Affordable Home Loans Fund Pilot to deliver new build shared ownership affordable housing. The pilot is due to complete in April 2022 and the average cost of these houses will be established as part of a wider evaluation of the pilot. The evaluation report is expected March 2023.

**Mr Easton** asked the Minister for Communities what properties or land are currently surplus to requirements within her Department

**(AQW 2946/17-22)**

**Ms Hargey:** The Department currently has one property that is surplus to requirements (Richmond Chambers) and 38 plots of land, details of which are included in Annex A. These sites are cleared, made safe, secured and maintained as part of the Urban Regeneration portfolio of assets and are held for future regeneration or resale.

#### Annex A

1	58 NEW LODGE ROAD	20	PLOT 9 TOOME ROAD, BALLYMENA
2	PLOT A CASTLE ROAD	21	PLOT 9A TOOME ROAD, BALLYMENA
3	PLOT 47B NIBLOCK ROAD	22	164 TOOME ROAD, BALLYMENA
4	PLOTS 12 & 13 BIRCHILL ROAD	23	LARNE ROAD, BALLYMENA
5	LAND BETWEEN 8-11 MASSERENE ST	24	TULLYGARLEY ROAD
6	DUBLIN ROAD, ANTRIM	25	land adj 22 carbet rd
7	MOYLENA ROAD, ANTRIM (28078)	26	Franklyn Pk Lurgan

8	RIVERSIDE WALK	27	p1 portadown rd/ballynamoney
9	BELMONT RD AREA ANTRIM	28	Lands ADJ TO ARDOWEN ESTATE, CRAIGAV
10	CASTLE ST ANTRIM	29	MONBRIEF RD DRUMGASK
11	PLOT 55 Toome Road	30	Seagoe Road, Portadown
12	PLOTS 5A AND 30 Toome Road	31	Drumellan, Craigavon
13	PLOTS 13 A & B Ballee Rd West	32	Adj 6 Franklyn Park, Lurgan
14	PLOT 16, 23 & 49 Grange Rd	33	Land at St Brendan's Primary, Brownlow, Craigavon
15	PLOT 24B Dans Road	34	Ballynamoney Lane, Craigavon
16	PLOTS 3, 4 5C AND 22 TOOME RD	35	Parkmore, Craigavon
17	PLOT 41A Grange Rd	36	Lisniskey Lane, Craigavon
18	PLOT 6 Toome Road	37	Carbet Rd, Portadown
19	PLOT 37A BALLEE ROAD WEST	38	Former railway Tracks land in Coalisland

**Ms Dolan** asked the Minister for Communities whether she has any plans to reinstate the Replacement Grant, especially in instances of a house being uninhabitable due to serious fires, flooding or other accidents.

**(AQW 3063/17-22)**

**Ms Hargey:** The Housing Executive has advised that in 2009 discretionary grants were withdrawn. Funding for Renovation, Replacement and Home Repair Assistance Grants for improvement and repair were subsequently only made available in exceptional circumstances, such as where there is a risk to the health and safety of the occupier.

Currently there are no plans to reinstate the Replacement Grant for any other circumstances than those which qualify under the following exceptional circumstances criteria:

- 1 The need for the discretionary grant to be processed simultaneously to facilitate the completion of a Disabled Facilities Grant (a mandatory grant);
- 2 Were the identified repairs presenting any imminent and significant Health & Safety risk that would impact upon the occupants?
- 3 Was there serious risk to the occupants under structural stability?

**Mr Beattie** asked the Minister for Communities what actions her Department has taken to promote and recognise the Northern Ireland Federation of Sea Anglers (NIFSA); and what assistance her Department will give to help NIFSA get recognition from the International Sport Fishing Confederation.

**(AQW 3067/17-22)**

**Ms Hargey:** Only one Governing Body can be recognised for each sport discipline and at present, the Ulster Council Irish Federation of Sea Anglers is the recognised body for the discipline of Sea Angling here.

Where a governing body is already recognised and another body wants to contest that recognition, the challenging body must provide substantial evidence to support a review which would be carried by a recognition panel which includes five Sports Councils.

It is not my Department's role to promote one sports body over another, but through SportNI, to provide information or assistance regarding the recognition process policy.

I understand that SportNI has been providing advice to the NIFSA since 2018 with regard to the recognition process and has recently offered to meet with its representatives in this regard.

**Mr Durkan** asked the Minister for Communities whether they plan to provide a funding package to businesses impacted by flooding in August 2017.

**(AQW 3080/17-22)**

**Ms Hargey:** The Scheme of Emergency Financial Assistance was introduced by the Executive in 2007. Its purpose is to provide immediate financial support to households who have suffered from flooding. It is not a compensation scheme and does not purport to be one; nor is it intended to replace or displace the assistance that households should receive from their insurers.

On 10 March 2016, the Minister of Agriculture and Rural Development obtained Executive agreement for an exceptional one-off extension to the Scheme of Emergency Financial Assistance. This enabled flood assistance to be provided to non-

domestic properties and small businesses including farm businesses impacted by flooding incidents following the heavy rainfall between 7 November 2015 and 31 January 2016. It also included recreational and community buildings as well as places of worship. Its remit was never extended and therefore it was not applicable outside of the specific timeframe of 7 November 2015 to 31 January 2016.

Any future Scheme of Emergency Financial Assistance for small businesses and non-domestic properties would require a paper to be tabled and agreed at the Executive.

**Mr McGlone** asked the Minister for Communities (i) how many PA5 reports were completed by Capita and returned to her Department in the last 12 months; (ii) how many resulted in a changed award decision; and (iii) how many resulted in an unrevised decision and were then subsequently successful at tribunal.

**(AQW 3082/17-22)**

**Ms Hargey:** Capita provide advice on Personal Independence Payment (PIP) cases when requested to do so by the Department. In the last 12 months advice was provided on 13,987 PIP cases. This includes cases where a PA5 has been provided where no change has been recommended to the original assessment report and PA6 where a change has been recommended. This is not broken down further between the two categories of reports

While the Department retains information on the number of PIP decisions changed and unchanged at both mandatory reconsideration and appeal stages it does not hold information on decisions changed or unchanged solely in relation to having received a completed PA5 report from Capita.

**Mr Allen** asked the Minister for Communities how many child maintenance claims were processed by the Child Maintenance Service in each of the last five years.

**(AQW 3102/17-22)**

**Ms Hargey:** The number of applications processed by the Child Maintenance Service in each of the last 5 years is set out in the table below:

Financial Year	Applications Processed
2014/15	2,865
2015/16	4,833
2016/17	7,174
2017/18	4,856
2018/19	3,499
TOTAL	23,227

**Mr Allen** asked the Minister for Communities to list, by District Council area, the locations of the Neighbourhood Renewal Partnerships and Areas at Risk with whom she has communicated about protecting the budget for those Neighbourhood Renewal programmes until 2022.

**(AQW 3103/17-22)**

**Ms Hargey:** Minister Hargey wrote to the Neighbourhood Partnership chairs and Areas at Risk representatives on 28/02/20 to outline her commitment to maintaining the budget for these programmes at current levels for the 2020/21 and 2021/22 financial years.

People and Place a Strategy for Neighbourhood Renewal is a long term strategy which includes the Neighbourhood Renewal Programme and the Areas at Risk Programme. There are 36 Neighbourhood Renewal Areas identified as being the top 10% most deprived areas in the North. There are 13 Areas at Risk covering 16 areas identified as being outside the top 10% most deprived areas, but at risk of decline.

Please see attached table for details regarding the locations of Neighbourhood Renewal Partnerships and Areas at Risk by District Council area as requested.

District Council Area	Neighbourhood Renewal Partnership	Area at Risk
Antrim and Newtownabbey Borough Council	Grange – Ballyclare	Carrmoney, Monkstown and Mossley
	Rathcoole	
Ards and North Down Borough Council	Bangor	Beechfield
		Scrabo

District Council Area	Neighbourhood Renewal Partnership	Area at Risk
Armagh, Banbridge and Craigavon Borough Council	Armagh	Gilford
	Brownlow	
	Lurgan	
	North West Portadown	
Belfast City Council	Andersonstown	Annadale
	Colin	Glenbank and Lower Whitewell
	Crumlin/Ardoyne	
	Greater Falls	
	Greater Shankill	
	Inner East Belfast	
	Inner North Belfast	
	Inner South Belfast	
	Lenadoon	
	Ligoniel	
	South West Belfast	
	Tullycarnet	
	Upper Ardoyne Ballysillan	
	Upper Springfield/Whiterock	
Causeway, Coast and Glens Borough Council	Coleraine	Harpus Hill
	Churchlands	
Derry City and Strabane District Council	Cityside	
	Limavady	
	Outer North	
	Outer West	
	Strabane	
	Waterside	
Fermanagh and Omagh District Council	Enniskillen	
	Omagh	
Lisburn City and Castlereagh Council		Ballybeen
Mid and East Antrim Borough Council	Ballymena	Doury Road
		Ferris Park
		Northland
Mid Ulster District Council	Coalisland	
	Dungannon	

**Mr Allen** asked the Minister for Communities to detail (i) the amount that the Child Maintenance Service (CMS) receives in fees to process, administer and pay Child Maintenance; (ii) the cost to deliver the CMS; and (iii) how the CMS processing and payment fees were used, for each of the last five years.

**(AQW 3106/17-22)**

**Ms Hargey:** The amount that the Child Maintenance Service has received in fees and charges to process, administer and pay Child Maintenance over the last five years is set out in Table 1 below.

**Table 1**

Year	Fees received (£)
2018/19	762,648
2017/18	566,670
2016/17	347,963
2015/16	217,762
2014/15	138,249

Fee totals per annum include CMS 2012 Administration Charges, Court Costs, DNA fees and Enforcement Costs.

The cost to deliver Child Maintenance Service over the last five years is set out in Table 2.

**Table 2**

Year	Costs (£)
2018/19	11,005,174
2017/18	11,536,982
2016/17	15,819,191
2015/16	19,771,106
2014/15	18,982,770

Fees received by CMS for each of the last five years have contributed in part to offset the cost of running the service.

**Mr Robinson** asked the Minister for Communities, since the change of qualifying criteria in January 2020, what mitigation measures are in place for people of pension age who cannot afford the manufacturers report for their boiler when applying for grant assistance under the Affordable Warmth Scheme.

**(AQW 3181/17-22)**

**Ms Hargey:** The eligibility criteria for the Scheme have not changed. This is a change in process to confirm compliance with existing criteria.

One of the energy efficiency measures offered under the Affordable Warmth Scheme is to replace boilers that are broken beyond repair and boilers that are over 15 years old.

It is therefore necessary to confirm that boilers under 15 years are broken beyond repair. From January 2020 this is confirmed using a manufacturer's report. This is a means to confirm compliance with existing criteria. If the manufacturer's report confirms that the boiler is repairable it will not be eligible for replacement under the Scheme.

If the boiler is found by the manufacturer to be broken beyond repair any fee the manufacturer charges for this report will be reimbursed to the householder within the approved grant should they satisfy all other existing eligibility criteria for the Scheme.

**Mr Durkan** asked the Minister for Communities whether community sector workers, employed by her Department, will receive sick pay if forced to self-isolate as a result of coronavirus.

**(AQW 3220/17-22)**

**Ms Hargey:** The Department for Communities does not employ community sector workers. These workers are employed by individual community organisations. My Department may contribute to their employment costs, and other organisational expenditure, via discretionary grants.

The organisation in receipt of this grant-aid is the employer and is therefore responsible for the terms and conditions of employment including statutory sick-pay.

I am fully committed to workers' rights and expect that all reasonable measures taken to minimise the risk to public health from the Covid-19 virus will be supported by employers and funding bodies, including my Department.



**Mr Storey** asked the Minister for Communities how many churches and faith-based organisations have successfully registered as a charity in each of the last five years; and what this figure represents as a percentage of all religious organisations.

**(AQW 3237/17-22)**

**Ms Hargey:** The table below shows the number of charities that registered with the Charity Commission for NI since 2015 that have 'advancement of religion' as one of their purposes, which is the classification drawn from the Charities Act (NI) 2008 that covers churches and faith-based organisations.

Year	Total Successfully Registered
2015	590
2016	689
2017	133
2018	53
2019	11
2020	52
2015 - 2020	1528

Neither the Department nor the Commission holds statistics on the total number of religious organisations here, therefore it is not possible to accurately calculate what this figure represents as a percentage of all religious organisations.

**Dr Aiken** asked the Minister for Communities what consideration has been given to introducing the New Enterprise Allowance.

**(AQW 3333/17-22)**

**Ms Hargey:** My Department is currently considering a range of options in respect of self-employment and how best to further assist people in this category.

At this stage it is anticipated that the preferred option will be decided upon by March 2021. The options under consideration will be assessed for affordability in line with current budgetary constraints.

**Mr Lyttle** asked the Minister for Communities how many privileged access applications are currently awaiting completion by PRONI; and what measures are being implemented to expedite these applications.

**(AQW 3366/17-22)**

**Ms Hargey:** My Department currently has 261 applications for privileged access to court files, 92 under the Public Records Act (NI) 1923 pilot; and 169 under The Court Files Privileged Access Rules (Northern Ireland) 2016. I am committed to releasing information to applicants under these schemes. I have met with my officials to ensure these requests are prioritised and have completed the decision making process in a number of cases. I am pleased to confirm that court and inquest files will be released to applicants in the very near future. I am continuing to work with my officials to progress this important and sensitive area of work.

**Ms P Bradley** asked the Minister for Communities for her assessment of the consultation undertaken with residents in Rathcoole impacted by the Northern Ireland Housing Executive's Tower Block Strategy.

**(AQW 3371/17-22)**

**Ms Hargey:** The Draft Tower Blocks Action Plan was approved by the Housing Executive's Board in May 2018 as the basis upon which to consult stakeholders on the proposals for the blocks. Subsequently a consultation exercise was undertaken with tenants, leaseholders, community and elected representatives and other stakeholders between June and December 2018. Details of this consultation exercise are outlined in my response to your previous question AQW 3370/17-22.

The final Tower Blocks Action Plan was approved by the Housing Executive's Board in March 2019 and took cognisance of the outcome of the consultation exercise by revising the categorisation of some blocks; in Rathcoole, Carncoole House was re-categorised as having a 'Long' term life. Residents were advised in May 2019 that the Board had approved the final Tower Blocks Action Plan and of the proposal for their blocks.

The Housing Executive's South Antrim Area Office continues to update the local Housing Community Network on the progress of the Action Plan. Further consultation will be carried out with residents when the Housing Executive is preparing the business case for each block or group of blocks, and a detailed Local Implementation Plan will be prepared for each block (or group of blocks) following approval of the business case. Local communities will be involved in developing these plans with the Housing Executive.

**Mr Durkan** asked the Minister for Communities what action is being taken to reduce waiting times for adaptations to Housing Executive homes.

**(AQW 3374/17-22)**

**Ms Hargey:** Minor Adaptations

Minor Adaptations are processed by the local Area Office and categories are recorded as follows:

- 1 Urgent Showers
- 2 Non- Urgent Showers
- 3 Minor Adaptations including for example handrails, grab rails and the like.

Response times relate to the date the recommendation is received until the works are completed and are measured as follows;

- Urgent Shower Adaptations – completed within 5 working days
- Non- Urgent Shower Adaptation –completed within 20 working days
- Minor Adaptation work (prioritised as Emergency, Urgent or Routine) –completed within 20 working days

“Adaptations completed in time” is a key performance measurement that is used on a monthly basis. The latest figure available for overall performance (January 2020) was 94.84% which exceeds the Minimum Acceptable Performance (MAP) target of 91%.

Major Adaptations

Following the success of a pilot in the NIHE south region offices in Newtownards and Craigavon NIHE have expanded this pilot to their North region offices of Derry and Ballymena. Within the last 12 months NIHE have moved towards recruiting additional staffing resources to undertake the design element of the adaptation in-house.

This has proven to increase quality and improve time frames. Whilst good progress has been made in the last 6-12 months NHE are still suffering from backlogs following the insolvency of a consultant who provided much of this work previously. At the time of insolvency there was a large backlog of work which NIHE moved forward with internally. This has taken additional time to the overall adaptation process.

Other external factors impacting on this work have been the liquidation of a contractor providing a large portion of these works as well as the issues around contractor capacity and availability that is being encountered in the construction industry as a whole.

To mitigate this risk NIHE has gone to tender with a larger contractor framework and is hopeful to attract more contractors to this framework and limiting the need to procure further through the duration of the framework.

NIHE have also gone to press in recent weeks as well as to a recruitment agency to recruit additional resources to these teams internally. Recruitment of construction professionals has been an issue and NIHE have been working through this for some time. NIHE are hopeful that the recent recruitment drive will be positive and increase the size of the team to enable working through any back log.

**Ms Armstrong** asked the Minister for Communities for her assessment of electrical safety standards in the private rented sector.

**(AQW 3425/17-22)**

**Ms Hargey:** The Department is currently carrying out a comprehensive review of the role and regulation of the private rented sector to ensure the regulatory framework and supporting policy improve standards for the benefit of both tenants and landlords.

I am currently considering 16 proposals for change. One of these is to make it a mandatory requirement for private landlords to carry out periodic electrical checks.

**Mrs D Kelly** asked the Minister for Communities what measures she plans to put in place for workers on zero-hour contracts who are unable to work because of coronavirus.

**(AQW 3445/17-22)**

**Ms Hargey:** People on zero hours contracts may be entitled to Statutory Sick Pay and can check eligibility at: <https://www.gov.uk/statutory-sick-pay/eligibility>. In response to the coronavirus, Statutory Sick Pay will be made available from day one, instead of day four and for those who need to self-isolate for medical reasons to protect others.

Those who aren't entitled to Statutory Sick Pay can make a claim to Universal Credit (UC) and/or new-style Employment and Support Allowance (ESA) depending on their circumstances. Additional support has been introduced for those affected by the coronavirus by removing the 7 waiting days for people to make a new claim to ESA and, for ESA and UC, treating those affected as having limited capability for work from the outset without a fit note, an assessment or some form of statutory public health notice.

Those who do qualify for Statutory Sick Pay will not be eligible for new-style Employment and Support Allowance but may still qualify for Universal Credit depending on their circumstances.

A person who is in a crisis situation can apply to the Discretionary Support scheme for assistance with short-term living expenses. Discretionary Support is available to people in employment provided their income does not exceed £16,286 per year. The income threshold is set with reference to the National Living Wage and will increase to £18,137 from April 2020.

I will continue to review the situation and take appropriate measures in line with any further developments.

**Ms P Bradley** asked the Minister for Communities to outline the timescale for the development of new homes on the sites of the tower blocks earmarked for demolition in Rathcoole.

**(AQW 3451/17-22)**

**Ms Hargey:** The Tower Blocks Action Plan proposes that Monkscoole House and Abbotscoole House should be demolished with new social housing built on the combined cleared site. The business case for the demolition of Monkscoole House has been approved by the Housing Executive's Board and the Department for Communities, and a consultant has been appointed to prepare a demolition scheme for next year. The business case for Abbotscoole House will be submitted for approval this year. Subject to its approval, it is currently estimated that it could then take 2-3 years to clear the block and a further 2-2 ½ years to demolish the block and provide new social housing on the site.

**Mr Durkan** asked the Minister for Communities why her Department does not have an arts and culture strategy; and whether she intends to introduce such a strategy.

**(AQW 3455/17-22)**

**Ms Hargey:** Following a wide-ranging consultation in 2015-16 the introduction of a strategy could not be progressed in the absence of a Minister.

It is my intention to introduce a strategy at the earliest opportunity and I have asked my officials to engage in a co-design process to deliver this important work.

**Mr McGlone** asked the Minister for Communities whether Universal Credit staff have been applying Regulation 25 of the Universal Credit, Personal Independence Payment, Job Seekers Allowance and Employment Support Allowance (Claims and Payments) Regulations (NI) 2016 to allow decision makers to extend the time for claiming Universal Credit and ensure there is no gap between the Employment Support Allowance or Jobseekers Allowance claim and entitlement to Universal Credit; and, in instances when these regulations were not applied, what measures her Department will take to remunerate people who have been disadvantaged as a consequence.

**(AQW 3459/17-22)**

**Ms Hargey:** Regulation 25 of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payment) Regulations (Northern Ireland) 2016 allows the Department to backdate a claim for Universal Credit for up to a month in a limited number of circumstances. This is to protect the most vulnerable who may be delayed in claiming through no fault of their own.

Once an application is made and it is accepted that the provisions of this regulation apply, backdating is always granted.

My Department is fully aware of this provision, applies it and will continue to do so as appropriate.

**Ms P Bradley** asked the Minister for Communities how much money was collected in service charges for each tower block in Rathcoole in the last financial year.

**(AQW 3519/17-22)**

**Ms Hargey:** The table below provides details of the credits/monies collected from leaseholders (sold flats) for service charges for each of the four tower blocks in Rathcoole in the financial year 2018/2019. Only tower blocks with sold flats are listed; service charges are only charged and collected from sold flats.

**Leasehold Service Charge Account Information for period 1/4/18 to 31/3/19**

Block Name	Number Of Leasehold Service Charge Accounts	Total Credits to Service Charge Accounts
Abbotscoole House	17	£15,191.31
Carncoole House	9	£13,728.84
Glencoole House	1	£1,128.00
Monkscoole House	4	£4,197.48
<b>Total</b>	<b>31</b>	<b>£34,245.63</b>

**Mr Storey** asked the Minister for Communities to detail the number of staff in the languages branch working solely on (i) Irish; and (ii) Ulster Scots, broken down by grade.

**(AQW 3544/17-22)**

**Ms Hargey:** Two non-civil service staff, one analogous to Staff Officer, the other to Executive Officer 1, discharge duties connected to promoting and protecting the Irish Language, including administration of the Department's Liofa Gaeltacht Bursary Scheme.

The remaining Languages Branch staff discharge a range of duties largely connected to sign language and co-sponsorship of the North South Language Body, which comprises Foras na Gaeilge and the Ulster-Scots Agency. None of these staff are regarded as working solely on Irish or Ulster Scots.

**Mr Hilditch** asked the Minister for Communities what provision will be made for people in self-employment during the outbreak of COVID-19 if they are (i) infected; and (ii) self-isolating.

**(AQW 3566/17-22)**

**Ms Hargey:** As part of my Department's strategy to support people affected by the Covid-19 public health emergency, I am making a number of temporary changes to benefit processes and legislation to ensure people who need financial help have access to the benefit system.

Anyone who is self-isolating and is self-employed can apply for Universal Credit and/or New Style Employment and Support Allowance. To avoid increasing the burden on the health system and the risk of further infection, I am temporarily removing the requirement for fit notes in relation to both Employment and Support Allowance and Universal Credit claims relating to Covid-19 only. The work search and work availability requirements within Universal Credit have also been switched off.

In addition, to better support the needs of people, particularly the self-employed and those not eligible for Statutory Sick Pay and / or Universal Credit, I am removing the seven waiting days that currently apply to Employment and Support Allowance.

To further support self-employed people there is a temporary suspension of the minimum income floor used to calculate the household's Universal Credit entitlement. This will provide greater financial security during this period. Some people will also gain access to a work allowance, and, if they have a partner who is working, access to help with childcare costs.

In response to the Covid-19 outbreak, enhancements to the Discretionary Support scheme include increasing the amount of individual living expenses awards by increasing the rate of benefit used when calculating awards and allowing discretion to pay for longer periods. In addition, the Discretionary Support Annual Income Threshold has been increased to £20,405 from 22nd April. This will ensure that more people can access Discretionary Support.

I will continue to keep these and any other available supports under review.

**Mr Carroll** asked the Minister for Communities whether she has any plans to introduce a sick pay scheme for workers forced to self-quarantine to avoid spreading coronavirus.

**(AQW 3571/17-22)**

**Ms Hargey:** With effect from 13 March 2020, the following measures have been introduced for Statutory Sick Pay (SPP), Employment and Support Allowance (ESA) and Universal Credit (UC) for people who need to self-isolate for medical reasons and to protect others-

- there will be a temporary removal of the 3 day waiting period for Statutory Sick Pay and compensation in respect of the employers liability for sick pay will be made available.
- the 7 waiting days for people who make a new claim for ESA due to public health emergency restrictions are removed.
- those affected will be treated as having limited capability for work (for UC and ESA) from the outset without a fit note, an assessment or some form of statutory public health notice. The effect of this will be that any work related requirements will be switched off. For self-employed claimants, this will include the 'Minimum Income Floor'. Some claimants will also gain access to a work allowance, and, if they have a partner who is working, access to help with childcare costs.
- those who are self-isolating in response to the Public Health Advice are eligible for SSP.

In addition, anyone who finds themselves in in a crisis situation can apply to the Discretionary Support scheme for assistance with short-term living expenses. Discretionary Support is available to people in employment as long as their income does not exceed £16,286 per year.

I will continue to review the situation and take appropriate measures in line with any further developments.

**Ms Armstrong** asked the Minister for Communities whether all the measures outlined in the Chancellor's budget, regarding social security due to the coronavirus outbreak, will also be implemented in Northern Ireland.

**(AQW 3574/17-22)**

**Ms Hargey:** The following measures relating to Statutory Sick Pay (SPP), Employment and Support Allowance (ESA) and Universal Credit (UC) have been introduced here with effect from 13 March 2020 with the intention of financially assisting those who need to self-isolate for medical reasons and to inhibit the spread of the virus, thereby protecting others -

- those who need to self-isolate for medical reasons to protect others are treated as being ill. They do not need to go to a GP.
- there will be a temporary removal of the 3 day waiting period for SSP and compensation in respect of the employers liability for sick pay will be made available.
- the removal of the 7 waiting days for people who make a new claim for ESA due to public health emergency restrictions arising from the Covid-19 outbreak.
- for ESA and UC, treating those affected as having limited capability for work from the outset without a fit note, an assessment or some form of statutory public health notice. The effect of this will be that any work related requirements will be switched off. For self-employed claimants, this will include the 'Minimum Income Floor'. Some claimants will also gain access to a work allowance, and, if they have a partner who is working, access to help with childcare costs.
- people who are self-isolating in response to the Public Health Advice are eligible for SSP.

Additionally, anyone who finds themselves in a crisis situation can apply to the Discretionary Support Scheme for assistance with short-term living expenses. Discretionary Support is available to people in employment as long as their income does not exceed £16,286 per year.

**Ms Bradshaw** asked the Minister for Communities for an update on the Sexual Orientation Strategy.  
(AQW 3597/17-22)

**Ms Hargey:** I remain committed to developing a Sexual Orientation Strategy to address any barriers or inequalities related to Sexual Orientation and to fulfil the commitments in New Decade, New Approach and the Executive's Programme for Government.

I am keen to ensure that the people who will be most affected by the Sexual Orientation Strategy are able to make a meaningful contribution to its development and delivery, based on the principles and practice of citizen and community engagement.

You are aware that the COVID-19 pandemic has placed significant and unprecedented pressures on everyone. The primary focus of the Executive and all Departments has been to address and put in place measures to resolve current and emerging issues relating to the pandemic, especially those issues affecting the most vulnerable in our society.

I am therefore closely monitoring the ongoing COVID-19 situation so that work on the Sexual Orientation Strategy can commence at an appropriate time and be sustained throughout the co-design and co-development process.

**Ms Bradshaw** asked the Minister for Communities whether she plans to transfer regeneration and neighbourhood renewal powers to local councils.  
(AQW 3601/17-22)

**Ms Hargey:** I refer you to the Answer to AQW 448 17-22.

**Mr Frew** asked the Minister for Communities what measures she plans to put in place for self-employed people who are unable to work because of coronavirus.  
(AQW 3607/17-22)

**Ms Hargey:** As part of my Department's strategy to support people affected by the Covid-19 public health emergency, we are making a number of temporary changes to our benefit processes and legislation to ensure people who need financial help have access to the benefit system when they need it.

To avoid increasing the burden on the health system and the risk of further infection, we are temporarily removing the requirement for fit notes in relation to both Employment and Support Allowance (ESA) and Universal Credit (UC) claims relating to Covid-19 only. Anyone who claims and is infected with Covid-19 or who is required to self-isolate will be treated as having Limited Capability for Work in ESA and UC without being required to provide a fit note or to undergo a Work Capability Assessment.

In addition, to better support the needs of people, particularly the self-employed and those not eligible for Statutory Sick Pay and/or Universal Credit, we are removing the seven waiting days that currently apply to Employment and Support Allowance.

To further support those self-employed people who choose not to self-isolate there will be a temporary suspension of the minimum income floor used to calculate the household's Universal Credit entitlement. This will provide greater financial security during this period. Some people will also gain access to a work allowance, and, if they have a partner who is working, access to help with childcare costs.

A person who is in a crisis situation can apply to the Discretionary Support scheme for assistance with short-term living expenses. Discretionary Support is available to people provided their income does not exceed £16,286 per year. The income threshold is set with reference to the National Living Wage and will increase to £18,137 from April 2020.

Self-employed people may also claim a grant through the coronavirus (COVID-19) Self-Employment Income Support Scheme. Further detail is available at: [www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme](http://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme)

I will continue to keep the changes I have introduced and any other available supports under review.

**Mr Blair** asked the Minister for Communities what action she is taking, through consultation with relevant sectors including local planning offices, to ensure that all new private housing developments will have a quota of public sector provision.  
(AQW 3625/17-22)

**Ms Hargey:** My Department works with a range of stakeholders, including local planning offices to support the delivery of public sector housing. Councils, particularly through the community planning and local development planning process, have a key role to play in the delivery of the types and volume of homes that are required to address the current and foreseeable housing needs.

The Housing Executive is vested with the statutory duty to assess housing need, and it is not within my Department's remit to determine the quota for private housing developments. However I am fully supportive of proposals which would deliver mixed tenure housing. My officials continue to engage with relevant stakeholders including Housing Executive and councils to ascertain how this can best be delivered.

**Mr McCann** asked the Minister for Communities for her assessment of the removal of grants for people in older properties who own their own homes, which has impacted on the fabric and condition of many of these houses.  
(AQW 3653/17-22)

**Ms Hargey:** The Housing Executive has advised that while mandatory grants for people living in older properties who own their own homes are still available; there are restrictions on discretionary grants.

In the current financial year (1 April 2019 and 29 February 2020), the Housing Executive has issued 1,266 approvals to private home owners.

They are broken down as follows:

- 1,037 mandatory grant-aid approvals - to carry out disabled adaptation works; and
- 229 discretionary grant-aid approvals to improve or repair homes (100 Renovation Grants, 126 Home Repair Assistance Grants and 3 Replacement Grants).

The mandatory Disabled Facilities Grant is only available when an Occupational Therapist makes a specific recommendation or recommendations.

Renovation Grants, Home Repair Assistance Grants and Replacement Grants are currently discretionary and only available where exceptional circumstances exist.

Exceptional circumstances are defined as:

- 1 Where a Renovation Grant, Home Repair Assistance Grant or Replacement Grant needs to be processed simultaneously to facilitate the completion of a Disabled Facilities Grant (a mandatory grant);
- 2 Where the identified repairs present an imminent and significant Health & Safety risk that would impact upon the occupants; or
- 3 Where there may be a serious risk to the occupants under structural stability.

**Mr McCann** asked the Minister for Communities whether she plans to carry out a review of the private rented sector to ensure they are delivering houses to the social housing sector which are fit for purpose.  
(AQW 3655/17-22)

**Ms Hargey:** The Department is currently carrying out a comprehensive review of the role and regulation of the private rented sector to ensure the regulatory framework and supporting policy improve standards for the benefit of both tenants and landlords. The areas being reviewed include:

- Supply
- Affordability
- Security of tenure
- Tenancy management
- Property standards
- Dispute resolution

I am currently considering how to take forward the recommendations in that review, and what other measures may be necessary.

**Mr Durkan** asked the Minister for Communities whether self-employed people, or people on zero-hours contracts, will be able to bypass the five week waiting period should they need to make a new claim for Universal Credit due to self-isolation.  
(AQW 3669/17-22)

**Ms Hargey:** As part of my Department's strategy to support people affected by the COVID-19 public health emergency, we are making a number of temporary changes to our benefit processes and legislation to ensure people who need financial help have access to the benefit system when they need it.

These include treating anyone who makes a claim to Universal Credit or Employment Support Allowance, and is suffering from Coronavirus or is required to self-isolate, as having Limited Capability for Work. In these circumstances, people will not be required to provide a fit note or to undergo a Work Capability Assessment.

Anyone who experiences financial hardship awaiting their first Universal Credit payment can apply for an Advance Payment, and financial support is also available from the Universal Credit Contingency Fund and my Department's Discretionary Support Scheme.

Self-employed people may also claim a grant through the coronavirus (COVID-19) Self-Employment Income Support. Further detail is available at: [www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme](http://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme)

The Department's website provides helpful information on new measures in response to COVID-19, and will be regularly updated to ensure people know what help is available. I will continue to keep these and any other available support, under review.

<https://www.communities-ni.gov.uk/landing-pages/covid-19-and-benefits>

**Dr Archibald** asked the Minister for Communities to consider emergency legislation to allow people who are self-employed to access statutory sick pay to the same standard as employees if asked to self-isolate during the COVID-19 pandemic. **(AQW 3761/17-22)**

**Ms Hargey:** As part of my Department's strategy to support people affected by the Covid-19 public health emergency, I have made a number of temporary changes to legislation to ensure people who need financial help have access to the benefit system when they need it.

Changes have been made to Statutory Sick Pay so that those who need to self-isolate for medical reasons to protect others are treated as being ill. Where an eligible individual is sick or self-isolating due to COVID-19, the three day waiting period for Statutory Sick Pay has been temporarily removed. Amendments have also been made to extend Statutory Sick Pay to people classed as extremely vulnerable and at very high risk of severe illness from COVID-19 who are advised to remain at home, and cannot work, for at least 12 weeks (known as shielding).

Anyone self-isolating who is self-employed, if they are not eligible for Statutory Sick Pay, can apply for Universal Credit or new-style Employment and Support Allowance, depending on their circumstances.

In response to public health emergency restrictions arising from the COVID-19 outbreak the seven waiting days for people who make a new claim for ESA has been removed and the Department will treat those affected as having limited capability for work from the outset without a fit note, an assessment or some form of statutory public health notice. The effect of this will be that any work related requirements will be switched off.

To further support those self-employed people, the minimum income floor in Universal Credit has been suspended for the duration of the outbreak – meaning every self-employed person can now access, in full, Universal Credit. In addition, the standard allowance in Universal Credit and the basic element in Working Tax Credit has been increased for one year. The increases to rates of Universal Credit mean that on average, every Universal Credit award will go up by approximately £90 per month.

In response to the Covid-19 outbreak, enhancements to the Discretionary Support scheme include increasing the amount of individual living expenses awards by increasing the rate of benefit used when calculating awards and allowing discretion to pay for longer periods. In addition, the Discretionary Support Annual Income Threshold has been increased to £20,405 from 22nd April. This will ensure that more people can access Discretionary Support.

These are rapidly developing circumstances, we continue to keep the situation under review and will keep the Assembly updated accordingly. People's safety and protecting them and their families is of primary importance.

**Ms Armstrong** asked the Minister for Communities what actions she will take to ensure people with disabilities on work programmes or apprenticeships will be appropriately supported and have guidance provided to ensure they all understand why they may be asked not to attend work or to work from home during the COVID-19 delay phase. **(AQW 3782/17-22)**

**Ms Hargey:** My Department is fully committed to supporting people with disabilities and health conditions progress towards, move into and stay in employment. We do this through a number of disability programmes and we are working with all our programme contractors to ensure participants have been provided with all the information they need whilst working or remaining at home during the COVID-19 pandemic.

The Department is in daily contact with contractors, by email and telephone, to answer their queries and provide advice on specific situations as and when they arise. The situation continues to be monitored to ensure communications remain current and in line with government advice. The Department continues to financially support those contractors delivering our disability programmes during the COVID 19 pandemic.

**Mr Storey** asked the Minister for Communities, pursuant to the AQW 1982/17-22, whether the 62.8 per cent rate for successful Personal Independent Payment appeals between April and December 2019 demonstrates a need to place more compassionate and effective application processes for claimants.

**(AQW 3828/17-22)**

**Ms Hargey:** My Department's priority is to ensure that people claiming PIP are treated with dignity and compassion right throughout the process and we are committed to getting decisions right first time.

You have referred to my response to AQW 1827/17-22. It is important to note that there is a significant time lag between an appeal being lodged by the appellant and the final determination by the Tribunal. This time lag means there is no direct correlation between the number, and associated percentages, of appeals lodged and decisions made within the same year.

To assist in improving the decision making my Department has in place a feedback mechanism that includes analysis of overturned appeals and the findings are regularly discussed internally and with Capita who provide the Personal Independence Payment Assessment Service. Changes have already made to the PIP process in relation to the consideration of evidence including ESA evidence where it exists and consistent use of throughout the process.

The second independent review of PIP is underway and the Public Service Ombudsman is also investigating PIP. My Department will carefully consider any recommendations arising from these reports when published.

**Mr Humphrey** asked the Minister for Communities to detail the departmental budget for the Liofa initiative in (i) 2016-17; (ii) 2017-18; (iii) 2018-19; and (iv) 2019-20.

**(AQW 3877/17-22)**

**Ms Hargey:** The table below sets out the opening departmental budgets and the outturns which includes additional budget in –year.

Financial Year	Opening Budget £'000	Outturn £'000
2016/17 *	50	70
2017/18 *	50	70
2018/19 *	50	57
2019/20 **	50	50

**Key**

\* Final Outturn

\*\* Provisional Outturn

**Mrs D Kelly** asked the Minister for Communities to outline the 2020-21 budget for each Neighbourhood Renewal Area in Upper Bann.

**(AQO 410/17-22)**

**Ms Hargey:** On 28 February I announced that the budget for the Neighbourhood Renewal programme in 2020/21 and 2021/22 would be protected at the same level as 2019/20.

There are three Neighbourhood Renewal areas in Upper Bann:

- Brownlow
- Lurgan and
- North West Portadown.

Given their proximity and the common set of challenges being faced in the areas, the projects funded tend to be organised on a Craigavon-wide basis rather than having a separate budget for each of the areas.

Support through the Neighbourhood Renewal programme is determined by local action planning and based on need. It is anticipated that support to projects that provide services and or programmes in these 3 areas in 2020/2021 to be up to £841,000.

**Mr Givan** asked the Minister for Communities, in light of recent court judgements, for her assessment of the Charity Commission.

**(AQO 413/17-22)**

**Ms Hargey:** I accept the determination of the Court of Appeal that the legislative framework under which the Charity Commission operates does not allow it to delegate its statutory powers, duties or functions to staff acting alone.

Officials are currently working through the full implications of the Judgment.



**Mr Beattie** asked the Minister for Communities whether people leaving the Armed Forces, whose accommodation was linked to their job, and returning to Northern Ireland to settle will be entitled to 50 points for social housing under any new housing selection scheme.

**(AQO 415/17-22)**

- Ms Hargey: All social housing is allocated via the Housing Selection Scheme. The fundamental principles that underpin the Scheme are that the assessment and prioritisation of applicants and the allocation of accommodation are undertaken on the basis of greatest housing need.
- The Housing Executive processes applications from members and former members of the Armed Forces using the rules of the Selection Scheme as they would for any other applicant.
- People leaving the Armed Forces and returning here to settle meet the local connection requirements and can access social housing here.
- Applicants who are found to be homeless are awarded 50 points. Factors entitling an applicant to 50 points include the end of service in the Armed Forces.
- My Department took forward a consultation on 'A Fundamental Review of Social Housing Allocations' in late 2017. This has produced a range of proposals that aim to make the allocations system more fair, transparent and effective for all in housing need.
- Analysis of stakeholder feedback from the consultation has been completed by officials. I will consider the Review and possible next steps in the coming weeks.

**Mr Allister** asked the Minister for Communities to list the clubs which made successful applications to the Hardship Fund for Sport; and how much each club received.

**(AQW 3933/17-22)**

**Ms Hargey:** As of close of play on 12 June 2020 the clubs listed below have received the £2000 Hardship Grant for Sport.

**List of Clubs Awarded**

Abbey Villa Football Club	John Mitchels Ballygalget GAC
AFC Craigavon Sports & Social Club	John Mitchels GAC Claudy
Aghaderg GFC & Ballyvarley HC	Jump NI
All Saints GAC	Keady Michael Dwyers GAA Club
Annagh United FC	Kilkeel Golf Club
Ardboe O'Donovan Rossa GAC	Killeeshil St Marys GFC
Ardmore Cricket Club	Killough FC
Ardmore Football Club	Killyleagh FC
Ards Boxing Club	Kilrea GAC
Ards Rangers Football Athletic Recreational Social Club	Kilrea Golf Club
Armagh City FC	Laurelvale Cricket Club
Armagh Fisheries Ltd Incorporating Armagh and District Angling Club	Lenadoon Amateur Sports Community Interest Company
Asylum Weightlifting Club Ltd.	Ligoniel Amateur Boxing Club
Ballerin GAC	Limavady Recreation Club
Ballycastle Bowling And Social Recreation Centre	Lisburn Bmx Club
Ballyearl Squash Rackets & Social Club	Lisburn Cricket Club
Ballykinlar GAC	Lisburn Distillery F.C
Ballymacash Rangers Football Club	Lisburn Golf Club
ballymacash rangers youth fc	Lisburn Racquets Club
Ballymartin GFC	Lisburn Rangers FC
Ballymena Bowling Club	Loughgall FC
Ballymoney Bowling Club	Loughinisland GAC
Ballymoney United FC	Loughmacrory & Murrins District Angling Association
Ballynaveigh Tennis and Squash Club	Loughmacrory Community Development Association

Ballynahinch Olympic FC	Love Hockey Ireland
Ballynahinch United FC	Lurgan Town Football Club
Ballyvea Football Club	Maguiresbridge Pitch Development and Management Committee
Banbridge RFC	Midland Amateur Boxing Club
Bann Rowing Club	Monkstown Amateur Boxing Club
Belcoo O'Rahilly's GAC	Moortown St Malachys GAC
Belfast Aikido	Mountjoy United FC
Belfast Celtic C.I.C.	Muckamore Cricket and Lawn Tennis Club
Belfast Indoor Bowls Club	Na Piarsaigh Eanach Mór CLG (Annaghmore Pearses GAA)
Belfast 'KRONK' Boxing Gym	Naomh Pádraig - St Patrick's Gaelic Athletic Club
Belfast Trojans American Football Club	Netball NI
Belnaleck Art McMurrags	Newbuildings United FC
Bourneview Mill Football Club	Newcastle Football Club
Brackaville Owen Roes GFC	Newry Mitchels GFC
Brigade Cricket Club	Newry Olympic Hockey Club
Brockagh Emmetts GFC	Newry RFC
Brookeborough Heber Mac Mahons GAC	Newtownbutler First Fermanagh GFC
Bryansburn Rangers Football Club	NFC Kesh FC
Burdennett Cricket Club	North Belfast Working Mens Club/ Bowlers Section
Bushmills and District Motorcycle Club	North Down Boxing and Fitness Club
CAD Developments Limited (T/A: Glenaden Arena)	North Fermanagh Cricket & Association Football Club
Caledon Rovers Football Club	North West Cricket Union Limited
Camlough Rovers FC	Northern Ireland Karate-Do Wado-Kai
Carey Faughs GAC	O'Donnabhain Rossa Mullabrack
Carniny Amateur and Youth FC	Old Bleach Bowling Club
Carrickfergus Cricket Club	Oliver Plunkett Amateur Boxing Club
Carrickfergus Rugby Football Club	Omagh Hockey Club
Carryduff GAC	Omagh St Enda's Gaelic Athletic Club
Castlewellan & Annsborough Angling Club	Ophir RFC
Celtic Bhoys FC	Ormeau Road Boxing Club
Churchill United Football Club	Owenbeg Bowling Club
Clann na Banna GFC	Oxford Sunnyside FC
CLG An Glaic, O Connors Glack GAA	Peadar O Doirnin GAA Club
CLG Naomh Colum Cille Oilean agus Cluain	PG Performance
Clogher Eire Og GAC	Phoenix Health & Fitness Community Gym
Clogher Valley Golf Club	Polish Anglers Northern Ireland - Community
Clomore Robert Emmets GAA Club	Portaferry Town Sports Club
Clonoe Amateur Boxing Club	Portstewart Football & Community Club
Clonoe O'Rahilly's GFC	Rainey Old Boys RFC
Clonoe Rural Development Agency	Rathfriland FC
Coa GAA Club	Redmond O'Hanlon GAC

Coagh Sports Centre	Riding for the Disabled Association (Coleraine & District Group) Ltd
Coagh United Football Club	Rise Running Club
Coalisland Fianna GFC	Rochester's Amateur Boxing Club
Coleraine Bowling Club	Roger Casements GAC
Coleraine FC	Roslea Shamrocks GFC
Collegeland O'Rahillys GAC	Russell Gaelic Union
Comber Rec FC	Saintfield Cricket Club
Community Sports Network	Saintfield Sports Club
Con Magee's GAC	Saintfield United FC
Corpus Christi Amateur Boxing Club	Santos Football Club
County Antrim Indoor Bowling Club	Seagoe FC
County Antrim Yacht Club	Shane O'Neills GFC
Creating Help In Local Districts t/a CHILD Training Academy	Shankill United FC
Cregagh Sports Club	Silverbridge Boxing Club
Creggan Country Park Enterprises Ltd	Sólás Special Needs Charity
Crewe United Football And Social Club	Soul Studio- Belfast CIC
Crossgar Golf Club	Spa Golf Club
Crumlin United FC	Spartans Amateur Boxing Club
Culloville GFC	Springfield Star Football Club
Cumann Pheadair Naofa CLG Warrenpoint	St Brigids GAC (Belfast)
Derriaghy C C Football Club	St Bronaghs (Rostrevor) GAA
Derriaghy Cricket Club	St canices abc Dungiven
Derrylin O'Connells GAA	St Colmcilles Grange GFC
Derrynoose Community Centre	St Colms GAC Drum
Dollingstown FC	St Comgalls GAC
Donacloney Football Club	St James GAC
Donaghadee Cricket Club	St John Bosco Amateur Boxing Club, Belfast
Donaghcloney Mill Cricket Club	St John's Boxing Club
Donaghmore & District Community Association	St Joseph's GAC (Ederney)
Donemana Cricket Club	St Killian's GFC
Dorsey Emmetts GAC	St Macartan's GAC
Dromara GAC	St Malachy's GAC
Dromara Village Football Club	St Malachys Hurling Club Portadown
Dromore Rugby Football Club	St Martins GAC
Drummond Cricket & FC	St Mary's GAC (Faughanvale)
Dunbarton Bowling Club	St Mary's Gac, Aghagallon
Dundela Football & Athletic Club	St McCartans GAC
Dungannon Tigers FC	St Michael's Amateur Boxing Club
Dungannon United Youth CIC	St Michael's GAC
Dungiven Celtic Youth Football Club	St Michaels Gaelic Football Club
Dunloy GAA Club	St Monica's Boxing Club Newry

Dunmurry Young Men's FC	St Patrick's Amateur Boxing Club
Dunnaman Football Club	St Patrick's GAC (Cullyhanna)
Dynamic Gymnastics Club	St Patrick's GAC (Loup)
East Down Athletics Club	St Patricks GAC Saul
Edendork GAC	St Patrick's GFC Donaghmore
Éire Óg An Charraig Mhór Hurling and Camogie Club	St Patrick's GFC Rock
Elite Community Fitness Gym	St Pauls Amateur Boxing Club
Elite Gym Academy CIC	St Trea's GFC Ballymaguigan
Emerald ABC	St. Canices GAA
Enniskillen Athletic ABC	St. Marys GAC, Rasharkin
Enniskillen Rangers FC	St.Marys Banagher GAC
Eoghan Ruadh Hurling Club	Star of the Sea ABC
Erne Gaels GAC	Stewartstown Harps GAC
Eskra Emmetts GAA Club	Strength Militia
Ethnic Minority Sports Organisation Northern Ireland (EMSONI)	Studio 5 NI CIC
Evolution Boxing Club	Tandragee Rovers FC
Ewarts Bowling Club	Tattyreagh St Patrick's GAC
Fitmoms & Kids	Team Tetsu
Fivemiletown United FC	Tempo Maguire's GAC
Forthriver Bowling & Tennis Club	The Church of Ireland Young Men's Society
Fox Lodge Cricket Club	The Lifting Room functional fitness
Galbally GAA	Tir Na nOg GFC
Gleann Amateur Boxing Club	Tobermore United FC
Glenariffe Ossians GAA Club	Trainors boxing academy
Glenn John Martin GAC	Triangle Judo Club
Glenravel Community Development Association	Trillick Enterprise Leisure Ltd
Golift Weightlifting Club	TTBS Juniors
Gort Na Mona GAC	Tullylish Amateur Boxing Club
Greater Village Regeneration Trust -Fit4Life Centre	Tullysaran O'Connells GAC
Greenisland Football Club	Tullyvallen Rangers FC
Greysteel Community Enterprise	Tummery Athletic FC
Hanover Football Club	TW Braga
Hawarden Tennis Club	Two Castles ABC
Henry Joy McCracken GAC Moneymore	Waringstown Cricket Club
Hillsborough Boys Football Club	Watty Graham's GFC
Hillsborough Village Community Centre Ltd	Wellington Recreation FC
Holy Trinity Amateur Boxing Club	Willowfield Bowling Club
Hollywood Cricket Club	Woodvale Football Club
Irish Disabled Fly Fishing Association	Youth Sport Omagh Ltd

**Mr McNulty** asked the Minister for Communities (i) to detail her deliberations on a bespoke support scheme for cross-border workers who cannot access COVID-19 support and benefit payments in Northern Ireland or the Republic of Ireland; (ii)

whether she has made a bid to the Department of Finance for such a scheme; and (iii) what is the anticipated cost of such a scheme.

**(AQW 3984/17-22)**

**Ms Hargey:** I, together with the Minister of Finance, wrote to Regina Doherty, Minister for Employment Affairs & Social Protection urging her to extend Covid-19 support and payments, particularly the COVID-19 Pandemic Unemployment Payment, to cross border workers living here.

I can advise that there is support available to cross border workers during these difficult times. Depending on a person's circumstances, financial assistance is available to those impacted by the COVID-19 outbreak, including cross border workers, through Universal Credit.

In response to public health emergency restrictions arising from the COVID-19 outbreak, a number of beneficial changes have been made to Universal Credit to provide greater financial security. The standard allowance in Universal Credit and the basic element in Working Tax Credit has been increased for one year. The increases to rates of Universal Credit mean that on average, every Universal Credit award will go up by approximately £90 per month.

With the recent approval of the new COVID-19 living expenses grant by the Assembly, the Department currently delivers three different "types" of Discretionary Support living expenses awards. These are the Discretionary Support COVID-19 Living Expenses, the Universal Credit Contingency Fund and the Discretionary Support Living Expenses

The Discretionary Support COVID-19 Living Expenses grant is available if a person or any member of their immediate family is either diagnosed with COVID-19 or is self-isolating in accordance with the latest guidance from the Public Health Agency. Awards are made as a non-repayable grant.

Universal Credit Contingency Fund Living Expenses may be available if a person does not satisfy the criteria for a COVID-19 Living Expenses grant. The person must have made a new claim to Universal Credit. Awards are made as a non-repayable grant. Only one grant for Universal Credit Contingency Fund Living Expenses or Discretionary Support Living Expenses can be paid in any 12-month period.

Discretionary Support Living expenses may be available if a person is not eligible for a COVID-19 (Coronavirus) Living Expenses grant or a Universal Credit Contingency Fund grant. Awards may be payable as a loan or a non-repayable grant.

The Discretionary Support Annual Income Threshold has been increased to £20,405 from 22nd April. This will ensure that more people can access Discretionary Support.

Many cross border workers are availing of the Irish Government's Temporary Wage Subsidy Scheme. This is available to employers who keep employees on the payroll throughout the COVID-19 pandemic. The scheme consists of a subsidy payment based on up to a 70% of the normal net weekly pay for each employee up to a maximum of €410.

This is similar to the 'furloughed workers'/ Coronavirus Job Retention Scheme available to employers and employees available through HMRC.

Officials from my Department are available to advise and support cross border workers in signposting them to the benefits available to them.

I continue to keep the situation under review.

**Mr K Buchanan** asked the Minister for Communities to detail (i) the number of applications received for the Hardship Fund for Sport; and (ii) the number of successful applications, broken down by (a) sporting type; and (b) amount each club received.

**(AQW 4005/17-22)**

**Ms Hargey:** A total of 402 completed applications were received to the Hardship Fund for Sport when it was suspended on 17 April due to the level of demand against the budget available. At that time, a further 562 applications had been commenced on-line, but were not submitted. Sport NI is currently working to call these 'in-progress' applications forward for assessment.

Table 1 below shows the number of successful applications broken down by sporting type as at 18 June 2020. Each successful applicant will receive a grant of £2,000.

Please note, Sport NI publish a weekly update on the Sports Hardship Fund on their website at the following link: <http://www.sportni.net/funding/our-funding-programmes/sports-hardship-fund-2/>.

**Table 1:**

Sporting Type	Successful Applications
Aikido	1
American Football	1
Angling	4
Association Football	70
Athletics	2

<b>Sporting Type</b>	<b>Successful Applications</b>
Bowling	14
Boxing	28
Camogie	1
Cricket	15
Cycling	1
Dancesport	2
Equestrianism	1
Gaelic Sports	89
Golf	6
Gymnastics	2
Hockey	2
Judo	1
Karate	1
Keep Fit	1
Motor Cycling	1
Multisport	30
Netball	1
Physical Activity	2
Roller sports	1
Rowing	1
Rugby Union	6
Sailing/Yachting	1
Squash	1
Tennis	1
Trampolining	1
Weightlifting	2
<b>Total</b>	<b>290</b>

**Ms Armstrong** asked the Minister for Communities what action she has taken, or plans to take, to ensure that the Community and Voluntary Sector will be able to survive the reduction in income as a result of COVID-19 and is in a financial position to deliver community services vital to the community coming out of lockdown; and when a community contingency fund will be made available to help sustain this sector.

**(AQW 4021/17-22)**

**Ms Hargey:** I am pleased to say that the Executive's Covid-19 Charities Fund opened for applications on Monday 15 June 2020. I believe that this Fund will help many charities survive the reduction in income so that they can continue to provide services vital to our community.

Minister Hargey also established hardship funds to assist our creative and sports sectors.

I am committed to supporting grassroots organisations as they respond to this crisis by supporting those who are most vulnerable and isolated. I am aware that Minister Hargey also launched a COVID Community Support Fund in early April 2020 which continues to be distributed by local councils to grassroots organisations.

The community and voluntary sector continues to be absolutely vital in helping our society to get through these trying times and will have an important part to play in the recovery phase.

**Mr Allister** asked the Minister for Communities when AQW 3683/17-22, AQW 3682/17-22, AQW 3538/17-22, AQW 3391/17-22, AQW 3390/17-22, AQW 3230/17-22 and AQW 2511/17-22 will be answered.

**(AQW 4028/17-22)**

**Ms Hargey:** AQW 3391/17-22, AQW 3390/17-22 and AQW 3230/17-22 were answered on 23 June 2020. AQW 3538/17-22 was answered on 29 June 2020. AQW 3683/17-22 and AQW 2511/17-22 were answered on 30 June 2020.

AQW 3682/17-22 was asked of the Minister for the Economy.

**Mr Butler** asked the Minister for Communities whether her Department has any plans to increase carers allowance during the COVID-19 crisis.

**(AQW 4046/17-22)**

**Ms Hargey:** I recognise at a very personal level the enormous amount of work that is done by those who have the responsibility of caring for others, and there is no doubt that their work is of great value to the wider community, as well as to those people for whom they are caring.

That's why my Department has introduced two important temporary measures to help unpaid carers through the current COVID-19 emergency:

- Unpaid carers will be able to continue to claim Carer's Allowance if they have a temporary break in caring, because either they or the person they care for becomes infected with coronavirus or has to self-isolate because of it.
- Providing emotional support to a severely disabled person will also now count towards the Carer's Allowance threshold of 35 hours of care a week.

The rate of Carer's Allowance was increased to £67.25 a week from April 2020 as part of the annual benefits up-rating exercise.

Carers on low incomes can access additional financial support through income-related benefits and their associated carer premiums/additions. Those carers claiming Universal Credit will also be able to benefit from the increase in the standard allowance (around £1000 a year) recently announced.

In addition, those in receipt of Carer's Allowance may, depending on their circumstances, be eligible to access the range of other emergency financial support that my Department is providing during the COVID-19 pandemic, including Discretionary Support.

**Mr Givan** asked the Minister for Communities whether she will commit to fund Housing Associations in the current financial year for the acquisition of development sites, in circumstances where the completion of contracts in the 2019-20 financial year have been delayed by the COVID-19 pandemic.

**(AQW 4067/17-22)**

**Ms Hargey:** I can confirm that those acquisitions which did not reach completion due to the onset of Covid-19 will be carried forward into this financial year. Many of these have been approved in principle, which will assist the Social Housing Development Programme deliver more social housing and indeed aid the economic recovery of the construction sector post Covid-19.

Senior Officials have also contacted the Federation of Housing Associations to advise that the Department will help cover any additional costs incurred by Housing Associations as a direct result of the Covid-19 outbreak.

**Mr Newton** asked the Minister for Communities, given that the New Decade, New Approach document has identified housing as a priority, whether she has discussed with the Northern Ireland Housing Executive its potential to provide new housing stock to address need.

**(AQW 4081/17-22)**

**Ms Hargey:** New Decade, New Approach committed the Executive to "enhanced investment in new social home starts". I am committed to increasing the number of social homes being delivered each year.

I have and will continue to have discussions with Housing Executive with a view to increasing the number of units provided through the Social Housing Development Programme. I have made it very clear that the provision of social housing is one of my key priorities.

The number of homes to be provided is governed by the amount of funding available from central government through DfC. While the budget is still to be confirmed I am committed to working closely with Housing Executive and Housing Associations to deliver the maximum number of units for the budget provided and to focus the provision of new housing in areas of acute housing need.

**Ms Sugden** asked the Minister for Communities whether she has any plans to supplement Carer's Allowance to support people with caring responsibilities during the COVID-19 crisis.

**(AQW 4090/17-22)**

**Ms Hargey:** I recognise at a very personal level the enormous amount of work that is done by those who have the responsibility of caring for others, and there is no doubt that their work is of great value to the wider community, as well as to those people for whom they are caring.

That's why my Department has introduced two important temporary measures to help unpaid carers through the current COVID-19 emergency:

- Unpaid carers will be able to continue to claim Carer's Allowance if they have a temporary break in caring, because either they or the person they care for becomes infected with coronavirus or has to self-isolate because of it.
- Providing "emotional support" to a severely disabled person will also now count towards the Carer's Allowance threshold of 35 hours of care a week.

The rate of Carer's Allowance was increased to £67.25 a week from April 2020 as part of the annual benefits up-rating exercise. There are no current plans for a further increase to the weekly rate or to pay a supplement to those in receipt of Carer's Allowance.

Those carers who are on low incomes can access additional financial support through income-related benefits and their associated carer premiums/additions. Carers who are eligible to claim Universal Credit will also be able to benefit from the increase in the standard allowance (around £1000 a year) recently announced.

In addition, those in receipt of Carer's Allowance here may, depending on their circumstances, be eligible to access the range of other emergency financial support that my Department is providing during the COVID-19 pandemic, including Discretionary Support

In response to the coronavirus outbreak, across my Department I have implemented a range of measures and actions to relieve hardship and to ensure people most in need at this time get the help and support they require. The Executive's response to the coronavirus emergency is evolving and my Department continues to look at how best to support people during this unprecedented time.

**Mr Dickson** asked the Minister for Communities whether her Department will consider implementing a scheme similar to the Future Jobs Fund that was previously operational in other parts of the United Kingdom, to assist the unemployed, particularly young people, into employment.

**(AQW 4107/17-22)**

**Ms Hargey:** The response to the emerging economic downturn linked to Covid-19 is a matter for the Executive to consider. As a first step, we need to understand and anticipate the potential impact of the recession on unemployment levels here to inform the specific interventions that we put in place. My Department will be actively involved in shaping and implementing that response to support people who become unemployed.

**Ms Sugden** asked the Minister for Communities (i) to explain the two-child rule regarding universal credit and working tax credit; (ii) to outline the changes to the rule from February 2019; (iii) whether she has any plans to lobby for a change of this policy with the UK Government; and (iv) whether she has discretion to implement this policy differently in Northern Ireland.

**(AQW 4110/17-22)**

**Ms Hargey:** From 6 April 2017, the British Government imposed a limit on support for a maximum of two children, referred to as "the two-child policy" stating a rationale that families in receipt of means-tested benefits should face the same financial choices about having children as those supporting themselves solely through work.

In February 2019, following an announcement in December 2018 by the Secretary of Work and Pensions, changes to the policy and the legislation were applied for families with 3 or more children to continue to receive an additional amount of Universal Credit for all children born before 6 April 2017.

In A Fresh Start: The Stormont House Agreement and Implementation Plan, the Executive agreed that Westminster would bring forward legislation to provide for the introduction of those welfare changes introduced in Britain. The Welfare Reform (Northern Ireland) Order 2015 was subsequently made which made provision for the delivery of Welfare Reform here including the introduction of new benefits including Universal Credit. Under Article 4 of the 2015 Order, the powers to make subordinate legislation to implement the various welfare reforms, including the two child policy, are vested in the Secretary of State (for Work and Pensions). Until such times as those powers are transferred back to the Department, it is not in my power to make changes to the two child policy, however, I have consistently made it clear to the British Government that I have significant concerns about this policy.

In the New Decade, New Approach Deal the Executive committed to an urgent review of the welfare mitigation measures. It is anticipated that this review will consider the issue of mitigating the two child policy. My Department is currently developing proposals for the review and details will be announced once they have been agreed by the Executive.

**Ms Armstrong** asked the Minister for Communities, following the publication of the Northern Ireland poverty bulletin 2018/19 released by her Department on 14 May 2020, to provide a written plan of the actions that she will take in 2020/2021 to reduce the growing number of children and older people in poverty.

**(AQW 4134/17-22)**

**Ms Hargey:** I am currently considering a draft plan and timetable outlining the co-design and co-production approach to the development of an Anti-Poverty and Child Poverty Strategy as outlined in New Decade, New Approach. I will be engaging with the Executive and the Communities Committee at key stages in the development of this work.



My Department is responsible for compiling a Child Poverty Annual Report which describes the actions implemented across departments to ensure that, as far as possible, children do not experience socio-economic disadvantage. The Annual Reports can be accessed on the Department's website <https://www.communities-ni.gov.uk/publications>.

**Mr McNulty** asked the Minister for Communities to detail (i) her plans to support cross-border workers whose income has been affected by the COVID-19 pandemic; (ii) any plans she has for a bespoke package for cross-border workers; and (iii) any representations she has made to the Minister for the Economy to include cross-border workers in a hardship fund for those who have fallen through the safety net of supports and who have yet to receive any assistance from the Executive.

**(AQW 4157/17-22)**

**Ms Hargey:** I refer my colleague to my reply to his previous question - AQW 3984/17-22.

I appreciate that these are unprecedented times and we will continue to review

**Mr Buckley** asked the Minister for Communities to outline the level of correspondence made with relevant sporting sectors and organisations prior to the launch of the Hardship Fund for Sports.

**(AQW 4191/17-22)**

**Ms Hargey:** Since the outbreak of Covid-19, my officials have been in regular contact with relevant stakeholders in the sporting sector including Sport NI, the NI Sports Forum and Governing Bodies on a range of different issues including volunteering, communicating key messages and assessing financial implications for the sector.

In terms of the Hardship Fund for Sport, I directed my officials to work with Sport NI to look at the financial impacts on sports as a result of the pandemic. This work included direct engagement with the NI Sports Forum, whose membership consists of 71 Governing Bodies of Sport.

The Hardship Fund for Sport was developed to help sports clubs and organisations with facilities, who could not access other Covid relief schemes, to help them with basic costs including essential maintenance, utility bills and basic insurance cover during the lockdown period while revenue generating activities are restricted.

As we work together to move into recovery following the COVID19 emergency, my officials, alongside Sport NI, will continue to work with the NI Sports Forum and Sports Governing Bodies, to establish the longer term financial challenges that sporting organisations face and how we can provide support.

**Mr Buckley** asked the Minister for Communities what equality impact assessment was carried out in the design of the Hardship Fund for Sports to ensure that all sporting sectors were equally represented in the funding allocated.

**(AQW 4192/17-22)**

**Ms Hargey:** Equality Impact Screening was completed prior to the launch of the Hardship Fund for Sport and published on the Department for Communities website at the following link: <https://www.communities-ni.gov.uk/publications/covid-19-hardship-fund-support-sports-sector-screening>

The Hardship Fund was open for applications from all sports Governing Bodies, clubs or organisations, with premises for delivering sport and physical recreation, that were experiencing short term financial hardship following the commencement of the Covid-19 lockdown.

Sport NI, who are responsible for the delivery of the Fund, are assessing the applications in the order they were received.

**Mr Buckley** asked the Minister for Communities to list the sports clubs and organisations that have been awarded funding under the Sports Hardship Fund.

**(AQW 4242/17-22)**

**Ms Hargey:** As of close of play on 29 May 2020 the clubs listed below have received the £2000 Hardship Grant for Sport.

**List of Clubs Awarded**

Abbey Villa Football Club	John Mitchels GAC Claudy
AFC Craigavon Sports & Social Club	JumpNI
Aghaderg GFC & Ballyvarley HC	Keady Michael Dwyers GAA Club
All Saints GAC	Kilkeel Golf Club
Annagh United FC	Killeeshil St Marys GFC
Ardboe O'Donovan Rossa GAC	Killough FC
Ardmore Cricket Club	Killyleagh FC
Ardmore Football Club	Kilrea GAC
Ards Boxing Club	Kilrea Golf Club

Ards Rangers Football Athletic Recreational Social Club	Laurelvale Cricket Club
Armagh City FC	Lenadoon Amateur Sports Community Interest Company
Armagh Fisheries Ltd Incorporating Armagh and District Angling Club	Ligoniel Amateur Boxing Club
Asylum Weightlifting Club Ltd.	Limavady Recreation Club
Ballerin GAC	Lisburn Bmx Club
Ballycastle Bowling And Social Recreation Centre	Lisburn Cricket Club
Ballyearl Squash Rackets & Social Club	Lisburn Distillery F.C
Ballykinlar GAC	Lisburn Golf Club
Ballymacash Rangers Football Club	Lisburn Racquets Club
Ballymacash Sports Academy	Lisburn Rangers FC
Ballymartin GFC	Loughgall FC
Ballymena Bowling Club	Loughinisland GAC
Ballymoney Bowling Club	Loughmacrory & Murrins District Angling Association
Ballymoney United FC	Loughmacrory Community Development Association
Ballynaveigh Tennis and Squash Club	Love Hockey Ireland
Ballynahinch Olympic FC	Lurgan Town Football Club
Ballynahinch United FC	Maguiresbridge Pitch Development and Management Committee
Ballyvea Football Club	Midland Amateur Boxing Club
Banbridge RFC	Monkstown Amateur Boxing Club
Bann Rowing Club	Moortown St Malachys GAC
Belcoo O'Rahilly's GAC	Mountjoy United FC
Belfast Boat Club	Muckamore Cricket and Lawn Tennis Club
Belfast Celtic C.I.C.	Na Piarasigh Eanach Mór CLG (Annaghmore Pearses GAA)
Belfast Indoor Bowls Club	Naomh Pádraig - St Patrick's Gaelic Athletic Club
Belfast 'KRONK' Boxing Gym	Netball NI
Belfast Trojans American Football Club	Newbuildings United FC
Belnaleck Art McMurrags	Newcastle Football Club
Bourneview Mill Football Club	Newry Mitchels GFC
Brackaville Owen Roes GFC	Newry Olympic Hockey Club
Brigade Cricket Club	Newry RFC
Brockagh Emmetts GFC	Newtownbutler First Fermanagh GFC
Brookeborough Heber Mac Mahons GAC	NFC Kesh FC
Bryansburn Rangers Football Club	North Belfast Working Mens Club/ Bowlers section
Burndennett Cricket Club	North Down Boxing and Fitness Club
Bushmills and District Motorcycle Club	North Down Cricket Club
CAD Developments Limited (T/A: Glenaden Arena)	North Fermanagh Cricket & Association Football Club
Caledon Rovers Football Club	North West Cricket Union Limited
Camlough Rovers FC	Northern Ireland Karate-Do Wado-Kai
Carey Faughs GAC	O'Donnabhain Rossa Mullabrack
Carniny Amateur and Youth FC	Old Bleach Bowling Club

Carrickfergus Cricket Club	Oliver Plunkett Amateur Boxing Club
Carrickfergus Rugby Football Club	Omagh Hockey Club
Carryduff GAC	Omagh St Enda's Gaelic Athletic Club
Castlewellan & Annsborough Angling Club	Ophir RFC
Celtic Bhoys FC	Ormeau Road Boxing Club
Churchill United Football Club	Owenbeg Bowling Club
Clann na Banna GFC	Oxford Sunnyside FC
CLG An Glaic, O Connors Glack GAA	Peadar O Doirnin GAA Club
CLG Naomh Colum Cille Oilean agus Cluain	PG Performance
Cliftonville FC	Phoenix Health & Fitness Community Gym
Clogher Eire Og GAC	Polish Anglers Northern Ireland - Community
Clogher Valley Golf Club	Portaferry Town Sports Club
Clomore Robert Emmets GAA Club	Portstewart Football & Community Club
Clonoe Amateur Boxing Club	Rainey Old Boys RFC
Clonoe O'Rahilly's GFC	Rathfriland FC
Clonoe Rural Development Agency	Redmond O'Hanlon GAC
Coa GAA Club	Riding for the Disabled Association (Coleraine & District Group) Ltd
Coagh Sports Centre	Rise Running Club
Coagh United Football Club	Rochester's Amateur Boxing Club
Coalisland Fianna GFC	Roger Casements GAC
Coleraine Bowling Club	Roslea Shamrocks GFC
Coleraine FC	Russell Gaelic Union
Collegeland O'Rahillys GAC	Saintfield Cricket Club
Comber Rec FC	Saintfield Sports Club
Community Sports Network	Saintfield United FC
Con Magee's GAC	Santos Football Club
Corpus Christi Amateur Boxing Club	Seagoe FC
County Antrim Indoor Bowling Club	Shane O'Neills GFC
County Antrim Yacht Club	Shankill United FC
Creating Help In Local Districts t/a CHILD Training Academy	Silverbridge Boxing Club
Cregagh Sports Club	Sólás Special Needs Charity
Creggan Country Park Enterprises Ltd	Soul Studio- Belfast CIC
Crewe United Football And Social Club	Spa Golf Club
Crossgar Golf Club	Spartans Amateur Boxing Club
Crumlin United FC	Springfield Star Football Club
Culloville GFC	St Brigids GAC (Belfast)
Cumann Pheadair Naofa CLG Warrenpoint	St Bronaghs (Rostrevor) GAA
Derrriaghy C C Football Club	St canices abc Dungiven
Derrriaghy Cricket Club	St Colmcilles Grange GFC
Derrylin O'Connells GAA	St COLMS GAC DRUM
Derrynoose Community Centre	St Comgalls GAC

Dollingstown FC	St James GAC
Donacloney Football Club	St John Bosco Amateur Boxing Club, Belfast
Donaghadee Cricket Club	St John's Boxing Club
Donaghadee Sailing Club	St Joseph's GAC (Ederney)
Donaghcloney Mill Cricket Club	St Killian's GFC
Donaghmore & District Community Association	St Macartan's GAC
Donemana Cricket Club	St Malachy's GAC
Dorsey Emmetts GAC	St Malachy's GAC (Castlewellan)
Dromara GAC	St Malachys Hurling Club Portadown
Dromara Village Football Club	St Martins GAC
Dromore Rugby Football Club	St Mary's GAC (Faughanvale)
Drummond Cricket & FC	St Mary's Gac, Aghagallon
Dunbarton Bowling Club	St McCartans GAC
Dundela Football & Athletic Club	St Michael's Amateur Boxing Club
Dungannon Tigers FC	St Michael's GAC
Dungannon United Youth CIC	St Michaels Gaelic Football Club
Dungiven Celtic Youth Football Club	St Monica's Boxing Club Newry
Dunloy GAA Club	St Patrick's Amateur Boxing Club
Dunmurry Young Men's FC	St Patrick's GAC (Cullyhanna)
Dunnaman Football Club	St Patrick's GAC (Loup)
Dynamic Gymnastics Club	St Patricks GAC Saul
East Down Athletics Club	St Patrick's GFC Donaghmore
EDENDORK GAC	St Patrick's GFC Rock
Éire Óg An Charraig Mhór Hurling and Camogie Club	St Pauls Amateur Boxing Club
elite community fitness gym	St Trea's GFC Ballymaguigan
Elite Gym Academy CIC	St. Canices GAA
Emerald ABC	St. Mary's GAC, Rasharkin
Enniskillen Athletic ABC	St.Marys Banagher GAC
Enniskillen Rangers FC	Star of the Sea ABC
Eoghan Ruadh Hurling Club	Stewartstown Harps GAC
Erne Gaels GAC	strength militia
Eskra Emmetts GAA Club	Studio 5 NI CIC
Ethnic Minority Sports Organisation Northern Ireland (EMSONI)	Tandragee Rovers FC
Evolution Boxing Club	Tattyreagh St Patrick's GAC
Ewarts Bowling Club	Team Tetsu
Fitmoms & Kids	Tempo Maguire's GAC
Fivemiletown United FC	The Church of Ireland Young Men's Society
Flight Gymnastics Academy CIC	The Lifting Room Functional Fitness
Forthriver Bowling & Tennis Club	Tir Na nOg GFC
Fox Lodge Cricket Club	Tobermore United FC
Galbally GAA	Trainors boxing academy

Gleann Amateur Boxing Club	Triangle Judo Club
Glenariffe Ossians GAA Club	Trillick Enterprise Leisure Ltd
Glenn John Martin GAC	TTBS Juniors
Glenravel Community Development Association	Tullylish Amateur Boxing Club
Golift Weightlifting Club	Tullysaran O'Connells GAC
Greater Village Regeneration Trust -Fit4Life Centre	Tullyvallen Rangers FC
Greenisland Football Club	Tummery Athletic FC
Greysteel Community Enterprise	TW Braga
Hanover Football Club	Two Castles ABC
Hawarden Tennis Club	Waringstown Cricket Club
Henry Joy McCracken GAC Moneymore	Watty Graham's GFC
Hillsborough Village Community Centre Ltd	Wellington Recreation FC
Holy Trinity Amateur Boxing Club	Willowfield Bowling Club
Hollywood Cricket Club	Woodvale Football Club
Irish Disabled Fly Fishing Association	Youth Sport Omagh Ltd
John Mitchels Ballygalget GAC	

**Mr Buckley** asked the Minister for Communities to list the sports clubs and organisations that applied for the Sports Hardship Fund; and to list the unsuccessful applicants that were not awarded funding.

**(AQW 4243/17-22)**

**Ms Hargey:** Table 1 lists the sports clubs and organisations that applied for the Sports Hardship Fund before the application process was suspended on 17 April 2020.

Table 2 lists the sports clubs and organisations who have not been awarded funding as part of the Sports Hardship Fund as at 29 May 2020.

**Table 1**

Organisation Name	Sport
500 Motor Racing Club of Ireland Ltd	Motorsports
Abbey Gymnastics Club	Gymnastics
Abbey Villa Football Club	Association Football
AFC Craigavon Sports & Social Club	Association Football
Aghaderg GFC & Ballyvarley HC	Gaelic Sports
All Saints GAC	Gaelic Sports
Annagh United FC	Association Football
Ardboe O'Donovan Rossa GAC	Gaelic Sports
Ardmore Cricket Club	Cricket
Ardmore Football Club	Association Football
Ards Boxing Club	Bowling
Ards Rangers Football Athletic Recreational Social Club	Association Football
Ards Rugby Football Club	Rugby Union
Ardstraw Youth & Community Forum	Association Football
Armagh City FC	Association Football
Armagh Fisheries Ltd Incorporating Armagh and District Angling Club	Angling
Asylum Weightlifting Club Ltd.	Weightlifting

<b>Organisation Name</b>	<b>Sport</b>
Aughnacloy Golf Club	Golf
Ballerin GAC	Gaelic Sports
Ballinran Community Association	Multisport
Ballycastle Bowling And Social Recreation Centre	Bowling
Ballyearl Squash Rackets & Social Club	Squash
Ballyholland Harps GFC	Gaelic Sports
Ballykinlar GAC	Gaelic Sports
Ballymacash Rangers Football Club	Association Football
Ballymacash Rangers Youth FC	Association Football
Ballymartin GFC	Gaelic Sports
Ballymena Bowling Club	Bowling
Ballymena Sea Cadets	Sailing/Yachting
Ballymoney Bowling Club	Bowling
Ballymoney RFC	Rugby Union
Ballymoney United FC	Association Football
Ballynafeigh Tennis and Squash Club	Multisport
Ballynahinch Olympic FC	Association Football
Ballynahinch United FC	Association Football
Ballyvea Football Club	Association Football
Banbridge Golf Club	Golf
Banbridge RFC	Rugby Union
Bangor Rugby & Cricket Club	Cricket
Bann Rowing Club	Rowing
Basketball Northern Ireland	Basketball
Basketball Northern Ireland	Basketball
Belcoo O'Rahilly's GAC	Gaelic Sports
Belfast Activity Centre	Multisport
Belfast Aikido	Aikido
Belfast Boat Club	Tennis
Belfast Celtic	Association Football
Belfast Celtic C.I.C.	Association Football
Belfast Harlequins	Rugby Union
Belfast Indoor Bowls Club	Bowling
Belfast 'KRONK' Boxing Gym	Boxing
Belfast Trojans American Football Club	American Football
Belnaleck Art McMurrags	Gaelic Sports
Beragh Red Knights GAC	Gaelic Sports
Bleary Farmers Hall Management Committee	Multisport
Bourneview Mill Football Club	Association Football
Brackaville Owen Roes GFC	Gaelic Sports
Bready Cricket Club	Cricket

<b>Organisation Name</b>	<b>Sport</b>
Brigade Cricket Club	Cricket
Brockagh Emmetts GFC	Gaelic Sports
Brookeborough Heber Mac Mahons GAC	Gaelic Sports
Bryansburn Rangers Football Club	Association Football
Bryansford GAC	Gaelic Sports
Burdennett Cricket Club	Cricket
Bushido Karate Lisburn	Karate
Bushmills and District Motorcycle Club	Motor Cycling
CAD Developments Limited (T/A: Glenaden Arena)	Multisport
Caledon Rovers Football Club	Association Football
Camlough Rovers FC	Association Football
Cardinal O'Donnell's GAC	Gaelic Sports
Carey Faughs GAC	Gaelic Sports
Carniny Amateur and Youth FC	Association Football
Carrickfergus Cricket Club	Cricket
Carrickfergus Rugby Football Club	Rugby Union
Carryduff GAC	Gaelic Sports
Castlewellan & Annsborough Angling Club	Angling
Celtic Bhoys FC	Association Football
Churchill United Football Club	Association Football
City of Derry Rugby Football Club	Rugby Union
Clann na Banna GFC	Gaelic Sports
CLG An Glaic, O Connors Glack GAA	Gaelic Sports
CLG Naomh Colum Cille Oilean agus Cluain	Gaelic Sports
Cliftonville FC	Association Football
Cliftonville Golf Club	Golf
Clogher Eire Og GAC	Gaelic Sports
Clogher Valley Golf Club	Golf
Clomore Robert Emmets GAA Club	Gaelic Sports
Clonoe Amateur Boxing Club	Boxing
Clonoe O'Rahilly's GFC	Gaelic Sports
Clonoe Rural Development Agency	Multisport
Coa GAA Club	Gaelic Sports
Coaching4Christ	Association Football
Coagh Sports Centre	Multisport
Coagh United Football Club	Association Football
Coalisland Fianna GFC	Gaelic Sports
Coleraine Bowling Club	Bowling
Coleraine FC	Association Football
Coleraine Rugby Football and Cricket Club	Rugby Union
Collegeland O'Rahillys GAC	Multisport

<b>Organisation Name</b>	<b>Sport</b>
Comber Rec FC	Association Football
Community Sports Network	Multisport
Con Magee's GAC	Gaelic Sports
Cookstown Youth Football Club	Association Football
Corpus Christi Amateur Boxing Club	Boxing
County Antrim Indoor Bowling Club	Bowling
County Antrim Yacht Club	Sailing/Yachting
County Londonderry Football Association	Association Football
Creating Help In Local Districts t/a CHILD Training Academy	Multisport
Cregagh Sports Club	Multisport
Creggan Country Park Enterprises Ltd	Multisport
Crewe United Football And Social Club	Association Football
Crossgar Golf Club	Golf
Crossmaglen Rangers Camogie Club	Gaelic Sports
Crumlin United FC	Association Football
Crusaders FC	Association Football
Crusaders Strikers	Association Football
Culloville GFC	Gaelic Sports
Cumann Pheadair Naofa CLG Warrenpoint	Gaelic Sports
Cushendall Golf Club	Golf
Derriaghy C C Football Club	Association Football
Derriaghy Cricket Club	Cricket
Derrylin O'Connells GAA	Gaelic Sports
Derrynoose Community Centre	Multisport
Derrynoose GAC	Gaelic Sports
Dollingstown FC	Association Football
Donacloney Football Club	Association Football
Donaghadee Cricket Club	Cricket
Donaghadee Sailing Club	Sailing/Yachting
Donaghcloney Mill Cricket Club	Cricket
Donaghmore & District Community Association	Gaelic Sports
Donemana Cricket Club	Cricket
Dorsey Emmetts GAC	Gaelic Sports
Dromara GAC	Gaelic Sports
Dromara Village Football Club	Association Football
Dromara Village Football Club	Association Football
Dromore Rugby Football Club	Rugby Union
Dromore St Dympna GFC	Gaelic Sports
Drummond Cricket & FC	Association Football
Dunbarton Bowling Club	Bowling



<b>Organisation Name</b>	<b>Sport</b>
Dundela Football & Athletic Club	Association Football
Dundonald Sea Cadets	Multisport
Dungannon Golf Club	Golf
Dungannon Swifts Football Club	Association Football
Dungannon Tigers FC	Association Football
Dungannon United Youth CIC	Association Football
Dungiven Celtic Youth Football Club	Association Football
Dunloy GAA Club	Gaelic Sports
Dunmurry Sports Association	Cricket
Dunmurry Young Men's FC	Association Football
Dunnaman Football Club	Association Football
Dynamic Gymnastics Club	Gymnastics
East Down Athletics Club	Athletics
Edendork GAC	Gaelic Sports
Eglis, St Partick's GAC	Gaelic Sports
Éire Óg An Charraig Mhór Hurling and Camogie Club	Gaelic Sports
Elite Community Fitness Gym	Multisport
Elite Gym Academy CIC	Gymnastics
Emerald ABC	Boxing
Enniskillen Athletic ABC	Boxing
Enniskillen Golf Club	Golf
Enniskillen Rangers FC	Association Football
Enniskillen Rugby Football Club	Rugby Union
Eoghan Ruadh Hurling Club	Gaelic Sports
Erne Gaels GAC	Gaelic Sports
Eskra Emmetts GAA Club	Gaelic Sports
Ethnic Minority Sports Organisation Northern Ireland (EMSONI)	Multisport
Evolution Boxing Club	Boxing
Evolve Martial Arts Club	Multisport
Ewarts Bowling Club	Bowling
Falls Bowling & Lawn Tennis Club	Bowling
Fermanagh Sports And Cultural Awareness Association	Multisport
Fight Academy Ireland C.I.C. 2015	Keep Fit
Fitmoms & Kids	Multisport
Fivemiletown United FC	Association Football
Flight Gymnastics Academy CIC	Gymnastics
Forthriver Bowling & Tennis Club	Bowling
Fox Lodge Cricket Club	Cricket
Galbally GAA	Gaelic Sports
Gleann Amateur Boxing Club	Boxing

<b>Organisation Name</b>	<b>Sport</b>
Glenariffe Ossians GAA Club	Gaelic Sports
Glenn John Martin GAC	Gaelic Sports
Glenravel Community Development Association	Multisport
Glentoran F.C	Association Football
Golift Weightlifting Club	Weightlifting
Goodyear Sports & Social Club	Association Football
Gort Na Mona GAC	Gaelic Sports
Greater Village Regeneration Trust -Fit4Life Centre	Multisport
Greenisland Football Club	Association Football
Greysteel Community Enterprise	Multisport
Hanover Football Club	Association Football
Hawarden Tennis Club	Tennis
Helen's Bay Golf Club	Golf
Henry Joy McCracken GAC Moneymore	Gaelic Sports
Hillsborough Boys Football Club	Association Football
Hillsborough Village Community Centre Ltd	Multisport
Holy Trinity Amateur Boxing Club	Boxing
Hollywood Cricket Club	Cricket
I.m.m.a Gym / Next Generation N.I	Multisport
Illusion Dance School	Dancesport
Irish Disabled Fly Fishing Association	Angling
JM Brazilian Jui Jitsu Ltd T/A RMNU Ireland	Ju Jitsu
John Mitchells GAC, Glenullin	Gaelic Sports
John Mitchels Ballygalget GAC	Gaelic Sports
John Mitchels GAC Claudy	Gaelic Sports
Jump NI	Physical Activity
Kazoku karate	Karate
Keady Michael Dwyers GAA Club	Gaelic Sports
Kickhams Creggan GAC	Gaelic Sports
Kilcoo GAC	Gaelic Sports
Kilkeel Golf Club	Golf
Killeeshil St Marys GFC	Gaelic Sports
Killough FC	Association Football
Killyleagh FC	Association Football
Kilrea GAC	Gaelic Sports
Kilrea Golf Club	Golf
Knockbreda Football Club	Association Football
Larne Bowling and Lawn Tennis Club	Bowling
Larne FC	Association Football
Laurelvale Cricket Club	Cricket
Lenadon Amateur Sports Community Interest Company	Association Football

<b>Organisation Name</b>	<b>Sport</b>
Ligoniel Amateur Boxing Club	Boxing
Limavady Cricket & RFC	Cricket
Limavady Recreation Club	Multisport
Lisburn Bmx Club	Cycling
Lisburn Cricket Club	Cricket
Lisburn Distillery F.C	Association Football
Lisburn Golf Club	Golf
Lisburn Racquets Club	Multisport
Lisburn Rangers FC	Association Football
Lisnagarvey Hockey Club	Hockey
Loughgall FC	Association Football
Loughinisland GAC	Gaelic Sports
Loughmacrory & Murrins District Angling Association	Angling
Loughmacrory Community Development Association	Multisport
Love Hockey Ireland	Roller sports
Lurgan Golf Club	Golf
Lurgan Town Football Club	Association Football
Maguiresbridge Pitch Development and Management Committee	Association Football
Maiden City Soccer Academy	Association Football
Malone Rugby Club	Rugby Union
McConomy Bradley Doherty Academy (MCBDA)	Dancesport
MFKA- Mickey Finns Karate & Kettlercise Academy	Karate
Middletown GAA	Gaelic Sports
Midland Amateur Boxing Club	Boxing
Monkstown Amateur Boxing Club	Boxing
Moortown St Malachys GAC	Gaelic Sports
Mountjoy United FC	Association Football
Moyola Park Golf Club	Golf
Muckamore Cricket and Lawn Tennis Club	Multisport
Mullaghbawn Cuchulainns	Gaelic Sports
Na Piarsaigh Eanách Mór CLG (Annaghmore Pearseas GAA)	Gaelic Sports
Naomh Pádraig - St Patrick's Gaelic Athletic Club	Gaelic Sports
Netball NI	Netball
Newbuildings United FC	Association Football
Newcastle Football Club	Association Football
Newry City AFC Disability Club	Multisport
Newry Mitchels GFC	Gaelic Sports
Newry Muay Thai	Physical Activity
Newry Olympic Hockey Club	Hockey
Newry RFC	Rugby Union

<b>Organisation Name</b>	<b>Sport</b>
Newtownards Sailing Club	Sailing/Yachting
Newtownbutler First Fermanagh GFC	Gaelic Sports
NFC Kesh FC	Association Football
NI School of Music & Theatre	Dancesport
North Belfast Working Mens Club/ Bowlers Section	Bowling
North Down Boxing and Fitness Club	Boxing
North Down Cricket Club	Cricket
North Fermanagh Cricket & Association Football Club	Multisport
North West Cricket Union Limited	Cricket
Northern Ireland Karate-Do Wado-Kai	Karate
O Neills GFC An Port Mor	Gaelic Sports
O'Briens Foreglen GAC	Gaelic Sports
O'Donnabhain Rossa Mullabrack	Gaelic Sports
O'Donovan Rossa GAA	Gaelic Sports
Old Bleach Bowling Club	Bowling
Oliver Plunkett Amateur Boxing Club	Boxing
Omagh Hockey Club	Hockey
Omagh St Enda's Gaelic Athletic Club	Camogie
Ophir RFC	Rugby Union
Ormeau Road Boxing Club	Boxing
Owenbeg Bowling Club	Bowling
Oxford Sunnyside FC	Association Football
Peadar O Doinnin GAA Club	Gaelic Sports
Pearse Óg GFC	Gaelic Sports
PG Performance	Multisport
Phoenix Health & Fitness Community Gym	Keep Fit
Polish Anglers Northern Ireland - Community	Multisport
Portadown Boat Club	Rowing
Portadown Rugby Football Club	Rugby Union
Portaferry Town Sports Club	Association Football
Portstewart Football & Community Club	Association Football
Rainey Old Boys RFC	Rugby Union
Rathfriland FC	Association Football
Redmond O'Hanlon GAC	Gaelic Sports
Riding for the Disabled Association (Coleraine & District Group) Ltd	Equestrianism
Rise Running Club	Athletics
Rochester's Amateur Boxing Club	Boxing
Roger Casements GAC	Gaelic Sports
Rosario Youth Club	Association Football
Roslea Shamrocks GFC	Gaelic Sports

<b>Organisation Name</b>	<b>Sport</b>
Royal Ulster Yacht Club	Sailing/Yachting
Russell Gaelic Union	Gaelic Sports
Saintfield Cricket Club	Cricket
Saintfield Sports Club	Multisport
Saintfield United FC	Association Football
Santos Football Club	Association Football
Savage martial arts	Ju Jitsu
Saval GAC	Gaelic Sports
Scoil Rince Fionn	Dancesport
Scrabo Golf Club	Golf
Seagoe FC	Association Football
Shane O'Neills GFC	Gaelic Sports
Shankill United FC	Association Football
Shorts Sports & Recreation Club	Multisport
Silverbridge Boxing Club	Boxing
Sólás Special Needs Charity	Trampolining
Soul Studio- Belfast CIC	Dancesport
Spa Golf Club	Golf
Spartans Amateur Boxing Club	Boxing
Springfield Star Football Club	Association Football
St Brigids GAC (Belfast)	Gaelic Sports
St Bronaghs (Rostrevor) GAA	Gaelic Sports
St canices abc Dungiven	Boxing
St Colmcilles Grange GFC	Gaelic Sports
St Colms GAC Drum	Gaelic Sports
St Comgalls GAC	Gaelic Sports
St James GAC	Gaelic Sports
St John Bosco Amateur Boxing Club, Belfast	Boxing
St John's Boxing Club	Boxing
St John's Drumnaquoile GAC	Gaelic Sports
St Joseph's Ballycran GFC	Gaelic Sports
St Joseph's GAC (Craigbane)	Gaelic Sports
St Joseph's GAC (Ederney)	Gaelic Sports
St Killian's GFC	Gaelic Sports
St Macartan's GAC	Gaelic Sports
St Malachy's GAC	Gaelic Sports
St Malachy's GAC (Castlewellan)	Gaelic Sports
St Malachys Hurling Club Portadown	Gaelic Sports
St Martins GAC	Gaelic Sports
St Mary's GAC	Gaelic Sports
St Mary's GAC (Faughanvale)	Gaelic Sports

<b>Organisation Name</b>	<b>Sport</b>
St Mary's Gac, Aghagallon	Gaelic Sports
ST Marys Granemore GAA	Gaelic Sports
St McCartans GAC	Gaelic Sports
St Michael's Amateur Boxing Club	Boxing
St Michael's GAC	Gaelic Sports
St Michaels Gaelic Football Club	Gaelic Sports
St Monica's Boxing Club Newry	Boxing
St Patrick's Amateur Boxing Club	Boxing
St Patrick's GAC & Camogie Club	Gaelic Sports
St Patrick's GAC (Cullyhanna)	Gaelic Sports
St Patrick's GAC (Loup)	Gaelic Sports
St Patricks GAC Saul	Gaelic Sports
St Patricks GFC	Gaelic Sports
St Patrick's GFC Donaghmore	Gaelic Sports
St Patrick's GFC Rock	Gaelic Sports
St Pauls Amateur Boxing Club	Boxing
St Pauls GAC	Gaelic Sports
St Teresa's GAC	Gaelic Sports
St Trea's GFC Ballymaguigan	Gaelic Sports
St. Canices GAA	Gaelic Sports
St. Marys GAC, Rasharkin	Gaelic Sports
St.Marys Banagher GAC	Gaelic Sports
Star of the Sea ABC	Boxing
Steelstown Brian Ogs GAC	Gaelic Sports
Stewartstown Harps GAC	Gaelic Sports
Strabane Cricket and Bowls Club	Cricket
Strabane Sigersons GAA	Gaelic Sports
Strength Militia	Physical Activity
Studio 5 NI CIC	Dancesport
Tandragee Golf Club	Golf
Tandragee Rovers FC	Association Football
Tattyreagh St Patrick's GAC	Gaelic Sports
Team Tetsu	Multisport
Tempo Maguire's GAC	Gaelic Sports
The Church of Ireland Young Men's Society	Multisport
The Lifting Room functional fitness	Multisport
Tir Na nOg GFC	Gaelic Sports
TKDNI TaeKwon Do	Taekwondo
Tobermore United FC	Association Football
Trainors boxing academy	Boxing
Triangle Judo Club	Judo

Organisation Name	Sport
Trillick Enterprise Leisure Ltd	Multisport
TTBS Juniors	Association Football
Tullylish Amateur Boxing Club	Boxing
Tullylish GAC	Gaelic Sports
Tullysaran O'Connells GAC	Gaelic Sports
Tullyvallen Rangers FC	Association Football
Tummery Athletic FC	Association Football
TW Braga	Association Football
Two Castles ABC	Boxing
Ventures II	Karate
Waringstown Cricket Club	Cricket
Watty Graham's GFC	Gaelic Sports
Wellington Rec Youth	Association Football
Wellington Recreation FC	Association Football
Whitehead Bowling Club	Bowling
Whitehead Golf Club	Golf
Willowfield Bowling Club	Bowling
Wolfe Tones GAC (Bellaghy)	Gaelic Sports
Woodvale Football Club	Association Football
Youth Sport Omagh Ltd	Multisport

Table 2

Organisation Name	Sport	Status as at 29 May 2020
500 Motor Racing Club of Ireland Ltd	Motorsports	Ineligible
Ardstraw Youth & Community Forum	Association Football	Ineligible
Aughnacloy Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k
Ballymena Sea Cadets	Sailing/Yachting	Ineligible
Banbridge Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k
Bangor Rugby & Cricket Club	Cricket	Request Withdrawn - successful with DfE application for £25k
Basketball Northern Ireland	Basketball	Request Withdrawn - Duplicate
Belfast Harlequins	Rugby Union	Request Withdrawn - successful with DfE application for £25k
Bleary Farmers Hall Management Committee	Multisport	Ineligible
Bready Cricket Club	Cricket	Request Withdrawn - successful with DfE application for £25k
Cliftonville Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k
Cookstown Youth Football Club	Association Football	Ineligible
County Londonderry Football Association	Association Football	Ineligible

Organisation Name	Sport	Status as at 29 May 2020
Crusaders Strikers	Association Football	Ineligible
Dromara Village Football Club	Association Football	Request Withdrawn - Duplicate
Dundonald Sea Cadets	Multisport	Ineligible
Dungannon Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k
Dungannon Swifts Football Club	Association Football	Request Withdrawn - successful with DfE application for £25k
Dunmurry Sports Association	Cricket	Ineligible
Enniskillen Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k
Falls Bowling & Lawn Tennis Club	Bowling	Request Withdrawn - successful with DfE application for £25k
Fermanagh Sports And Cultural Awareness Association	Multisport	Ineligible
Glentoran F.C	Association Football	Request Withdrawn - successful with DfE application for £25k
Goodyear Sports & Social Club	Association Football	Request Withdrawn - successful with DfE application for £25k
I.m.m.a Gym / Next Generation N.I	Multisport	Ineligible
Illusion Dance School	Dancesport	Ineligible
Kilcoo GAC	Gaelic Sports	Request Withdrawn - successful with DfE application for £25k
Larne Bowling and Lawn Tennis Club	Bowling	Request Withdrawn - successful with DfE application for £25k
Lurgan Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k
McConomy Bradley Doherty Academy (MCBDA)	Dancesport	Ineligible
Moyola Park Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k
Mullaghbawn Cuchulainns	Gaelic Sports	Request Withdrawn - successful with DfE application for £25k
Newtownards Sailing Club	Sailing/Yachting	Request Withdrawn - successful with DfE application for £25k
NI School of Music & Theatre	Dancesport	Ineligible
O'Briens Foreglen GAC	Gaelic Sports	Request Withdrawn - successful with DfE application for £25k
Rosario Youth Club	Association Football	Ineligible
Tullylish GAC	Gaelic Sports	Request Withdrawn - successful with DfE application for £25k
Wellington Rec Youth	Association Football	Ineligible
Whitehead Golf Club	Golf	Request Withdrawn - successful with DfE application for £25k

**Miss McIlveen** asked the Minister for Communities what discussions she is having to provide for people who have met the criteria of need and identified as requiring assistance, are currently in receipt of food hampers, who will need to continue to self-isolate and will have no other way of accessing provisions after June 2020.

(AQW 4244/17-22)



**Ms Hargey:** I am aware that a number of people across the community who have been relying on regular food hampers from my Department are likely to continue to require support for a period after 26th June 2020.

Having recently reviewed the situation with local Councils, Health and Social Care Trusts and engagement with the voluntary and community sector, the Department has decided to extend its food parcel programme until 31st July 2020. This extension will only apply to people who have been asked to shield by their GPs and cannot otherwise get food.

Those who are not medically shielding, but may still need food help, are now being signposted to other means of food support and the Department is investing up to £875,000 in other forms of food assistance. This includes the Department working with Fareshare to deliver increased food supplies to community providers.

**Mrs D Kelly** asked the Minister for Communities to outline the monitoring and evaluation process of allocations to projects from Supporting Communities funding.

**(AQW 4248/17-22)**

**Ms Hargey:** I have assumed that your question refers specifically to the Covid-19 Response Fund which was launched to assist community groups working to respond to the emergency on the ground, which is administered by the Housing Executive.

The process in relation to awards made through the Covid-19 Response Fund requires groups who are successful in receiving funding to, in the first instance, agree to the terms and conditions of the award. These details are set out in the application form, which advises that approved funding must only be used for purposes applied for, and that the amount is final.

Applicants are also made aware that the Housing Executive has the right to recover funding if the organisation is in breach of these terms and conditions, or if the actual expenditure incurred is less than projected. Failure to meet the conditions of funding may result in the Housing Executive recouping all or part of the funding awarded.

The reporting and monitoring requirements are also identified clearly on the application form. These include that the recipient organisation is required to adhere to monitoring arrangements and, at the end of the programme or anytime deemed necessary by the Housing Executive, they must provide:

- Certified confirmation of expenditure for example receipts, invoices, bank statements, statement from Treasurer.
- Report to outline activity undertaken, and any other relevant information.

The post project activities will be followed up internally and a Project Evaluation Report completed, outlining project activity in line with the objectives set out in the application as well as certified confirmation of spend. This exercise will also facilitate the capture of basic information which will allow the impact and outcomes of the funding awards to be gauged.

**Mr McGlone** asked the Minister for Communities what rent support will be made available for students.

**(AQW 4268/17-22)**

**Ms Hargey:** Since the outbreak of this pandemic my Department has put in place a number of provisions to assist households during this period, including private renters.

Some students may be eligible to receive Housing Benefit if they already receive certain benefits or have parental or caring responsibilities.

An increase in Local Housing Allowance rates from 1 April has provided additional financial support for private tenants including any students in receipt of Housing Benefit or the housing costs element of Universal Credit.

In addition, anyone who has lost their job and who signed on to Universal Credit can apply for a Discretionary Housing Payment to have their full rent paid for 13 weeks.

Discretionary Support is available to provide financial assistance in extreme, exceptional or crisis situations where there is significant risk to the health, safety or well-being of a person or a member of their immediate family.

A person who is in full time third level education is normally not eligible for Discretionary Support. However, a student who is experiencing financial hardship as a direct result of the COVID-19 pandemic may be entitled to Discretionary Support including a grant for short term living expenses if they, or any member of their immediate family, are diagnosed with COVID-19 or are advised to self-isolate in accordance with the latest public health guidance.

The main source of support for students facing hardship is the Department for Economy led Student Hardship Fund which is allocated to the local Higher Education Institutions (HEI) for distribution to students who can demonstrate genuine financial hardship. Each HEI is responsible for assessing student's need and issuing support within the guidelines of the scheme. The Executive has recently announced a further £1.4m for Student Support (Hardship) funds.

In addition to this my Department have also worked with local student representatives to ensure that students facing hardship have access to food parcels.

**Mr McGlone** asked the Minister for Communities whether she will increase the income threshold of the Affordable Warmth Scheme and exclude Disability Living Allowance, Personal Independence Payment, Carer's Allowance and Attendance Allowance from the calculation of income.

**(AQW 4269/17-22)**

**Ms Hargey:** From November 2017 to February 2018 my Department consulted on proposed changes to the Scheme.

There was broad support for the proposed changes including a proposal to remove Disability Living Allowance, Personal Independence Payment and Carer's Allowance payments from the calculation of income.

I had intended to make a decision on the proposals by the end of February 2020, however due to the Covid-19 pandemic this decision has been delayed. I am currently considering all of the proposed changes and a decision will be made in the coming weeks.

**Mr Carroll** asked the Minister for Communities how many benefit fraud investigators work in her Department; and how many of are being tasked with investigating or moderating the potential abuse of furlough scheme by employers.

**(AQW 4289/17-22)**

**Ms Hargey:** The Department currently has 67 benefit fraud investigators tasked with investigating social security benefit fraud. As the furlough scheme is operated by Revenue & Customs there are no benefit fraud investigators from my Department tasked with investigating the abuse of the furlough scheme by employers.

**Mr Givan** asked the Minister for Communities for an evaluation of the effectiveness of the food support packages administered by local councils; and whether there are plans to continue to issue food parcels to councils for vulnerable citizens beyond the end of June 2020.

**(AQW 4313/17-22)**

**Ms Hargey:** The food support package scheme, which has been taken forward with the support of local councils and other stakeholders, has provided critical food support to people who were very vulnerable and isolated during the ongoing COVID-19 pandemic and who did not have a ready network of family or friends to bring them food. The scheme has been widely welcomed across the community with almost 167,000 boxes being delivered to councils between 6th April and 22nd June 2020. This is an excellent example of effective partnership working between central government, local government, business and the voluntary sector to support those in need in our communities.

I am aware that a number of vulnerable people across the community who currently rely on regular food parcels from my Department are likely to continue to require support beyond the end of the programme on 26th June 2020. In light of this, it has been decided to extend the Department's food parcel scheme until 31st July 2020, but only for people who have been asked to shield by their GPs and cannot otherwise get food.

Those no longer eligible are being signposted to other means of support and the Department is now investing up to £875,000 in alternative forms of food assistance. This includes the Department working with Fareshare to deliver increased food supplies to community providers.

**Mr McNulty** asked the Minister for Communities to outline (i) her Department's current financial commitment for the redevelopment of Casement Park; (ii) the projected increase in costs for the redevelopment of Casement Park; and (iii) whether she has made a formal bid to the Department of Finance for the additional monies for the project.

**(AQW 4328/17-22)**

**Ms Hargey:** As you know, the New Decade, New Approach agreement included a commitment to advance plans to complete the Casement Park project.

In March 2011, the Department was allocated a budget of £110 million of grant funding by the Executive to deliver the three projects within Regional Stadia Programme. This included £62.5 million towards the redevelopment of Casement Park. UCGAA committed £15 million of partnership funding bringing the total current, approved project budget for Casement Park to £77.5 million.

The current project cost estimate is circa £110 million for Casement Park.

This cost estimate may be subject to change and when all matters associated with the Planning Application are concluded, project costs will need to be finalised. Then I will be in a position to consider approval of the final UCGAA Full Business Case (FBC).

**Mr Durkan** asked the Minister for Communities what support her Department gives to local foodbanks, broken down by constituency.

**(AQW 4358/17-22)**

**Ms Hargey:** My Department does not provide direct support to local food banks. Food banks generally rely on food donations from members of the public, schools, churches and businesses. They often work, as well, with large food retailers and food redistribution bodies rather than government.

Whilst my Department does not provide funding to food banks, since October 2017 five Social Supermarket pilots have been supported as part of the Welfare Mitigations package. A Social Supermarket offers food provision alongside a wraparound of support to address the underlying causes of food insecurity. Evaluation of these has shown positive outcomes for users and a business case to consider a full roll out is underway. I believe this model has the potential to form a sustainable part of the food response in the medium to long term.

**Mr Durkan** asked the Minister for Communities how her Department proposes to support the arts sector, and its associated venues, impacted by COVID-19 as we emerge from lockdown restrictions.

**(AQW 4359/17-22)**

**Ms Hargey:** My Department is working closely with the Arts Council, sectoral representatives and other key stakeholders to plan for how and when we emerge from the lockdown restrictions. I have already announced a £1.5m Creative support fund to provide immediate assistance. I will continue to review how my Department will provide support and also focus on the future needs of the sector in its entirety.

**Mr Newton** asked the Minister for Communities, following the completion of the Northern Ireland Housing Executive (NIHE) Economic Appraisal, to confirm when home owners, tenants and traders will be informed on the future of the NIHE block of shops, flats and maisonettes in Knocknagoney Avenue.

**(AQW 4369/17-22)**

**Ms Hargey:** The Housing Executive has advised that the Economic Appraisal for the block of flats, maisonettes and shops at Knocknagoney Avenue is currently being finalised. This is a particularly complex appraisal as potential future options for action would involve significant and varying implications for home owners, tenants and traders and has, therefore, taken some time to develop.

It is currently intended to present the Economic Appraisal to the Housing Executive's Board for approval in the summer and, subject to this approval, it will then be referred to the Department for Communities for its consideration.

Once the Department has made its decision, the Housing Executive's local office will inform the home owners, tenants and traders of the outcome and next steps.

**Mr Durkan** asked the Minister for Communities for a breakdown of the welfare mitigations, including bedroom tax, for last three years; and to detail the allocation for 2020/21.

**(AQW 4400/17-22)**

**Ms Hargey:**

- (i) A breakdown of the number of people who have received a Welfare Supplementary Payment and the associated expenditure for each of the mitigation schemes for the years 2016/17 to 2018/19 are included in the tables below. This information is taken from my Department's Annual Reports on Welfare Supplementary Payments, Discretionary Support, Standards of Advice and Assistance and Sanctions. These Reports have been laid before the Assembly and are available on the Departmental website at the following link:

<https://www.communities-ni.gov.uk/publications/welfare-supplementary-payments-discretionary-support-standards-advice-assistance-and-sanctions>

The information for the 2019/20 year is not currently available but will be included in the Annual Report on Welfare Supplementary Payments that will be published later this year.

**Programme costs for each Welfare Supplementary Payment Scheme in the 2016/17 financial year.**

<b>Welfare Supplementary Payment Scheme</b>	<b>Number of claimants who received Welfare Supplementary Payments 2016/17</b>	<b>Total Amount Paid 2016/17</b>
Benefit Cap	2,020	£1,754,710
Contributory Employment and Support Allowance	2,320	£3,227,540
Personal Independence Payment	1,400	£896,160
Loss of Disability-Related Payments	110	£102,240
Loss of Carer Payments	150	£81,940
Social Sector Size Criteria	34,010	£2,380,850
<b>Total</b>	<b>40,010</b>	<b>£8,443,440</b>

**Programme costs for each Welfare Supplementary Payment Scheme in the 2017/18 financial year.**

<b>Welfare Supplementary Payment Scheme</b>	<b>Number of claimants who received Welfare Supplementary Payments 2017/18</b>	<b>Total Amount Paid 2017/18</b>
Benefit Cap	2,480	£3,861,700
Contributory Employment and Support Allowance	2,610	£5,971,330
Personal Independence Payment	13,980	£16,731,080
Loss of Disability-Related Payments	1,280	£2,437,150
Loss of Carer Payments	1,530	£2,254,160
Social Sector Size Criteria	38,700	£22,088,980
<b>Administrative Payments</b>		
Universal Credit claimants	160	£20,530
<b>Total</b>	<b>60,740</b>	<b>£53,364,930</b>

**Programme costs for each Welfare Supplementary Payment Scheme in the 2018/19 financial year.**

<b>Welfare Supplementary Payment Scheme</b>	<b>Number of claimants who received Welfare Supplementary Payments 2018/19</b>	<b>Total Amount Paid 2018/19</b>
Benefit Cap	1,840	£2,247,320
Contributory Employment and Support Allowance	600	£815,310
Personal Independence Payment	26,720	£29,963,960
Loss of Disability-Related Payments	2,460	£4,287,300
Loss of Carer Payments	2,700	£3,502,590
Social Sector Size Criteria	38,270	£21,331,580
<b>Total</b>	<b>72,590</b>	<b>£62,148,060*</b>

\* Includes £995,810 paid to 2,540 Universal claimants.

- (ii) The Department has been allocated £40.3 million to deliver the welfare mitigation schemes during 2020/21. This includes £4 million for the administration of the schemes.

**Mr McGrath** asked the Minister for Communities to detail the number of social houses built in South Down in each of the last five years; and how many are planned for the next three years.

**(AQW 4410/17-22)**

**Ms Hargey:** Within the South Down Parliamentary Constituency I can advise that, 209 social homes were completed during the period 2015/16-2019/20 broken down as follows:

<b>Year</b>	<b>Total social housing completions</b>
2015/16	33
2016/17	29
2017/18	53
2018/19	55
2019/20	39
<b>Total</b>	<b>209</b>

Details of the locations of these units is provided in Table 1 below.

A further 34 units have been completed to date in 2020/21 and details of these can be found in Table 2.

59 units are currently under construction and details of these can be found in Table 3.

A further 139 units are programmed to start through the Social Housing Development Programme (SHDP) 2020/21-2022/23. Details of these are included in table 4.

**Table 1: South Down Parliamentary Constituency social housing completions 2015/16 – 2019/20**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year
Triangle	Muckamore Resettlement to Downpatrick (7 Malone Close)	Downpatrick	Rehabilitation	4	2012/13	2015/16
Triangle	Muckamore Resettlement to Downpatrick (51 Vianstown Road)	Downpatrick	Rehabilitation	5	2012/13	2015/16
Ark	51 John Street (T)	Downpatrick	New Build	8	2013/14	2015/16
Ark	Hunter's Close (T)	Ardglass	New Build	8	2013/14	2015/16
Apex Housing	Castlewellaan Road Ph 3	Newcastle	New Build	2	2013/14	2015/16
South Ulster	12 Chapel Hill Mews	Mayobridge	Existing Satisfactory Purchase	1	2014/15	2015/16
Clanmil	30-34 Dromore Street	Ballynahinch	New Build	24	2014/15	2017/18
Rural	2 O'Donnell Close	Castlewellaan	Existing Satisfactory Purchase	1	2015/16	2015/16
Fold	8 Lawnfield Court	Newcastle	Existing Satisfactory Purchase	1	2015/16	2016/17
South Ulster	66 Carrickbawn	Rostrevor	Existing Satisfactory Purchase	1	2015/16	2015/16
South Ulster	25 Oakland Grove	Warrenpoint	Existing Satisfactory Purchase	1	2015/16	2015/16
South Ulster	21 Ard Na Cluana	Warrenpoint	Existing Satisfactory Purchase	1	2015/16	2015/16
South Ulster	9 Chapel Hill Mews	Mayobridge	Existing Satisfactory Purchase	1	2015/16	2015/16
Choice	Former Hospital Site, Newry Street	Kilkeel	New Build	8	2015/16	2017/18
Choice	South Area Older People	Kilkeel	New Build	12	2015/16	2017/18
Fold	Strangford Road	Ardglass	New Build	18	2015/16	2016/17
South Ulster	4c Drumlin Walk	Warrenpoint	Existing Satisfactory Purchase	1	2015/16	2016/17

<b>Housing Association</b>	<b>Scheme Name</b>	<b>Location</b>	<b>Type</b>	<b>Units</b>	<b>Onsite Year</b>	<b>Completed Year</b>
South Ulster	20 Drumreagh Park	Rostrevor	Existing Satisfactory Purchase	1	2015/16	2016/17
Habinteg	Ros Ard, Kilbroney Road	Rostrevor	Off The Shelf	5	2015/16	2016/17
South Ulster	5 Mourne Drive	Warrenpoint	Existing Satisfactory Purchase	1	2015/16	2016/17
Clanmil	157-163 Main Street	Dundrum	New Build	16	2015/16	2018/19
Helm Housing	16 & 36 Owen Roe	Mayobridge	Off The Shelf	2	2016/17	2016/17
Choice	2&4 Donard Street (Surplus)	Newcastle	New Build	16	2016/17	2018/19
Helm Housing	1 & 3 Carraig Crossan	Mayobridge	Off The Shelf	2	2016/17	2017/18
Helm Housing	Sites 28 & 29 Owen Roe	Mayobridge	Off The Shelf	2	2016/17	2017/18
Radius	39 Gleann Si	Rostrevor	Existing Satisfactory Purchase	1	2017/18	2017/18
Choice	1 St Bronagh's Church Street	Rostrevor	Existing Satisfactory Purchase	1	2017/18	2017/18
Radius	2 Lawnfield Court	Newcastle	Existing Satisfactory Purchase	1	2017/18	2017/18
Radius	Lands bounding Manse Rd & adjacent to 1 & 11 Forde Close	Seaforde	New Build	10	2017/18	2018/19
Rural	48 Westlands	Crossgar	Existing Satisfactory Purchase	1	2017/18	2018/19
Radius	45 & 49 Owen Roe	Mayobridge	Off The Shelf	2	2017/18	2017/18
Choice	Mary Murray House, 8 Lawnfield	Newcastle	New Build	12	2017/18	2019/20
Choice	Mary Murray House, 8 Lawnfield	Newcastle	New Build	2	2017/18	2019/20
South Ulster	Church Street	Warrenpoint	Off The Shelf	4	2017/18	2018/19
South Ulster	6 Springdale Court	Kilkeel	Existing Satisfactory Purchase	1	2018/19	2018/19
Ark	29 O' Donnell Heights	Castlewellan	Existing Satisfactory Purchase	1	2018/19	2019/20
Choice	30 Seaview	Killough	Existing Satisfactory Purchase	1	2018/19	2018/19

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year
Ark	50,54,56,58 & 68 Brooklands Grove	Newcastle	Off The Shelf	5	2018/19	2018/19
Clanmil	1-6 Carquillan Court	Hilltown	Off The Shelf	6	2018/19	2019/20
South Ulster	15 Springdale Court	Kilkeel	Existing Satisfactory Purchase	1	2018/19	2019/20
South Ulster	Kings Lane	Warrenpoint	Off The Shelf	6	2018/19	2019/20
Ark	Sites 47,48,49 & 50 Cairn Grove	Kilcoo	Off The Shelf	4	2018/19	2019/20
Ark	Site 50, Church Street	Castlewellan	Off The Shelf	1	2018/19	2018/19
Clanmil	Carquillan Court Phase 2	Hilltown	Off The Shelf	5	2019/20	2019/20
Clanmil	Carquillan Court Phase 2	Hilltown	Off The Shelf	1	2019/20	2019/20
South Ulster	80 Grange Meadows	Kilkeel	Existing Satisfactory Purchase	1	2019/20	2019/20

**Table 2: South Down Parliamentary Constituency social housing completions 2020/21 (34 units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year
Apex	Mountain View	Castlewellan	Design & Build	29	2017/18	2020/21
Apex	Mountain View	Castlewellan	Design & Build	5	2017/18	2020/21

**Table 3: South Down Parliamentary Constituency social housing units under construction (59 units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Choice	6 Fountain Court	Downpatrick	Existing Satisfactory Purchase	1	2019/20	2020/21
Clanmil	Pound Lane, Downe Hospital Phase 1	Downpatrick	Design & Build	35	2017/18	2020/21
Clanmil	Pound Lane, Downe Hospital Phase 1	Downpatrick	Design & Build	2	2017/18	2020/21
Clanmil	37-45 Downpatrick Street	Crossgar	New Build	18	2017/18	2020/21
Clanmil	37-45 Downpatrick Street	Crossgar	New Build	2	2017/18	2020/21
Connswater	40 Struell Crescent	Downpatrick	Existing Satisfactory Purchase	1	2019/20	2020/21

**Table 4: South Down Parliamentary Constituency social housing units programmed to start 2020/21 – 2022/23 (139 units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Ark	Rourke's Link	Ballyhornan	New Build	11	2020/21	2021/22
Ark	Rourke's Link	Ballyhornan	New Build	2	2020/21	2021/22
Choice	Warrenpoint	Warrenpoint	New Build	10	2020/21	2022/23
Clanmil	Castlewellan Road	Newcastle	Design & Build	11	2020/21	2021/22
Clanmil	Pound Lane, Downe Hospital Phase 2	Downpatrick	Design & Build	41	2020/21	2022/23
Clanmil	Pound Lane, Downe Hospital Phase 2	Downpatrick	Design & Build	20	2020/21	2022/23
Clanmil	Pound Lane, Downe Hospital Phase 2	Downpatrick	Design & Build	5	2020/21	2022/23
Clanmil	Mount Crescent	Downpatrick	New Build	4	2020/21	2021/22
Rural	42&44 Dromore Street	Rathfriland	Existing Satisfactory Purchase	2	2020/21	2020/21
Rural	Harmony Heights	Ballyholland	New Build	13	2020/21	2021/22
Rural	Harmony Heights	Ballyholland	New Build	1	2020/21	2021/22
Choice	141 Central Promenade	Newcastle	Design & Build	19	2021/22	2022/23

Programmed schemes can be lost or slip to future programme years for a variety of reasons e.g. relating to delays in acquiring sites and/or failure to secure planning permission.

**Mr McGrath** asked the Minister for Communities to detail the investment in sports provision in the South Down area for each of the last five years; and what is planned for each of the next three years.  
(AQW 4411/17-22)

**Ms Hargey:** Table 1 below provides a summary of investment in sports provision by the Department for Communities in the South Down area for each of the last five years. Given the period covered by the question, these figures include funding from the former Departments of Culture, Arts and Leisure and Social Development and rely on historical records and accounting procedures. The funding has been provided through a range of programmes including the Regional Shared Space Sporting Facilities Fund, Community Halls Programme and the Small Capital Grants Programme.

Table 1

Year	DfC Investment in Sports Provision in the South Down area
2015/16	NIL
2016/17	£336,970
2017/18	£11,610
2018/19	£32,506
2019/20	£42,895
<b>Grand Total</b>	<b>£423,981</b>



In addition, Table 2 below provides a summary of funding allocated by Sport NI, the arms-length body responsible for the development of sport, for sports provision in South Down. Funding has been provided through a range of programmes including the Everybody Active Programme, Pitch Maintenance and the Single Facility Fund.

**Table 2**

Year	Sport NI Investment in Sports Provision in the South Down area
2015/16	NIL
2016/17	£8,349
2017/18	£240,320
2018/19	£675,244
2019/20	£573,262
<b>Grand Total</b>	<b>£1,497,175</b>

I can also advise that 26 sports clubs in the South Down area have received funding totalling £56,000 from the Sports Hardship Fund in 2020/21 to help with ongoing maintenance costs as a result of the Covid-19 lockdown. In addition, a total of £86,234 has also been allocated to three sports clubs in South Down through Sport NI's Pitch Maintenance Programme in 2020/21.

With regards to what is planned for each of the next three years, I can confirm that my Department and Sport NI are considering a number of capital and revenue funding programmes which may be available to support sports provision.

The capital programmes proposed for financial year 2020/21 include an Access and Inclusion programme to improve access to, and participation in arts, cultural and active recreation activities for people with disabilities; a Small Capital Grants programme to promote partnership and collaborative working across the voluntary and community sector; and a programme to improve health and safety at sports clubs and venues covered by the Safety at Sports Grounds (NI) 2006 Order.

Finally, Sport NI has recently approved a new National Lottery Distribution Fund plan to allocate National Lottery funding over the next five years. I would encourage sports clubs to register with both Sport NI and their local Councils to receive information on future funding programmes.

**Mr Allister** asked the Minister for Communities how the recently announced £20.3m COVID-19 emergency funding is to be allocated between the 11 local councils.

**(AQW 4415/17-22)**

**Ms Hargey:** My Department carried out an analysis of the figures provided by each council to reflect their projected total financial loss and COVID-19 costs that would be incurred during the period March to June 2020.

These figures have been tested against the equivalent for the corresponding period for 2019 and have been signed off by individual Council Chief Executives.

This provided a basis for redistribution that was consistent with the original bid for support that was approved by the Executive in that it looks to assist councils with income lost and additional costs incurred as a result of COVID-19.

Based on this redistribution method the allocation between the 11 councils was as follows:

Council	Allocation £
Antrim & Newtownabbey	1,949,158
Ards & North Down	1,415,734
Armagh, Banbridge Craigavon	2,052,238
Belfast	4,042,083
Causeway Coast & Glens	1,965,989
Derry & Strabane	1,291,091
Fermanagh & Omagh	1,793,465
Lisburn & Castlereagh	2,016,401
Mid & East Antrim	934,149
Mid Ulster	1,298,985
Newry Mourne & Down	1,540,707

Council	Allocation £
TOTAL	20,300,000

**Mr Allister** asked the Minister for Communities what legislative authority obliges a Council Chief Finance Office to report if it appears a local Council's expenditure, both incurred or proposed, is likely to exceed available resources.

(AQW 4416/17-22)

**Ms Hargey:** A council has a general duty under section 1 of the Local Government Finance Act (NI) 2011 to make arrangements for the proper administration of its financial affairs, carried out under the supervision of the council's chief finance officer, and under section 5 to keep its financial position under review.

Regulation 4 of the Local Government (Accounts and Audit) Regulations (NI) 2015 provides that a local government body is responsible for ensuring that:

- the financial management of the local government body is adequate and effective; and
- the local government body has a sound system of internal control which facilitates the effective exercise of its functions and which includes arrangements for the management of risk.

**Mr O'Toole** asked the Minister for Communities whether she will push to secure a recovery strategy, including additional funding, for our arts sector.

(AQW 4430/17-22)

**Ms Hargey:** When I announced the £1.5m Creative Support Fund I recognised that further support would be required for the arts sector. My Department is working collaboratively with the Arts Council and key stakeholders to ensure that the recovery of the arts sector is realised.

The arts sector is hugely important for both community well-being and our attractiveness as a tourist destination; I will continue to work with the sector and Executive colleagues.

**Ms Hunter** asked the Minister for Communities (i) to detail the number of people who are (a) homeless; and (b) in housing stress in each constituency; and (ii) to outline her plans to deal with homelessness during and post-COVID-19.

(AQW 4436/17-22)

**Ms Hargey:**

(i) The figures in the following table are accurate as of 31 March 2020:

Parliamentary Constituency	Applicants	Housing Stress	Full Duty Applicant
Belfast East	1890	1288	919
Belfast East/South	377	266	185
Belfast North	3962	2970	2392
Belfast South	2506	1835	1474
Belfast South/Strangford	101	86	74
Belfast West	3454	2811	2329
Belfast West/North	104	66	53
Belfast West/South	23	21	17
East Antrim	1580	1060	825
East Londonderry	2035	1171	830
Fermanagh South Tyrone	1764	1223	757
Foyle	3843	3081	2617
Lagan Valley	1802	1362	1059
Mid Ulster	1098	635	433
Newry & Armagh	2007	1482	1054
North Antrim	2094	1343	1032

Parliamentary Constituency	Applicants	Housing Stress	Full Duty Applicant
North Down	1669	1193	860
South Antrim	1429	1106	905
South Down	1739	1357	1038
Strangford	1396	977	679
Upper Bann	2393	1466	867
West Tyrone	1479	946	552
<b>Grand Total</b>	<b>38745</b>	<b>27745</b>	<b>20951</b>

The following Common Landlord Areas (CLA) cross Parliamentary Constituency Boundaries:

NIHE CLA	Parliamentary Constituency
Cregagh Castlereagh	Belfast East/South
Willowfield/Upper Castlereagh Road	Belfast East/South
Carryduff	Belfast South/Strangford
Ainsworth	Belfast West/North
Twaddell/Upper Woodvale	Belfast West/North
Hamill St / John St	Belfast West/South
Carrick Hill / Unity Flats	Belfast West/North
Bridge End / Rotherdam Court	Belfast East/South

- (ii) The Housing Executive has statutory responsibility for Homelessness and worked to ensure resources were targeted to those in greatest need. This response involved working closely with my Department, Public Health Agency, Department of Health and local homeless providers to ensure the protection of the most vulnerable. The Housing Executive developed a surge plan which identified key services to be maintained throughout the pandemic and actions to be taken in each surge stage to ensure essential homeless services could be maintained.

The Housing Executive significantly increased the number of temporary accommodation bed spaces available. Weekly multi-agency meetings since Mid-March were held with officials from my Department, Public Health Agency, Health Trust, PSNI, Probation Board NI and the Housing Executive as well as representatives from across the sector.

A co-ordinator role was set up to work on behalf of the sector acting as a vital bridge between Homeless Sector Providers and Statutory agencies primarily Housing Executive, the Public Health Agency, Health and Social Care Board and my Department.

Twice weekly conference calls were and continue to be held with the PSNI in relation to Domestic Violence and the Housing Executive is seeking to develop a crash pad model with Women's Aid.

Guidance for Homeless Providers was developed and issued by my Department and the Department of Health. This was updated regularly as the pandemic progressed.

The Housing Executive is currently drawing up an Exit Strategy and contingency plans for any 2nd wave of the pandemic. The exit strategy aims to assess and evaluate the measures which were put in place to address homelessness during the COVID-19 outbreak and consider what strategies will need to be put in place to support those who are homeless or threatened with homelessness in the long term.

**Mr McNulty** asked the Minister for Communities what money her Department has ringfenced in its budget to progress plans for Casement Park.

**(AQW 4443/17-22)**

**Ms Hargey:** As you know, all parties agreed to 'investing for the future' as part of the New Decade, New Approach; plans to complete the Casement Park project were a specific commitment in that document.

In March 2011, the Department was allocated a budget of £110 million of grant funding by the Executive to deliver the three projects within Regional Stadia Programme. This included £62.5 million towards the redevelopment of Casement Park. UCGAA committed £15 million of partnership funding bringing the total current, approved project budget for Casement Park to £77.5 million.

The allocation of Executive funding of £62.5 million to progress plans for the redevelopment of Casement Park is an entirely ring-fenced project budget. Ring-fenced expenditure that is specific to a particular policy or programme cannot be used for any other purpose without prior approval by the Executive.

To date £10,512,253.17 of ring-fenced grant funding has been expended by the Department on the Casement Park Project. The balance from the allocation of £62.5 million will continue to be ring-fenced as part of the Executive-approved Regional Stadia Programme budget.

**Mr Stewart** asked the Minister for Communities under what legislative framework does Belfast City Council offer its pest control function.

**(AQW 4447/17-22)**

**Ms Hargey:** Belfast City Council are not legally required to provide pest control services as householders, landlords, premises owners, etc. are expected to maintain their properties to a safe and hygienic standard. Pest control services, however, are normally offered by both Belfast City Council and Lisburn City & Castlereagh Council.

**Mr Stewart** asked the Minister for Communities whether any district Councils, other than Belfast City Council, offer pest control services either individually or through a grouped environmental health system.

**(AQW 4448/17-22)**

**Ms Hargey:** In addition to Belfast City Council, only Lisburn City & Castlereagh Council provides a pest control service to domestic residents. A number of councils provide free advice and/or leaflets on pest control.

No environmental health system grouping exists among the councils in relation to pest control.

**Mr McGlone** asked the Minister for Communities what legislative provision is being developed to compensate previous Tax Credit recipients who are financially worse off after making a claim to Universal Credit due to change of circumstances resulting from the Coronavirus pandemic.

**(AQW 4451/17-22)**

**Ms Hargey:** I can assure you that my officials have been engaging with senior officials in both the Department for Work and Pensions and HMRC to consider possible measures to assist people who are worse off after making a claim to Universal Credit.

To ensure people are fully informed, a message was added to the Universal Credit telephony call plan advising those on Tax Credits to visit [www.gov.uk/working-tax-credit/further-information](http://www.gov.uk/working-tax-credit/further-information) before making a claim to Universal Credit as they may be better off remaining on Tax Credits. This message has also been added to NIDirect and communicated via the Department's social media accounts. This message will continue to be highlighted to ensure people are fully informed before making any claim to Universal Credit.

In the New Decade, New Approach Deal, the Executive committed to a review of the welfare mitigation measures. This review has been delayed by the current public health crisis but details will be announced once agreed by the Executive. You will appreciate that any new mitigation measures would require legislation or changes to the existing legislation. The costs of any new mitigations would have to be funded locally and agreed by the Assembly.

The Department continues to review the situation to ensure that services and support are available to those in need.

**Mr Robinson** asked the Minister for Communities whether there are any plans to address the waiting list for housing in the Limavady area by building new homes.

**(AQW 4457/17-22)**

**Ms Hargey:** The principal means of meeting social housing need will continue to be through the re-let of existing social housing accommodation. Where this is insufficient to meet housing need, then the construction or acquisition of further (new) social housing will be required.

There were 14 social housing units completed in 2019/20 within the Limavady area. The details of these units are included in Table 1 below.

No social housing units have completed to-date in 2020/21, however three units are under construction. The details of these are included in Table 2 below.

There are 37 social housing units programmed to start through the Social Housing Development Programme (SHDP) 2020/21 – 2022/23. The detail of these units are included in Table 3 below.

**Table 1: Limavady District Council social housing completions 2019/20 (14 units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year
Triangle	26 Drummond Manor	Aghanloo	Existing Satisfactory Purchase	1	2016/17	2019/20
Triangle	38 Drummond Manor	Aghanloo	Existing Satisfactory Purchase	1	2016/17	2019/20
Triangle	26 College Court	Greystone (Limavady)	Existing Satisfactory Purchase	1	2016/17	2019/20
Triangle	1-5 Castlecroft Drive, Main Street	Feeny	Off The Shelf	5	2019/20	2019/20
Triangle	Castlecroft Drive, Phase 2	Feeny	Off The Shelf	6	2019/20	2019/20

**Table 2: Limavady District Council social housing units under construction (3 units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Rural	Site Adjacent to 299 Foreglen Road	Foreglen	New Build	3	2019/20	2020/21

**Table 3: Limavady District Council social housing units programmed to start 2020/21 – 2022/23 (37 units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Apex Housing	Hass Road, Phase 3 (T)	Dungiven	New Build	18	2020/21	2021/22
Apex Housing	Hass Road, Phase 3 (T)	Dungiven	New Build	4	2020/21	2021/22
Triangle	Main Street	Limavady	New Build	15	2021/22	2022/23

Programmed schemes can be lost or slip to future programme years for a variety of reasons, for example, relating to delays in acquiring sites and/or failure to secure Planning Permission. Additional schemes can also be added to the SHDP in-year through the purchase of Existing Satisfactory / Off-the-shelf properties.

**Mr McCrossan** asked the Minister for Communities to outline (i) whether civil servants in her Department that are vulnerable to the COVID-19 virus will be able to work from home; and (ii) the length of time they will be able to work from home. (AQW 4503/17-22)

- I. Ms Hargey: My Department is committed to ensuring the wellbeing of all staff, including those who are vulnerable to COVID-19. Efforts are ongoing to facilitate working from home for as many staff as possible, including those staff who are required to "shield". Where this has not been possible, special leave may be granted in accordance with NICSHR guidance.
- II. Those staff who are required to follow advice on shielding will continue to be supported to work from home until they are no longer required to shield, or the guidance on shielding has changed.

**Mr McGrath** asked the Minister for Communities to outline how benefit fraud cases are identified, actioned and concluded. (AQW 4508/17-22)

**Ms Hargey:** Benefit fraud is identified from a number of sources, including calls to a dedicated fraud hotline, referrals from staff and internal and external data matches.

Allegations of benefit fraud are actioned by analysing the information gathered to identify discrepancies in reported circumstances and where appropriate an interview under caution will be carried out.

Arising from a fraud investigation there are a number of potential outcomes. No further action will be taken in those cases where no misrepresentation of circumstances has occurred. Cases of benefit fraud may be referred for consideration of

prosecution through the courts and may include recovery of the proceeds of crime. In some cases as an alternative to prosecution an Administrative Penalty may be appropriate depending on the amount of the benefit overpayment.

**Miss Woods** asked the Minister for Communities whether she will amend the Licensing of Pavement Cafés Act (Northern Ireland) 2014 to (i) satisfy local councils that pavement café licences do not require planning permission as part of the issuing process; (ii) allow the use of sole or multiple traders to facilitate the provision of hospitality in areas near existing premises; and to detail how her Department plans work with local councils on this issue.

**(AQW 4530/17-22)**

**Ms Hargey:** Under the Licensing of Pavement Cafés Act (NI) 2014, it is the responsibility of each district council to design a pavement café licensing regime appropriate to their area and the Act contains a significant degree of flexibility for councils to respond to local circumstances.

A pavement café licence authorises a person who carries on a business involving the supply of food or drink to place furniture on a public area for use by customers. Furniture placed there is required to be temporary in nature and must be capable of being removed within 20 minutes.

As they have responsibility for planning issues, it is matter for councils to determine whether an application for a particular pavement café licence will require planning permission.

Furthermore, I have written to councils with an update on work ongoing in the Department for Communities to support towns and cities in this recovery. Measures being explored include; consideration of how programmes such as the Department's Revitalisation scheme can be targeted in a way that supports town and city centres as they recover from the impact of Covid-19 and offering the use of Departmental owned assets and public spaces where this will be helpful to businesses. I am also providing £300,000 to Business Improvement Districts so that they can continue to play a key role in bringing local businesses and other stakeholders together to help regenerate their areas and to improve their local trading environment.

**Mr O'Toole** asked the Minister for Communities to detail, since the beginning of 2020, the number of social housing units (i) approved by her Department but on which construction has not yet commenced; (ii) on which construction has commenced but has not yet been completed; (iii) on which construction has been completed but the units have not yet been handed over to the relevant housing association; (iv) handed over to housing associations by contractors; and (v) allocated to new tenants by housing associations, in the (a) Belfast East; (b) Belfast North; (c) Belfast South; and (d) Belfast West constituencies.

**(AQW 4535/17-22)**

**Ms Hargey:**

#### **Belfast East**

Within the Belfast East Parliamentary Constituency there have been 2 social housing units approved since the beginning of 2020. Construction has yet to commence. Details of these units are included in Table 1 below.

There are currently 154 social housing units under construction. The detail of these units are included in Table 2 below.

There have been 28 social housing completions since the beginning of 2020. In this context, "completion" means that work on the dwelling is complete and that these 28 units have been handed over to a housing association (following receipt of a Completion Certificate from a contractor). The housing associations have confirmed that all 28 social housing units have been allocated to new tenant(s). The detail of these units are included in Table 3 below.

#### **Belfast North**

Within the Belfast North Parliamentary Constituency there have been 134 social housing units approved since beginning of 2020, but construction has yet to commence. The detail of these units are included in Table 1 below.

There are currently 257 social housing units under construction. Details of these units are included in Table 2 below.

There have been 72 social housing completions, since the beginning of 2020. In this context, "completion" has the same meaning as given above.

The housing associations have confirmed that 41 of the 72 units have been allocated to new tenant(s). The status of the remaining 31 units is not available as we have not as yet received this information. Details of these units are included in Table 3 below.

#### **Belfast South**

Within the Belfast South Parliamentary Constituency there have been 48 social housing units approved since beginning of 2020. Construction has yet to commence. Details of these units are included in Table 1 below.

There are currently 93 social housing units under construction. The detail of these units are included in Table 2 below.

There has been 1 social housing completion, since beginning of 2020, to date. In this context, "completion" has the same meaning as given above. The housing association has confirmed that this social housing unit has been allocated to new a tenant. The detail of these units is included in Table 3 below.

**Belfast West**

Within the Belfast West Parliamentary Constituency there have been 567 social housing units approved since beginning of 2020, but construction has yet to commence. The detail of these units are included in Table 1 below.

There are currently 571 social housing units under construction. The detail of these units are included in Table 2 below.

There have been 29 social housing completions, since the beginning of 2020 to date. In this context, "completion" has the same meaning as given above.

The housing associations have confirmed that 6 of the 29 units have been allocated to new tenant(s). The status of the remaining 23 units is not available as we have not as yet received this information. Details of these units are included in Table 3 below.

**Table 1: Social housing units approved since 1st January 2020, but construction not commenced (751 units)**

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Belfast East	Connswater	2 Knocknagoney Avenue	Belfast	Existing Satisfactory Purchase	1	2020/21	2021/22
Belfast East	Connswater	2A Knocknagoney Avenue	Belfast	Off The Shelf	1	2020/21	2021/22
Belfast North	Apex Housing	Newtownabbey High School *	Newtownabbey	New Build	46	2021/22	2023/24
Belfast North	Apex Housing	Newtownabbey High School *	Newtownabbey	New Build	22	2021/22	2023/24
Belfast North	Apex Housing	Newtownabbey High School *	Newtownabbey	New Build	12	2021/22	2023/24
Belfast North	Choice	Cairnmartin, Phase 2 (T)	Belfast	New Build	16	2020/21	2021/22
Belfast North	Choice	Cairnmartin, Phase 2 (T)	Belfast	New Build	10	2020/21	2021/22
Belfast North	Choice	10B Oldpark Terrace	Belfast	New Build	16	2020/21	2021/22
Belfast North	Clanmil	Glenbryn, Phase 3 (Surplus DFC Site)	Belfast	New Build	11	2020/21	2021/22
Belfast North	Clanmil	Glenbryn, Phase 3 (Surplus DFC Site)	Belfast	New Build	1	2020/21	2021/22
Belfast South	Ark	454-458 Donegall Road	Belfast	Off The Shelf	10	2020/21	2020/21
Belfast South	Choice	163 Ormeau Road, Phase 2	Belfast	Design & Build	13	2020/21	2021/22
Belfast South	Choice	163 Ormeau Road, Phase 2	Belfast	Design & Build	2	2020/21	2021/22
Belfast South	Choice	Lisburn Road / Ashley Avenue	Belfast	Design & Build	21	2020/21	2021/22
Belfast South	Choice	Lisburn Road / Ashley Avenue	Belfast	Design & Build	2	2020/21	2021/22
Belfast West	Apex Housing	Glenmona **	Belfast	New Build	442	2020/21	2024/25
Belfast West	Apex Housing	Glenmona **	Belfast	New Build	40	2020/21	2024/25

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Belfast West	Apex Housing	Glenmona **	Belfast	New Build	38	2020/21	2024/25
Belfast West	Choice	Moyard Playpark (T)	Belfast	New Build	14	2020/21	2021/22
Belfast West	North Belfast HA	35 Colinbrook Crescent	Belfast	Rehabilitation	1	2020/21	2021/22
Belfast West	Radius	Gardenmore Road/ Summerhill Road (T)	Twinbrook	New Build	13	2020/21	2021/22
Belfast West	Radius	Gardenmore Road/ Summerhill Road (T)	Twinbrook	New Build	1	2020/21	2021/22
Belfast West	Radius	Hopewell Street (T)	Belfast	New Build	16	2020/21	2021/22
Belfast West	Radius	Hopewell Street (T)	Belfast	New Build	2	2020/21	2021/22

\* Newtownabbey High School (Apex Housing) proposal was approved by the Department in March 2020 as an Advance Land Purchase; scheme is programmed to commence construction of units in 2021/22 Programme Year.

\*\* Glenmona (Apex Housing) proposal has the potential for construction to start by 31st March 2021

**Table 2: Social housing units under construction (1,075 units)**

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Belfast East	Alpha	123 Barnetts Road	Belfast	Design & Build	14	2019/20	2020/21
Belfast East	Ark	5 Hornby Crescent	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21
Belfast East	Choice	Ballybeen Square Phase 2 (T)	Belfast	New Build	26	2018/19	2020/21
Belfast East	Choice	Ballybeen Square Phase 2 (T)	Belfast	New Build	2	2018/19	2020/21
Belfast East	Choice	179, 181, 187, 197, 199-203 Beersbridge Road	Belfast	Design & Build	18	2018/19	2020/21
Belfast East	Choice	71 Inverary Avenue	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21
Belfast East	Clanmil	5-7 Connsbrook Avenue	Belfast	Design & Build	21	2017/18	2020/21
Belfast East	Connswater	Lands adjacent to 91 Gilnahirk Road	Belfast	Design & Build	6	2019/20	2021/22
Belfast East	Connswater	15 Connswater Grove	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21



Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Belfast East	Radius	288 Beersbridge Road	Belfast	New Build	2	2018/19	2020/21
Belfast East	Radius	288 Beersbridge Road	Belfast	New Build	20	2018/19	2020/21
Belfast East	St Matthews	50 Harper Street	Belfast	Rehabilitation	1	2018/19	2020/21
Belfast East	St Matthews	22 Beechfield Street	Belfast	Rehabilitation	1	2019/20	2020/21
Belfast East	St Matthews	71 Beechfield Street	Belfast	Rehabilitation	1	2019/20	2020/21
Belfast East	South Ulster	Redcar Street	Belfast	Design & Build	12	2018/19	2020/21
Belfast East	Triangle	98 Hollywood Road (formerly East Belfast Competitive Design & Build)	Belfast	Design & Build	25	2018/19	2020/21
Belfast East	Triangle	98 Hollywood Road (formerly East Belfast Competitive Design & Build)	Belfast	Design & Build	2	2018/19	2020/21
Belfast North	Apex Housing	Rathmullan Drive (T)	Rathcoole	New Build	24	2017/18	2020/21
Belfast North	Choice	Mountainhill Road, Ligoniel	Belfast	New Build	8	2018/19	2020/21
Belfast North	Choice	Stanhope Street Phase 3 (T)	Belfast	New Build	10	2018/19	2020/21
Belfast North	Clanmil	Former Tesco Site, Carnmoney Road	Glengormley	New Build	28	2017/18	2020/21
Belfast North	Clanmil	Former Tesco Site, Carnmoney Road	Glengormley	New Build	20	2017/18	2020/21
Belfast North	Clanmil	Apartments 1 & 2, 9 Eia Street	Belfast	Rehabilitation	2	2017/18	2020/21
Belfast North	Clanmil	Apartments 1-8, 434 Antrim Road	Belfast	Rehabilitation	7	2017/18	2020/21
Belfast North	Clanmil	19 Jamaica Road	Belfast	Rehabilitation	1	2017/18	2020/21
Belfast North	Clanmil	58 Newington Avenue	Belfast	Rehabilitation	1	2017/18	2020/21
Belfast North	Clanmil	44 Newington Avenue	Belfast	Rehabilitation	1	2017/18	2020/21
Belfast North	Clanmil	12 Newington Street	Belfast	Rehabilitation	1	2017/18	2020/21
Belfast North	Clanmil	15 Pineview Gardens	Belfast	Rehabilitation	1	2017/18	2020/21
Belfast North	Clanmil	239 Alliance Avenue	Belfast	Rehabilitation	1	2017/18	2020/21
Belfast North	Clanmil	37 Torrens Avenue	Belfast	Rehabilitation	1	2017/18	2020/21

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Belfast North	Clanmil	St Gemma's High School Site	Belfast	Design & Build	50	2019/20	2021/22
Belfast North	Clanmil	St Gemma's High School Site	Belfast	Design & Build	3	2019/20	2021/22
Belfast North	Clanmil	Brookfield Mill	Belfast	Design & Build	77	2019/20	2021/22
Belfast North	Clanmil	430 Antrim Road	Belfast	Rehabilitation	6	2018/19	2020/21
Belfast North	Connswater	22 Braden Heights	Newtown-abbey	Existing Satisfactory Purchase	1	2019/20	2020/21
Belfast North	Connswater	19 Dunloy Gardens	Newtown-abbey	Existing Satisfactory Purchase	1	2019/20	2020/21
Belfast North	Newington (Apex Housing)	48 Brucevale Park	Belfast	Rehabilitation	1	2019/20	2020/21
Belfast North	Newington (Apex Housing)	40 Clifton Crescent	Belfast	Rehabilitation	1	2019/20	2020/21
Belfast North	Newington (Apex Housing)	2A Victoria Parade	Belfast	Rehabilitation	1	2019/20	2020/21
Belfast North	North Belfast HA	1 Hopefield Avenue	Belfast	New Build	9	2018/19	2020/21
Belfast North	North Belfast HA	28 Ardilea Court	Belfast	Rehabilitation	1	2019/20	2020/21
Belfast South	Choice	PSNI Site, 277 Woodstock Road (Surplus Public Site)	Belfast	New Build	17	2018/19	2020/21
Belfast South	Choice	PSNI Site, 277 Woodstock Road (Surplus Public Site)	Belfast	New Build	2	2018/19	2020/21
Belfast South	Choice	163 Ormeau Road (H & J Martin site)	Belfast	Design & Build	39	2018/19	2020/21
Belfast South	Choice	163 Ormeau Road (H & J Martin site)	Belfast	Design & Build	3	2018/19	2020/21
Belfast South	Choice	Killynure Phase 2 (T)	Carryduff	New Build	16	2018/19	2020/21
Belfast South	Choice	Killynure Phase 2 (T)	Carryduff	New Build	6	2018/19	2020/21
Belfast South	Choice	Killynure Phase 2 (T)	Carryduff	New Build	2	2018/19	2020/21
Belfast South	Choice	Apts 1,2,3; 155 Ormeau Road	Belfast	Existing Satisfactory Purchase	3	2019/20	2020/21
Belfast South	Clanmil	136 University Street	Belfast	Rehabilitation	2	2018/19	2020/21

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Belfast South	Clanmil	62 University Street	Belfast	Rehabilitation	3	2018/19	2020/21
Belfast West	Apex Housing	Areema Drive (T)	Dunmurry	New Build	16	2019/20	2021/22
Belfast West	Apex Housing	Areema Drive (T)	Dunmurry	New Build	4	2019/20	2021/22
Belfast West	Apex Housing	Areema Drive (T)	Dunmurry	New Build	2	2019/20	2021/22
Belfast West	Ark	22 Mount Eagles Square	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21
Belfast West	Choice	Belvedere, Upper Dunmurry Lane	Belfast	New Build	43	2018/19	2021/22
Belfast West	Choice	Belvedere, Upper Dunmurry Lane	Belfast	New Build	8	2018/19	2021/22
Belfast West	Choice	Belvedere, Upper Dunmurry Lane	Belfast	New Build	2	2018/19	2021/22
Belfast West	Choice	Gardenmore Road (Former St Mark's PS)	Belfast	Design & Build	48	2018/19	2020/21
Belfast West	Choice	Altigarron Court	Belfast	New Build	14	2018/19	2020/21
Belfast West	Choice	Kilwee, Upper Dunmurry Lane	Belfast	New Build	73	2019/20	2021/22
Belfast West	Choice	Kilwee, Upper Dunmurry Lane	Belfast	New Build	12	2019/20	2021/22
Belfast West	Choice	Kilwee, Upper Dunmurry Lane	Belfast	New Build	5	2019/20	2021/22
Belfast West	Clanmil	Apt 10 Springfield Mill	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21
Belfast West	North Belfast HA	119a Forthriver Road	Belfast	New Build	6	2018/19	2020/21
Belfast West	North Belfast HA	119 Forthriver Road	Belfast	New Build	18	2017/18	2020/21
Belfast West	North Belfast HA	13 Gortnamona Heights	Belfast	Rehabilitation	1	2019/20	2020/21
Belfast West	Oaklee/Trinity	Hannahstown Phase 1A	Belfast	New Build	89	2014/15	2021/22
Belfast West	Oaklee/Trinity	Hannahstown Phase 1A	Belfast	New Build	3	2014/15	2021/22
Belfast West	Radius	Visteon, Blacks Road	Belfast	New Build	186	2017/18	2021/22
Belfast West	Radius	Visteon, Blacks Road	Belfast	New Build	10	2017/18	2021/22

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Belfast West	Radius	Lands north of 159 Mount Eagles Avenue, Belfast (Lagmore Avenue)	Belfast	Design & Build	29	2019/20	2020/21

**Table 3: Social housing unit completions since 1st January 2020 (130 units)**

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year	Status
Belfast East	Choice	136-152; 183-191; 211-217 Beersbridge Road	Belfast	New Build	18	2017/18	2019/20	Allocated to New Tenants
Belfast East	Choice	136-152; 183-191; 211-217 Beersbridge Road	Belfast	New Build	1	2017/18	2019/20	Allocated to New Tenants
Belfast East	Connswater	3 Connswater Mews	Belfast	Existing Satisfactory Purchase	1	2019/20	2019/20	Allocated to New Tenants
Belfast East	Choice	55 Belle Bashford Court	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21	Allocated to New Tenants
Belfast East	Radius	Leaseholds, Phase 7 (Abbey Court)	Belfast	Existing Satisfactory Purchase	7	2019/20	2019/20	Allocated to New Tenants
Belfast North	Clanmil	35 Etna Drive	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	45 Etna Drive	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	51 Eskdale Gardens	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	45 Stratford Gardens	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	28 Northwick Drive	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	111 Farringdon Gardens	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	373 Oldpark Road	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	118 Brompton Park	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	162 Brompton Park	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	187 Brompton Park	Belfast	Rehabilitation	1	2017/18	2019/20	*
Belfast North	Clanmil	Jamaica Inn, Jamaica Road	Belfast	New Build	20	2017/18	2019/20	*
Belfast North	Clanmil	Jamaica Inn, Jamaica Road	Belfast	New Build	1	2017/18	2019/20	*

Parliamentary Constituency	Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year	Status
Belfast North	Apex Housing	Hogarth Street, Tigers Bay (T)	Belfast	New Build	20	2017/18	2020/21	Allocated to New Tenants
Belfast North	Apex Housing	Grays Lane, 792 Shore Road (T)	Belfast	New Build	5	2018/19	2020/21	Allocated to New Tenants
Belfast North	Ark	Glebecoole Park	Newtown-abbey	New Build	4	2018/19	2020/21	Allocated to New Tenants
Belfast North	Connswater	142 East Way	Newtown-abbey	Existing Satisfactory Purchase	1	2019/20	2019/20	Allocated to New Tenants
Belfast North	Ark	539 Antrim Road	Belfast	Off The Shelf	5	2019/20	2019/20	Allocated to New Tenants
Belfast North	Ark	255 Ligoniel Road	Belfast	Existing Satisfactory Purchase	6	2019/20	2019/20	Allocated to New Tenants
Belfast South	Radius	4 Cairnshill Court	Belfast	Existing Satisfactory Purchase	1	2019/20	2019/20	Allocated to New Tenants
Belfast West	Clanmil	Durham Street (Blood Transfusion Service Surplus Site)	Belfast	New Build	10	2015/16	2019/20	*
Belfast West	Clanmil	Durham Street (Blood Transfusion Service Surplus Site)	Belfast	New Build	12	2015/16	2019/20	*
Belfast West	Clanmil	Durham Street (Blood Transfusion Service Surplus Site)	Belfast	New Build	1	2015/16	2019/20	*
Belfast West	South Ulster	Gibson Street	Belfast	Design & Build	4	2018/19	2019/20	Allocated to New Tenants
Belfast West	South Ulster	Gibson Street	Belfast	Design & Build	1	2018/19	2019/20	Allocated to New Tenants
Belfast West	Choice	37 White Glen	Belfast	Existing Satisfactory Purchase	1	2019/20	2019/20	Allocated to New Tenants

\* NIHE is still awaiting response from Clanmil Housing Association in relation to status of these completed social housing units. However, as Clanmil notified NIHE of their completion in January 2020, we would assume that these units are now allocated to new tenants.

Programmed schemes can be lost or slip to future programme years for a variety of reasons, for example, relating to delays in acquiring sites and/or failure to secure Planning Permission. Additional schemes can also be added to the SHDP in-year through the purchase of Existing Satisfactory / Off-the-shelf properties.

**Ms Armstrong** asked the Minister for Communities what actions she will take, and has taken, to ensure that Libraries NI builds upon its equality scheme by proactively including books and online resources promoting equality and equity for marginalised groups that are in urgent need of representation, such as black and minority ethnic communities, by specifically stocking resources on racism, colonialism and slavery.

**(AQW 4552/17-22)**

**Ms Hargey:** I will continue to encourage Libraries NI to build on their ongoing work promoting inclusion, particularly with reference to supporting equality and equity for all marginalised groups.

Libraries NI's vision is 'a visible, accessible and inclusive library service at the heart of communities, enhancing lives and valued by all'. Libraries NI's stock policy outlines that Libraries NI will provide access to a wide range of quality resources to meet the needs of the entire community.

The provision of, and access to, stock in a wide range of formats supports Libraries NI in promoting lifelong learning and creativity and fostering a better understanding of a shared community. In doing so it assists with both fostering a more equal society and developing a shared society that respects diversity.

Libraries NI stock collection contains over 1,900 non-fiction titles on Civil Rights, Racism, Slavery and Discrimination. The titles include books for children, items in the curriculum support collections aimed at secondary school children, official publications, academic studies and general histories. In addition, there are many fiction titles that address issues of representation. Such titles are used in themed collections to support national promotions e.g. Black History Month, Holocaust Memorial Day as well as Libraries NI initiatives.

Libraries NI collections hold titles by established and contemporary authors which look at the themes of race, diversity, colonialism and immigration. These works (along with other titles) are featured across the year both in branch promotions and online collections. An example of these promotions is the BBC campaign "The novels that shaped our world" in which 100 novels were divided into ten themes, one of which was identity. As part of this promotion, Libraries NI, featured these books in branches, online and with selected reading groups and via a podcast.

Libraries NI staff attend information and networking forums and work collaboratively with other voluntary, community and statutory organisations. Specifically, the Good Relations and Targeting Social Exclusion Team within Libraries NI work closely with the following organisations:

- Community Relations Council – Good Relations Week and Decade of Centenaries
- Belfast Migrant Forum, Barnardo's and the Red Cross
- Beyond Skin and Bryson Intercultural to provide multicultural information and musical events including Culture Day
- English Speakers of Other Languages (ESOL) Groups including Adult and Children's groups in Woodstock Library
- Conway Education Centre to provide creative writing groups for teenagers and younger children from refugee communities

Libraries NI is committed to marketing its services effectively and efficiently to ensure widespread uptake and the Libraries NI Equality Action Plan (Jan 2019) includes the target 'to develop, deliver, facilitate and support programmes and activities which respect and celebrate cultural diversity and contribute to community cohesion including the provision of, and access to, material on the theme of cultural diversity and/or community cohesion'.

**Mr McGlone** asked the Minister for Communities how many claimants are subject to the benefit cap and cannot avail of an Administrative Welfare Supplementary Payment.

**(AQW 4608/17-22)**

**Ms Hargey:** The most recent statistics on the impact of the Benefit Cap were published in February 2020. At this time a total of 507 households were subject to the Benefit Cap and were not in receipt of a Welfare Supplementary Payment.

**Mr Newton** asked the Minister for Communities to detail the current number of job vacancy registrations at each jobs and benefits office; and the number of jobs available.

**(AQW 4620/17-22)**

**Ms Hargey:** My Department publishes statistical information on vacancies via a Statistical Factsheet on a quarterly basis. I have attached a link to the most recent publication, which highlights all employment vacancies notified to the Department for Communities, for Quarter three of the 2019/20 Financial Year. This publication provides vacancy information for each of the Jobs and Benefits Offices across the province for that period.

<https://www.communities-ni.gov.uk/system/files/publications/communities/dfc-employment-vacancies-factsheet-jan20.pdf>

The publication of statistics has been delayed due to the pandemic and NISRA will publish further official statistics on 29th July 2020, detailing employment vacancies by JC/JBO and a link is provided below, which is the principal source of official statistics analysis for employment vacancies.

<https://www.communities-ni.gov.uk/topics/statistics-and-research/labour-market-information>

However, in the interim I can advise that Management Information for May 2020 shows that a total of 1071 vacancies, offering 3242 positions, were notified to DfC and placed on the Jobcentre Online (JCOL) employment vacancy portal.

**Mr Carroll** asked the Minister for Communities whether she has considered extending and strengthening welfare mitigations to include people impacted by the two-child tax credit limit.

**(AQW 4634/17-22)**

**Ms Hargey:** As Minister for Communities one of my priorities is to complete a review of welfare mitigation measures as committed to in the New Decade, New Approach deal. The purpose of this review will be to identify and make recommendations on the provision of future welfare mitigations and I would expect that consideration will be given to the impact of the “two child policy” on social security benefits and tax credits.

I have instructed officials to develop proposals for the format of the review and I will make an announcement on this in due course after consultation with Executive colleagues and the Committee for Communities.

**Miss Woods** asked the Minister for Communities what specific assistance (i) has been given; or (ii) is available to people affected by the COVID-19 pandemic who have no recourse to public funds.

**(AQW 4660/17-22)**

**Ms Hargey:**

#### **Accommodation Support**

My Department and public health officials worked with the Department of Health (DoH) on the issue of accommodation support for homeless people with no recourse to public funds.

Advice obtained from the DoH is that it had sufficient powers to enable the provision of accommodation and other services to individuals with no recourse and as the statutory body with responsibility for provision of housing, the Housing Executive was best placed to commission the necessary accommodation arrangements.

A Memorandum Of Understanding was drawn up and agreed between my Department, DoH and the Housing Executive to facilitate necessary arrangements to support those homeless individuals who have no recourse to public funds for the duration of the current Covid-19 emergency.

#### **Food Supply**

My Department lead on a delivery model based on cross-sectoral partnerships (public, private and Voluntary & Community sector) and leadership at local level through Councils. A food supply and distribution infrastructure was established. Food leads were identified in each council area and had a key coordination and oversight role. Alongside the delivery of food boxes within a regional supply contract, there is a broader food response delivered by Councils and the Department’s community and voluntary sector partners. This included funding from the Departments COVID-19 contingency fund, which included a criteria on food need. Support here included additional delivery of food to homes, work with food banks, and volunteer supported shopping. The client group included those who are shielding, as well as those who were and continue to be vulnerable during or due to the current emergency.

My Department also worked with Belfast City Council, Mears Housing, Storehouse and South Belfast Round Table to supply 136 food boxes per week for distribution to asylum seekers.

**Mr Allister** asked the Minister for Communities when the North/South Language Body last laid accounts before the Northern Ireland Assembly and submitted a statement of accounts to the Comptroller and Auditor General for Northern Ireland, as required under law.

**(AQW 4699/17-22)**

**Ms Hargey:** The North/South Language Body last laid accounts before the Assembly on 24th Apr 2020.

Each Agency of the North/South Language Body submits their statement of accounts to the Comptroller and Auditor General independently. Foras na Gaeilge last submitted a statement of accounts to the Comptroller and Auditor General on 31st March 2020 whilst the Ulster-Scots Agency last submitted accounts on 12th March 2020.

**Mr M Bradley** asked the Minister for Communities whether she will relax the Licensing of Pavement Cafés Act (Northern Ireland) 2014 to enable more businesses serving food to open safely in town centres.

**(AQW 4703/17-22)**

**Ms Hargey:** Under the Licensing of Pavement Cafés Act (NI) 2014, it is the responsibility of each district council to design a pavement café licensing regime appropriate to their area. The Act contains a significant degree of flexibility to enable councils to respond to local circumstances.

The operation of pavement cafés can provide significant commercial opportunities for local businesses however, in granting a pavement café licence, district councils must ensure that the needs of pedestrians and other street users are not detrimentally affected.

**Mr Carroll** asked the Minister for Communities to detail the cost of Aramark cleaning contracts that have been over and above normal contract costs, for deep cleaning offices as a result of positive or suspected COVID-19 cases within her Department.

**(AQW 4720/17-22)**

**Ms Hargey:** Since the beginning of the COVID-19 emergency in March, my Department has spent c £277k on cleaning over and above the normal fixed contract cost. Additional cleans are undertaken in line with PHA Guidance COVID-19: Cleaning in non-health care settings.

My Department is committed to and will continue to provide additional cleaning within offices for as long as they are necessary to ensure the safety of my staff.

**Mr Durkan** asked the Minister for Communities, in relation to the additional £20.3 million awarded to local councils, (i) on what basis was this money awarded to councils; and (ii) how projected loss of income figures were audited.

**(AQW 4734/17-22)**

**Ms Hargey:**

- (i) My Department carried out an analysis of the figures provided by each council to reflect their projected total financial loss and COVID-19 costs that would be incurred during the period from mid-March to June 2020.

These figures were reviewed against the equivalent income for the corresponding period for 2019 and confirmed by Senior Council Officers.

This provided a basis for redistribution that was consistent with the original bid for support that was approved by the Executive in that it looks to assist councils with income lost and additional costs incurred as a result of COVID-19.

- (ii) The Department carried out a due diligence exercise on the figures provided by each council (which reflected their projected total financial loss that would be incurred during the period from mid-March to June 2020). The figures provided by the councils were also reviewed against the equivalent income for the corresponding period for 2019.

**Mr Durkan** asked the Minister for Communities what work her Department is carrying out, in conjunction with local councils, to streamline the pavement cafes legislation process to help businesses adapt to meet the challenges of social distancing and public health requirements.

**(AQW 4735/17-22)**

**Ms Hargey:** Under the Licensing of Pavement Cafés Act (NI) 2014, it is the responsibility of each district council to design a pavement café licensing regime appropriate to their area; the Act contains a significant degree of flexibility for councils to respond to local circumstances.

My officials have been looking at what action can be taken, specifically around the use of outdoor spaces, to support the economic recovery of the hospitality industry. They have discussed this issue with local government colleagues and the industry and are available to provide further support should this be needed.

**Mr Newton** asked the Minister for Communities to detail the number of people registered as homeless in the Belfast East constituency (i) in 2018/19; (ii) in 2019/20; and (iii) currently and awarded Full Duty Applicant status.

**(AQW 4747/17-22)**

**Ms Hargey:** The information in the table below, provided by the Housing Executive, details the number of applicants, the number of applicants in housing stress and the number of applicants awarded Full Duty Applicant (FDA) status for the years ending March 2019 and March 2020 for the Belfast East and Belfast East and South constituencies.

Parliamentary Constituency	Applicants at March 2019	Applicants in Housing Stress March 2019	FDA at March 2019
Belfast East	1886	1262	865
Belfast East and South (Cross Boundary)	398	274	182
Parliamentary Constituency	Applicants at March 2020	Applicants in Housing Stress March 2020	FDA at March 2020
Belfast East	1890	1288	919
Belfast East and South (Cross Boundary)	377	266	185

**Note:** The figures above that apply to the Belfast East and South Parliamentary Constituency, Boundaries cannot be disaggregated exclusively for Belfast East Parliamentary Constituency as some areas will cover both constituencies.

**Mr Givan** asked the Minister for Communities for an update on amended legislation on gambling.

**(AQW 4773/17-22)**



**Ms Hargey:** A consultation on the regulation of gambling here closed on 21 February 2020. The purpose of the consultation was to seek views on the appropriateness of the current law and to identify areas of gambling activity which should be included in any future legislation.

Officials are currently analysing the consultation responses received, I hope to make an announcement on the way forward during the summer.

**Mr Carroll** asked the Minister for Communities to detail when the Sexual Orientation Strategy will be (i) published; and (ii) implemented.

**(AQW 4823/17-22)**

**Ms Ní Chuilín:** I am committed to developing a Sexual Orientation Strategy to address any barriers or inequalities related to Sexual Orientation and to fulfil the commitments in New Decade, New Approach and the Executive's Programme for Government.

I am keen to ensure that the people most affected by the Sexual Orientation Strategy will be able to make a meaningful contribution to its development and delivery, based on the principles and practice of citizen and community engagement.

You are aware of the significant and unprecedented pressures placed on everyone by the COVID-19 pandemic. The primary focus of the Executive and all Departments has been to address and put in place measures to resolve current and emerging issues relating to the pandemic, especially those issues affecting the most vulnerable in our society.

I am monitoring the ongoing COVID-19 situation so that work on the Sexual Orientation Strategy can commence in the near future and be sustained throughout the co-design and co-development process.

Publication of the Sexual Orientation Strategy is therefore dependent on the progress of the COVID-19 situation and the capacity and availability of stakeholders and officials from all Departments to engage in this important work.

Planning for the implementation of the Strategy will be a key element of the co-design and co-development methodology. I am determined that the Strategy will be a cohesive document (not just a collection of separate initiatives) that targets the key issues that need to be addressed.

**Ms Armstrong** asked the Minister for Communities (i) to detail the communication she, and her Department, has had with the Department for Work and Pensions and the Treasury regarding the suspension of the Move to Universal Credit; (ii) when the Move to Universal Credit is expected to happen; and (iii) what plans she has to introduce transitional protections for people moved off legacy benefits before the Move to Universal Credit is introduced.

**(AQW 4833/17-22)**

**Ms Ní Chuilín:**

- (i) I am committed to protecting the vulnerable in our society and so officials in my Department engage regularly and closely with officials in DWP on all aspects of Universal Credit.

On the move to Universal Credit, a DWP pilot started in July 2019, with the aim of testing a number of possible approaches, including the calculation of transitional protection to support people through the next phase, known as Move to UC. I am aware that due to the Coronavirus outbreak and the need to meet the priority of responding to unprecedented demand and getting payment to those who need it as quickly as possible, the Move to UC pilot in Britain has been temporarily suspended.

- (ii) While my Department had work ongoing in planning for a future Move to UC exercise, including monitoring closely the pilot in Britain, people here were not included in the DWP pilot. However, as a result of the pandemic my Department has also faced an unprecedented increase in demand for services with reduced staff capacity. All available resources are being directed to delivering essential frontline services to those who need them, in particular the most vulnerable in our communities. Resumption of non - essential activity including work on planning for the Move to UC phase here, will take place at an appropriate time.

- (iii) The British Government has made a commitment that those people who make a claim to UC during the Move to UC phase will not receive less in Universal Credit at the outset than they would have in the previous legacy benefits - assuming their circumstances remain the same.

However, it is not appropriate to compare those who may move onto UC through Move to UC (with no change of circumstances) and those who move onto UC because of an event that triggers a new benefit claim. Where there is a change of circumstances, different amounts of benefit may be payable. Therefore, there is no 'correct' amount that can be calculated for transitional payments in comparison to what might be payable by way of transitional protection under Move to UC.

There are however additional payments of two weeks of Housing Benefit, known as a "run-on" which are already available to people moving to UC. Remaining people moving to UC under the Move to UC process will be eligible to receive a two-week Transitional Payment, in line with those claimants who migrate to UC because of a change of circumstances.

There will also be a two-week "run on" for people in receipt of income-based Jobseekers Allowance, income-related Employment and Support Allowance or Income Support from 22 July 2020. The amount of these "run-ons" will be fixed according to the amount of the award payable immediately before claiming UC.

My Department is also currently making transitional payments to those who lost the Severe Disability Premium after moving from legacy benefits to UC.

**Mr McCrossan** asked the Minister for Communities to detail the COVID-19 hardship funds available for (i) soccer clubs; and (ii) GAA clubs.

**(AQW 4849/17-22)**

**Ms Ní Chuilín:** To help address immediate financial challenges faced by the sports sector, the Department and Sport NI launched the Sports Hardship Fund with an initial budget of £750k. The demand for that fund was exceptionally high and, in response, Minister Hargey was able to increase the funding pot to £1.245 million.

The Fund, which is currently suspended, was open to all sports Governing Bodies, clubs or sporting organisations, including soccer and GAA clubs that owned or leased sports facilities. To date, 69 Soccer clubs and 87 GAA clubs have received the £2000 grant.

A weekly update on the Sports Hardship Fund along with other potential sources of COVID-19 related funding and support can be found on the Sport NI website at <http://www.sportni.net/funding-and-support/>.

In terms of other COVID-19 hardship funds which were available, Minister Hargey made the case for sports clubs to be included in the eligibility criteria for the Department for Economy's (DfE) Hospitality, Retail, Leisure and Tourism scheme which has resulted in larger GAA and soccer clubs and other larger sporting organisations, with business elements, receiving a grant of £25k. That scheme closed on 20 May.

**Mrs D Kelly** asked the Minister for Communities when the Housing Executive will be able to recommence housing improvement schemes.

**(AQW 4853/17-22)**

**Ms Ní Chuilín:** The Housing Executive have advised that as yet they cannot give an actual date as to the recommencement of non-essential planned maintenance schemes inside occupied properties. They are constantly monitoring the latest PHA advice and updates from the Executive and when it is safe to do so these work streams will recommence.

From the 8th June the Housing Executive resumed a number of work streams that focused on the external fabric of the property, or where the property is vacant. This included external response and heating maintenance repairs, works to vacant void properties and minor external adaptations for the disabled. From the 18th June they also recommenced their external cyclical maintenance programme and major adaptations to properties where they are vacant.

**Mrs D Kelly** asked the Minister for Communities to provide (i) an indicative timeframe for the reopening of community and voluntary sector services; and (ii) guidance for the community and voluntary sector on safe opening practise as lockdown restrictions are eased.

**(AQW 5003/17-22)**

**Ms Ní Chuilín:**

- (i) You will be aware of the current restrictions that remain in place and it will be for the Executive to provide an indicative timescale for when these can be eased.
- (ii) The NI Council for Voluntary Action (NICVA), as a DfC/DAERA jointly funded organisation, is supporting the Voluntary and Community Sector through the COVID-19 pandemic. NICVA has re-focused its activity and is providing advice to the Voluntary and Community Sector on complying with governance, infection control and wellbeing, including clothing and equipment. This advice and guidance is supporting organisations to take appropriate measures to help prevent the spread of infection and protect service users, volunteers and employees.

My department is working with NICVA and other regional and grassroots community and voluntary organisations to identify the range of issues which need to be addressed and the support which will be needed as part of a shared plan for recovery and renewal for the sector.

This work is being progressed in consultation with an Emergencies Leadership Group, established by my predecessor Minister Hargey, to co-ordinate a joint Government/3rd sector response to the Covid-19 crisis.

## Department of Education

**Mr Carroll** asked the Minister of Education whether he has considered allocating additional funding to extend payments to families who have been assessed as eligible for free school meals, beyond the current deadline of 30 June until all schools fully reopen.

**(AQW 4630/17-22)**

**Mr Weir (The Minister of Education):** The payments in lieu of free school meals was set up to ensure that families would not suffer additional hardship due to school closures as a result of the coronavirus outbreak.

On 16 June I announced that I would bid for an additional £12million from the Executive's Covid-19 fund to provide a summer food scheme for those children who normally receive free school meals during term time as part of a wider paper on summer activities to be considered by the Executive. This included a proposal to extend the Education Authority's 'Eat Well Live Well' programme which has been running for a number of months and is currently providing healthy breakfasts and lunches to over 3,000 vulnerable young people.

On 18 June the Executive agreed to the proposals and, subject to agreement on funding, a scheme will be put in place as soon as possible.

**Ms Mullan** asked the Minister of Education to outline how much money his Department has allocated to the aggregated schools budget for this financial year.

**(AQW 4658/17-22)**

**Mr Weir:** I have allocated £1,334.5m to the Aggregated Schools Budget in this financial year. This includes the funding to mitigate the additional cost of the recently agreed teachers' pay award above the 1% Public Sector Pay policy limit in each of the relevant years.

Further information on the Department's 2020-21 Resource Budget is available on the Departmental website and can be accessed via the link below: <https://www.education-ni.gov.uk/publications/de-budget-2020-21>

**Ms Armstrong** asked the Minister of Education to confirm (i) when his Department will provide information to parents of preschool, key stage 1 and children with special educational needs, outlining social distancing and hygiene requirements in schools; and (ii) what guidance is being provided for teachers and classroom assistants to ensure all are able to meet the needs of children starting or returning to school within the next 10-12 weeks.

**(AQW 4672/17-22)**

**Mr Weir:** My Department has established a Restart Programme to consider a range of issues relating to the safe and effective re-opening of schools. As part of this, strategic guidance has been prepared, through co-design with practitioners, on practical issues linked to a "new school day". This guidance focuses extensively on social distancing and hygiene measures, informed by Public Health Agency advice and has a "day-one" focus. This guidance is available on the DE website and has been shared with Principals.

The New School Day guidelines are only a first step. I expect these strategic guidelines to be supplemented by further guidance on a range of issues, including specific information for supporting children with special education needs (SEN).

As part of the Restart Programme, a Vulnerable Children and SEN Services Project has been established with the primary objective to ensure that services to vulnerable children and young people including those with SEN are re-instated in a safe and effective manner when schools return to operation.

My Department is working to ensure appropriate information is available on the departmental website for a range of stakeholders including school leaders, parents / carers and children and young people.

**Ms Dolan** asked the Minister of Education to outline what she is doing to address the high costs of childcare.

**(AQW 4680/17-22)**

**Mr Weir:** I recognise that childcare costs can place a significant financial burden on families. Through the Executive Ten Year Childcare Strategy, I want to make it easier and more affordable for families to access high quality childcare. The revised Strategy will reflect the context of the current financial support available to parents and more importantly the accessibility of this support – with a clear focus on how we can make it easier for parents to access the benefits they may be entitled to and help offset the cost of childcare.

I will bring forward the Ten Year Executive Childcare Strategy for consideration and approval by Executive colleagues in due course. The Strategy has been updated to reflect the current context for childcare, the analysis of responses to the 2015 consultation, the policy priorities aimed at supporting families reaffirmed in the 'New Decade, New Approach' agreement and developments in early education and care services for families in other jurisdictions. My Department has continued to work closely with colleagues in other jurisdictions throughout the Covid-19 emergency to identify issues facing the sector and the impact on the various childcare offers available. This information will inform any further development of the Executive Strategy.

There are significant policy and resourcing issues to be decided in order to finalise the Strategy, including how we can deliver extended, affordable, responsive and high quality early education and care for families with children aged 3 to 4.

Publication of the Strategy requires the Executive's consideration of the budget and resources available to deliver all the actions, including an extended early education and care offer for 3-4 year olds. In addition to an extended offer for 3-4 year olds, the Strategy has wider aspirations for childcare services for children aged 0-12. Progressing to publication and implementation is predicated on securing the resources required.

Whilst work on developing the Ten Year Childcare Strategy has been ongoing, we have continued to sustain low cost childcare places through the Bright Start School Age Childcare Grant Scheme. Over the period of the Scheme, 91 settings have been supported, including an estimated 2,500 low cost childcare places providing services to disadvantaged families and/or located on the schools estate and/or in rural communities. Between 2014/15 and 2019/20, approximately £7.2million has been invested in the SAC Grant Scheme to sustain and create low cost childcare places. A further £1.1m has been allocated in 2020/21.

**Mr Easton** asked the Minister of Education how much is spent by his Department for (i) Year 1 to Year 7; (ii) Year 8 to Year 12; and (iii) Year 13 to Year 14, broken down per year, per pupil.

**(AQW 4718/17-22)**

**Mr Weir:** The Department does not hold information on spend per year, per pupil.

Such information would require disaggregation of central costs i.e. administration and services, transport, meals etc. In addition, overall expenditure includes grant-aided recurrent funding as well as capital expenditure which, by its nature, is not applied on a per pupil basis.

Every grant-aided school covered by the Common Funding Scheme receives a fully delegated budget for its day-to-day recurrent funding needs, distributed under the current Common Funding Formula arrangements. There are certain elements of this funding which can be broken down per year, per pupil.

The table below shows the funding allocated by the Department through the pupil element of the Age Weighted Pupil Unit and the pupil element of the Premises Factor in the CFF only for: (i) Year 1 to Year 7, (ii) Year 8 to Year 12, and (iii) Year 13 to Year 14, broken down per year, per pupil.

School Year	Funding Per Pupil* £
Years 1 to 7	2,469
Years 8 to 12	3,973
Years 13 and 14	5,106

\* Data source: CFF 2020-21, which excludes funding to mitigate the additional cost of the teachers' pay award above the 1% public pay policy limit.

This excludes pupils attending special units in mainstream schools, as funding is not broken down by year group; special schools, which are not funded through the CFF; and Preparatory Departments

**Mr Lyttle** asked the Minister of Education what plans are in place to facilitate blended learning for children with a statement of special educational needs next term.

**(AQW 4733/17-22)**

**Mr Weir:** As part of the Education Restart Programme, the Department is working closely with the Education Authority (EA) to ensure that learning is delivered to children with a statement of special educational needs whether this be classroom based schooling, home schooling or a blend of both. A key objective of the Restart Programme is to safely re-instate services for vulnerable children and children with SEN including those with statements, most of which are delivered by the EA. Information on how those services will be re-instated will be communicated as soon as possible.

To complement the New School Guidance that was published by the Department on Friday 19 June, we are also developing guidance specific for special schools to ensure that the needs of those children and young people can be safely met, and we are working collaboratively with special school principals and key stakeholders to develop that guidance. Working in partnership, it is hoped the guidance will be published before the end of June.

**Mr Beattie** asked the Minister of Education whether he took the Dickson Plan into consideration when making his decision around the reopening of schools for key age groups.

**(AQW 4791/17-22)**

**Mr Weir:** The guidance on the "New School Day", published on 19th June, explains that priority cohorts of children and young people will return to school on the 24th August. The broad principles outlined in guidance will be similar across all settings. However, it is recognised that Youth, Early Years and Special Education Needs sectors will require separate guidance and this is being developed.

**Mr Beattie** asked the Minister of Education, as part of any phased-opening approach for schools, what measures will be put in place for children of key workers who may only be attending school 2 or 3 days a week.

**(AQW 4792/17-22)**

**Mr Weir:** The strategic objective is to achieve maximum face-to-face teaching time for all pupils at the earliest opportunity. There will be a minimum 40% face to face teaching time within Primary schools and a minimum 50% face to face teaching time within Post-Primary schools.

My Department has not prescribed a full return of all children/young people to all schools, although for some schools this may be possible depending on enrolment numbers, physical classroom sizes and availability of other space that can be used for teaching purposes.

My Department will also be keen to maximise the space available for pupils and therefore will seek to work alongside those in the community who can assist by providing additional community facilities on a voluntary basis, and potentially volunteers, which may assist with supervised learning or classroom provision to expand the number of pupils able to be facilitated on a daily basis.

As schools begin to reopen it will be important to ensure that there is alignment between school restart plans and childcare provision so that the impact on working parents is kept to a minimum. On 18 June, I announced the publication of the Childcare Sector Recovery plan. The plan, agreed by the Executive, aims to restore the childcare sector to pre-Covid-19 capacity levels as quickly as possible. The plan will ensure that more parents can access childcare over the next few months.

Parents, including key workers, can find advice and support on finding a suitable childcare place, and the financial support available, by accessing the Family Support NI website at the link below: <https://www.familysupportni.gov.uk/>

Schools participating in the 2020/21 Extended Schools (ES) programme can choose to offer various forms of wraparound support with the resources made available (£9.1m) including pastoral care, or additional learning and development activities before or after the standard school day. Whilst some elements of ES provision have still been possible during the Covid-19 pandemic, most has not taken place as it usually would.

I have ensured that all extended schools will receive funding in 2020/21 at the same rate as last year to ensure that disadvantaged children and young people and their families continue to be supported at this critical time. Schools have been asked to consider what provision may be appropriate this year to best target those pupils most in need or at the greatest risk of underachievement. The particular support measures put in place will be determined by schools and clusters taking account of the evolving context and latest health guidelines.

**Mr McNulty** asked the Minister of Education whether he will commit to producing a detailed programme of activities for schools, to ensure both physical education and mental health awareness will be key areas when children return to school.

**(AQW 4829/17-22)**

**Mr Weir:** The current physical education (PE) curriculum already provides opportunities for children and young people to develop knowledge, understanding and skills in athletics, dance, games, gymnastics, and swimming. When schools return, it will need to be delivered flexibly which will be dependent on the context and differing needs of each school, ongoing risk assessment and adherence to the current and future Public Health Agency (PHA) advice and guidance.

In the shorter term, schools may need to focus on elements of the PE curriculum that do not involve physical contact or use of equipment, for example, age appropriate individual athletic events, non-contact fundamental movement skills, aerobics, orienteering within school grounds, and health related fitness. This could progress to minimal use of equipment, in clearly defined, physically distanced zoned areas, with small and consistent members of teams/groups/bubbles of children and young people. The approach of schools should include ensuring that children and young people have opportunities to engage in the recommended two hours of quality PE.

The emotional health and wellbeing of children and young people continues to be a high priority for the Department. We do not underestimate the challenges facing children and schools as they endeavour to support them, through their pastoral care and safeguarding protocols, often going above and beyond what is expected of them, and can appreciate they cannot be expected to do this alone.

Before the Covid-19 crisis DE had been working collaboratively with the Department of Health, the PHA, the Health and Social Care Board, the Education Authority and other Government Departments to develop a Framework for Children & Young People's Emotional Health and Wellbeing in Education. This work is still progressing, the main emphasis of which is to support schools to promote emotional health and wellbeing at a universal level, through a holistic, multi-disciplinary approach, and providing early and enhanced support for those children and young people who may be at risk or showing signs of needing further help. I can confirm that £5m has been made available to support implementing this Framework in 2020/21

I appreciate that the Covid-19 crisis creates an added dimension to emotional health and emotional wellbeing, and through the wellbeing element of the Department's Education Restart Programme we will ensure that Principals, Leaders and staff in educational settings have information, resources and support that enables them to achieve a culture of positive health and wellbeing that contributes to positive outcomes for children and young people returning to schools and youth settings in the new academic year.

**Mr McNulty** asked the Minister of Education (i) for an updated assessment of the backlog in school maintenance; and (ii) to detail his proposals for addressing the backlog.

**(AQW 4830/17-22)**

**Mr Weir:** The initial maintenance budget allocation in FY20/21 has been increased to £20.5m.

In addition, a total of £64m has been allocated for capital Minor Works schemes across the schools' estate in 2020-21. Many of these works will assist in reducing the maintenance backlog.

As in previous years, where possible, the Department will also seek to allocate any budget released in-year due to slippage in other programmes to the maintenance and minor works in order to assist in addressing deficiencies in schools' estate.

**Mr McCrossan** asked the Minister of Education to detail his plans for the reopening of schools following the COVID-19 pandemic.

**(AQW 4848/17-22)**

**Mr Weir:** My Department has in place a Restart Programme which is focussing on the following priority areas including Physical Protection, Well-being, Vulnerable Learners and SEN Services, Standards and Learning, New School Day and Childcare. This issue of funding will be considered within each of these priority areas.

In the short term, the Programme's key deliverables will primarily focus on a suite of guidance documents for schools and other educational settings on issues relating to the priorities detailed above. An immediate priority is the development of strategic guidance for practical arrangements for safe re-opening schools in August. This was published on 19 June 2020.

This will be supplemented by detailed operational guidance on issues such as school transport and school meals, and supported by information on curriculum delivery, assessment during the academic year 2020/21 and the reinstatement of SEN services. The Department are working to develop a suite of products to ensure principals, teaching, non-teaching and support, parents and pupils know what to expect when they return to formal education.

In the medium to longer term, my focus will likely switch to managing the impact of the disruption. To do this, the Department will have to assess the educational impact of many weeks' loss of learning and then develop appropriate interventions to mitigate that impact, where appropriate.

**Mr Lyttle** asked the Minister of Education what budget has been allocated to the Education Restart Programme.

**(AQW 4854/17-22)**

**Mr Weir:** The Department will continue to assess the financial implications of the key elements of the Education Restart Programme to provide a high-level estimate of costs, with assumptions, dependencies and variables clearly set out.

**Ms Sugden** asked the Minister of Education whether he has any plans to engage local government to provide summer schemes to support childcare for older children.

**(AQW 4893/17-22)**

**Mr Weir:** I have announced plans for summer schemes to make provision for vulnerable children and the children of key workers. These schemes will be provided in conjunction with summer programmes delivered by voluntary youth organisations and uniformed organisations.

These plans have been made taking account of current public health restraints.

The decision on summer schemes is intended to be permissive to organisations providing they are following health advice, so it would be open to Councils to consider what actions they take over the summer.

**Miss Woods** asked the Minister of Education whether he will introduce a summer food fund or voucher scheme for families entitled to free school meals payments during the July and August school holidays.

**(AQW 4923/17-22)**

**Mr Weir:** The payments in lieu of free school meals was set up to ensure that families would not suffer additional hardship due to school closures as a result of the coronavirus outbreak. A voucher scheme was not offered in Northern Ireland.

On 16 June I announced that I would bid for an additional £12million from the Executive's Covid-19 fund to provide a summer food scheme for those children who normally receive free school meals during term time as part of a wider paper on summer activities to be considered by the Executive. This included a proposal to extend the Education Authority's 'Eat Well Live Well' programme which has been running for a number of months and is currently providing healthy breakfasts and lunches to over 3,000 vulnerable young people.

On 18 June the Executive agreed to the proposals and, subject to agreement on funding, a scheme will be put in place as soon as possible.

**Mr M Bradley** asked the Minister of Education whether any discussions have taken place with Ulster University, Coleraine, to explore educational provision in the Causeway Coast and Glens area.

**(AQW 4973/17-22)**

**Mr Weir:** Three non-selective schools, Coleraine College, Dunluce School and North Coast Integrated College have been engaged in discussions with the Education Authority, Northern Ireland Council for Integrated Education and Controlled Schools Support Council in conjunction with the Ulster University to progress options for sustainable provision for the Causeway area. These discussions are currently on hold due to Covid-19 but will resume in the new school term. The outcome of these discussions will be subject to full engagement and consultation with stakeholders, including parents, staff and governors and, where required, the full statutory Development Proposal process.

**Mr Beattie** asked the Minister of Education whether he will reverse the decision of the previous Minister of Education and allow pupils to take the transfer test in their current primary school.

**(AQW 5000/17-22)**

**Mr Weir:** My Department does not play a role in the administration or operation of the transfer tests including where they take place. The current arrangement whereby the tests are facilitated by schools that use the results as one of their admission criteria is a private one between the providers and schools which has been in operation for over ten years.

There is currently no bar on primary schools hosting tests. In 2016, my Department issued guidance which enables primary schools to provide a location for testing where this is mutually agreed with the test provider. Schools can decide the extent to which they follow the available guidance in line with the wishes of parents and the needs of pupils.

**Mrs D Kelly** asked the Minister of Education to provide (i) an indicative timeframe for the reopening of youth services and youth sector organisations; and (ii) guidance for the youth sector on safe opening practise as lockdown restrictions are eased.

**(AQW 5004/17-22)**

**Mr Weir:** On 18 June I announced a limited resumption of youth services to facilitate delivery of some summer activity with priority given to key worker children. This is conditional on delivery complying with DE guidance on Safe Working in Education Settings and in line with the Executive's recovery strategy.

Wider reopening of generic youth services is part of the planning for Education Restart, with the Education Authority leading on this. An indicative timeframe has not been set but will be informed by this work and subject to medical and scientific advice.

DE guidance on safe working practices in education settings, including youth work settings was published on 4 June and is available on the DE website:

[www.education-ni.gov.uk/publications/guidance-support-safe-working-educational-settings-june-2020](http://www.education-ni.gov.uk/publications/guidance-support-safe-working-educational-settings-june-2020)

Supplementary guidance for the youth sector is being prepared and is expected to be available by early July.

**Mr Lyttle** asked the Minister of Education to detail (i) what advice the Chief Scientific Officer and the Chief Medical Officer have given in relation to social distancing in schools; and (ii) whether this advice will be published this week.

**(AQW 5006/17-22)**

**Mr Weir:** A working draft of the (now published) New School Day guidance was shared with the Chief Medical Officer (CMO) and Chief Scientific Advisor (CSA). Feedback received from the CMO and the Department of Health was included as the guidance was updated prior to publication.

The guidance contains a range of actions that will mitigate risk and provide additional protections. These include such measures as social distancing, protective bubbles, hygiene and cleaning practices, ensuring symptomatic staff and pupils do not attend and that appropriate procedures are in place in the event that a child/adult becomes symptomatic while in school.

The New School Day guidance was published on 19 June.

**Mr McHugh** asked the Minister of Education to detail (i) the Education Authority's plans for youth provision in Strabane; and (ii) what sites are being explored for this.

**(AQW 5013/17-22)**

**Mr Weir:** The Education Authority Youth Service has increased youth provision in the Strabane area through the appointment of three additional Area Youth Workers and has also secured funding from the Department of Communities for a Youth Support Worker in Charge to work with youth work staff to engage young people from across Strabane. In addition, the EA has designed a specification for the delivery of faith based youth work in the Sperrin and Derg areas, with funding available of up to £130,000 per year as part of a 3 year funding cycle.

The EA Youth Service continues to work towards the development of a fit for purpose youth centre in Strabane, where young people can participate in youth-led creative activities and which promotes the ethos of participation and active citizenship. These plans can be found in the Derry & Strabane Local Youth Development Plan on the Education Authority website.

The Youth Service are exploring both short and long term options for the Strabane area. Options relate to opportunities within the Strabane Grammar School site as well as a second option of utilising an existing youth site on the Melvin Road.

EA Youth Services will continue to work with the community and voluntary sector and will consult with key stakeholders on the development of the new facility.

**Ms Flynn** asked the Minister of Education (i) what plans his Department has for a new build for St Colm's High School, West Belfast; and (ii) whether a new school for St Colm's High School has been identified to his Department as a priority from the Council for Catholic Maintained Schools.

**(AQW 5024/17-22)**

**Mr Weir:** There are currently no plans for a new school build for St Colm's High School, Belfast.

The Council for Catholic Maintained Schools did not submit an application under the latest call for major works proposals.

**Miss McIlveen** asked the Minister of Education what consideration he has given to the introduction of a flexible school starting age.

**(AQW 5044/17-22)**

**Mr Weir:** I recognise some parents have concerns about the age at which their children start school. Flexibility around compulsory school starting age was previously the subject of consultation in 2015. However, there remains no legal means by which a parent can defer when their child starts school and any change would require primary legislation.

Given the challenges to be addressed across education, I have not come to a firm view as to whether legislative change on this specific issue would be a priority.

**Ms Hunter** asked the Minister of Education whether he plans to improve the curriculum in schools in relation to education on racism and promoting racial equality in our society.

**(AQW 5070/17-22)**

**Mr Weir:** The curriculum is broad and balanced and provides schools with considerable flexibility to adapt what they teach and use approaches that best suit the learning needs of their pupils. Schools and teachers can choose to deliver sensitive and important aspects of the curriculum at a time when they are the subject of national debate and when young people can make explicit connections between what they are learning in school and what is happening in the wider world. This includes issues around racism and other forms of discrimination.

The curriculum in both primary and post-primary school contributes to promoting good relations and is closely aligned with my Department's Community Relations, Equality and Diversity in Education Policy. This aims to contribute to improving relations between communities by ensuring learners, at each stage of their development, have an understanding of and respect for rights, equality and diversity.

Similarly, shared education provides opportunities for young people to learn about each other from each other. This delivers educational and social benefits for learners and promotes equality and respect for diversity.

I believe it is important that we tackle all forms of discrimination not only through education but as a society as a whole.

**Mr Allister** asked the Minister of Education what assistance will be given to primary schools equipped with double desks to assist them to move to single desks so as to facilitate one metre social distancing.

**(AQW 5093/17-22)**

**Mr Weir:** I recognise the financial impact the current COVID-19 pandemic is having on society as a whole, including the education sector, and my Department will continue, in conjunction with the Education Authority, to assess the financial impact of COVID-19 responses on grant aided schools.

Once the detailed plans are established for the re-opening of schools, the resulting funding requirements will be further assessed.

**Ms Mullan** asked the Minister of Education to provide a breakdown of the numbers of children with autism enrolled in (i) primary schools and (ii) post-primary schools.

**(AQW 5098/17-22)**

**Mr Weir:** In the 2019/20 academic year the number of children recorded as having Autism Spectrum Disorder was 5,869 for primary schools and 4,947 for post primary schools. These figures are sourced from the annual school census which is undertaken in October each year.

**Mr Lyttle** asked the Minister of Education what outreach services are in place for children with special educational needs during the COVID-19 pandemic, in relation to the Position on 12 May 2020, highlighted in the Executive's Coronavirus Recovery Plan.

**(AQW 5123/17-22)**



**Mr Weir:** I have arranged for the information requested to be placed in the Assembly Library.

## Department of Finance

**Mr Beattie** asked the Minister of Finance whether Civil Service staff absent from work due to COVID-19 will be subject to written warnings under the Inefficiency Absence Sickness policy; and whether staff absent for more than 20 days at present due to COVID-19 have been sent a letter by the Northern Ireland Civil Service Human Resources Department outlining they may be subject to a written warning when they return to work.

**(AQW 4682/17-22)**

**Mr Murphy (The Minister of Finance):** At the beginning of March 2020 the Civil Service advised staff and managers that the review points that manage sickness absence would not impact those staff who had either been diagnosed with COVID-19 or were symptomatic of the virus. Therefore they would not be subject to consideration of either a written or a final written warning under the Inefficiency Sickness Absence policy. A similar approach is being taken by public sector organisations across these islands.

Guidance and FAQs is readily available for all staff on the NICS DoF Internet under the section Coronavirus (COVID-19). The FAQ section on sickness absence is particularly relevant to the issues that you have raised. This can be accessed via the following link [covid-19-guidance-nics-employees](#).

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**Dr Aiken** asked the Minister of Finance, in light of recommendation 28 of the Renewable Heat Incentive Inquiry Report, for his assessment of the Civil Service policy of deleting emails after three months.

**(AQW 4726/17-22)**

**Mr Murphy:** The Executive has agreed to establish a Subcommittee on Reform following the Renewable Heat Incentive Inquiry, as set out in the New Decade, New Approach Agreement. The establishment of this Subcommittee has unfortunately been delayed because of COVID-19. Departmental officials are setting out detailed responses and proposals to the recommendations to this Subcommittee, including those specific records management considerations contained within recommendation 28.

**Mr Allister** asked the Minister of Finance (i) whether his Department, as a matter of course, provided the Renewable Heat Incentive Inquiry with departmental emails which were not on the TRIM system; (ii) in what circumstances was the RHI Inquiry supplied with departmental emails which were not on the TRIM system; (iii) whether Civil Service witnesses to the RHI Inquiry, retired or otherwise, were afforded access to their emails which had not been retained on the TRIM system; and (iv) whether staff and advisers of the RHI Inquiry were advised that departmental emails may not have been retained on the TRIM system, and told that such nonetheless could be accessed, if that was the case.

**(AQW 4738/17-22)**

**Mr Murphy:**

- (i) The Department of Finance, as a corporate witness to the RHI Inquiry, provided the Inquiry with emails from the TRIM system. This is in line with the Department's records and information management policies and guidance.
- (ii) The Department provided the Inquiry, at their request, with back-up copies of NICS email accounts for a list of named individuals for specified periods during November 2015 to March 2017.
- (iii) As above
- (iv) The records management policies made available to the Inquiry would have allowed that conclusion to be arrived at.

**Mr Allister** asked the Minister of Finance whether he will review the situation in relation to retention of emails on the TRIM system, so that retention rather than deletion might become the default position.

**(AQW 4741/17-22)**

**Mr Murphy:** All records that are stored in TRIM, including emails, are managed in line with agreed Departmental retention and disposal schedules, which have been laid before the Assembly.

The NICS is reviewing its records management policies and practices, including consideration of the most effective records management system to meet the evolving needs of the civil service in the modern digital era.

**Mr Allister** asked the Minister of Finance what training on the retention of departmental emails on TRIM was provided to staff prior to July 2019; and, if no training was provided, to outline the rationale for this decision.

**(AQW 4742/17-22)**

**Mr Murphy:** When TRIM was first introduced as the electronic repository for official records of the NICS in 2007 all staff received mandatory training on how to use the new software along with guidance on their records management

responsibilities. Staff were advised on how emails should be stored on the system. Training on the use of the software and records management is incorporated within the induction process for new staff. NICS staff are provided with refresher training and reminded of their records management responsibilities on a regular basis. When a record is stored in the system it is held in a comprehensive filing structure and retained in line with the Department's agreed Retention and Disposal Schedule which has been laid before the Assembly.

**Mr Allister** asked the Minister of Finance how emails sent by staff who leave, or retire from, the Civil Service are retained on TRIM.

**(AQW 4795/17-22)**

**Mr Murphy:** Prior to a member of staff leaving the NICS their mailbox is reviewed and all emails required for business purposes are saved to TRIM. Once an email is stored in the system it is held in a comprehensive filing structure and is managed in line with agreed departmental retention and disposal schedules, which have been laid before the Assembly.

**Ms Sugden** asked the Minister of Finance whether he has any plans to extend the targeted one year rates relief to businesses who do not currently pay business rates; and why he has not extended rates relief to domestic rates customers whose home is intrinsically linked to their business.

**(AQW 4845/17-22)**

**Mr Murphy:** The targeted rate relief scheme will remove the burden of rates this year from those businesses who are liable for business rates and who the research has identified are hardest hit by the pandemic. If a property is not liable for business rates then business rates reliefs cannot apply. Domestic premises are subject to domestic rates, as the name implies, and not businesses rates. I cannot extend the scope of business rates reliefs to those who currently do not pay business rates.

**Mr Allister** asked the Minister of Finance how often back-ups are made of all Civil Service systems; and for how long that back-up data is retained.

**(AQW 4862/17-22)**

**Mr Murphy:** This information is not collected or held centrally on behalf all departments. The back-up of individual systems and the retention of data will be dependent on the purpose of the system and the data collected, determined by the responsible department.

**Mr Allister** asked the Minister of Finance, just as matters can be saved in the TRIM system, can such data also be subsequently deleted; and would a trail for such exist.

**(AQW 4863/17-22)**

**Mr Murphy:** All records, including emails saved in TRIM are managed in line with agreed Departmental retention and disposal schedules, which have been laid before the Assembly. When those records that do not need to be retained permanently for administrative or legal reasons reach the end of their retention period, they are considered for permanent preservation by PRONI. Records that are not selected for preservation by PRONI are destroyed. A report detailing deletions from TRIM can be accessed.

**Mr Allister** asked the Minister of Finance what action will be taken in light of the Comptroller and Auditor General's criticisms of Land and Property Services' IT contract with BT.

**(AQW 4908/17-22)**

**Mr Murphy:** The Department fully accepts the NIAO report and is implementing its findings.

The report states that for future agreements strong contract management controls should be in place. Negotiations are ongoing for a potential extension to the LandWeb contract which are being led by the Permanent Secretary, senior managers from Construction & Procurement Delivery and Land & Property Services with support from the Cabinet Office's complex transactions team where required. The NIAO welcome this work and the involvement of the Cabinet Office complex transactions team.

The report further recommends that mechanisms for Value for Money should be included as contractual conditions. The report confirms that cost savings of £1.8 million were negotiated by the Department as a part of the 2019-2021 LandWeb contract extension. It is also acknowledged that the inclusion of additional contractual controls could have resulted in further value for money savings and discussions are underway with the supplier in relation to further savings.

The final NIAO recommendation refers to the introduction of a new Fees Order. A surplus in the Land Registry fee income arose over the last three years as a result of the buoyancy in the property market, which saw a substantial increase in the number of transactions processed by the Land Registry, and improved efficiency in Land Registry operations. Due to the impact of the Coronavirus pandemic on the property market, the number of applications submitted to the Land Registry is projected to be substantially lower in 2020/21 than in previous years and it is not anticipated that a surplus will be generated this year.

The Department started work in 2018 on preparing a new Fees Order but was unable to progress this due to the absence of the Assembly. Work has restarted on preparing a new Fees Order with the aim of it being operative from April 2021.

**Mr Allister** asked the Minister of Finance (i) whether the instant messaging service Cisco Jabber is used within the Northern Ireland Civil Service; (ii) whether it is backed up and messages retained; and (iii) whether its content is routinely checked in regard to FOI requests received.

**(AQW 4909/17-22)**

**Mr Murphy:** Cisco Jabber is used for Instant Messaging across the NICS, by approximately 9,000 staff as a digital alternative to telephone calls. The system is not backed up, and messages are not retained, as it is used in real-time. All Government business, including the use of messaging services, must be conducted in line with records management policy. Any informal discussion in an instant message which then evolves to a decision or transaction must be recorded and retained as the official record.

**Mr Allister** asked the Minister of Finance how much his Department has spent on producing material in Irish, in each of the last three years.

**(AQW 4910/17-22)**

**Mr Murphy:** The Department does not record separately the costs of producing material's, that is the cost of design, printing and issue etc., in different languages.

**Mr O'Toole** asked the Minister of Finance whether his department will review NI Building Regulations, with a view to incorporating Changing Places disabled toilets in large public buildings and developments as set out in BS8300/201.

**(AQW 4929/17-22)**

**Mr Murphy:** I am very sympathetic to the dignity issues arising from the limited provision of Changing Places Toilets (CPTs) here and will continue to support an equitable and accessible built environment for everyone. I am keen to improve the provision of CPTs here and have tasked my Department's Building Standards Branch with incorporating mandatory requirements for their provision into local Building Regulations.

**Dr Aiken** asked the Minister of Finance for his assessment of the findings of the Northern Ireland Audit Office report on the Land and Property Services Northern Ireland LandWeb Project.

**(AQW 4945/17-22)**

**Mr Murphy:** The Department fully accepts the NIAO report and is implementing its findings.

The report states that for future agreements strong contract management controls should be in place. Negotiations are ongoing for a potential extension to the LandWeb contract which are being led by the Permanent Secretary, senior managers from Construction & Procurement Delivery and Land & Property Services with support from the Cabinet Office's complex transactions team where required. The NIAO welcome this work and the involvement of the Cabinet Office complex transactions team.

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The final NIAO recommendation refers to the introduction of a new Fees Order. A surplus in the Land Registry fee income arose over the last three years as a result of the buoyancy in the property market, which saw a substantial increase in the number of transactions processed by the Land Registry, and improved efficiency in Land Registry operations. Due to the impact of the Coronavirus pandemic on the property market, the number of applications submitted to the Land Registry is projected to be substantially lower in 2020/21 than in previous years and it is not anticipated that a surplus will be generated this year.

The Department started work in 2018 on preparing a new Fees Order but was unable to progress this due to the absence of the Assembly. Work has restarted on preparing a new Fees Order with the aim of it being operative from April 2021.

**Mr Storey** asked the Minister of Finance, pursuant to AQW 3238/17-122, who his Department consulted with prior to implementing section 6.13 of the NICS staff handbook.

**(AQW 5058/17-22)**

**Mr Murphy:** Section 6.13 of the NICS staff handbook, The NICS Trans Equality Policy and Transitioning at Work Guide has been developed as a key NICS People Strategy diversity and inclusion initiative. In developing the Policy and Guide my Department consulted with a range of individuals and groups. This included:

- Trade Union Side
- NICS Diversity Champions
- The NICS LGBT Staff Network
- Individual Colleagues
- Stonewall
- Focus: The Identity Trust
- GenderJam
- SAIL NI, and
- TransgenderNI

**Mr Allister** asked the Minister of Finance what action he will take to address the concerns expressed about the retention of emails on the Northern Ireland Civil Service Trim system.

**(AQW 5138/17-22)**

**Mr Murphy:** All records, including emails, that are stored in the Electronic Records Management System used by NICS Departments, known as TRIM, are subject to agreed Departmental retention and disposal schedules, which set out the timeframes for how long all record types are retained in the system. These schedules have been laid before the Assembly for scrutiny by all Members and Committees.

The NICS, along with other large public bodies, have in place policies that recognise the need for emails that have to be retained for the official record to be transferred to secure records management systems. The ICO has also stated that it is a matter for departments to decide if they wish to implement policies to delete emails that have not been transferred, and that where departments take this approach they must ensure that staff are aware of the process and the timescales for making decisions on what needs to be saved.

Training in the proper use of the TRIM system, including saving emails, is mandatory for NICS staff, and staff are regularly reminded of their records management responsibilities.

As part of continual improvement, the NICS is reviewing its records management policies and practices, including consideration of the most effective records management system to meet the evolving needs of the civil service in the modern digital era.

## Department of Health

**Mr Allister** asked the Minister of Health, pursuant to the Minister of Finance's response to AQW 3923/17-22, to detail, in respect of departmental procurement, the date on which each contract for (i) personal protection equipment; and (ii) uniforms, including scrubs, was signed since 1 March 2020, identifying, where permissible, the contracting parties.

**(AQW 3957/17-22)**

**Mr Swann (The Minister of Health):** During the period in question, 8,520 individual purchase orders were placed by Health and Social Care Bodies for the above goods. These orders contained 17,822 individual purchase lines relating to a variety of types of PPE to in excess of 150 suppliers.

Answering this question as asked would therefore require significant input from the Business Services Organisation (BSO) to analyse this information at individual purchase line level.

Given the current situation I feel it would not be appropriate to ask the BSO to undertake this work as it would detract from its focus on delivering front-line services during the biggest public health emergency that this country has ever faced.

**Mr Butler** asked the Minister of Health what steps his Department has taken to assess the impact of the COVID-19 lockdown on paid and unpaid carers in respect of (i) their mental health; (ii) the fiscal impact; and (iii) their continued ability to carry out caring duties.

**(AQW 4047/17-22)**

**Mr Swann:** The findings in the Carer's UK Report "Caring Behind Closed Doors: Forgotten families in the Coronavirus Outbreak" have provided a valuable insight into the impact of the pandemic on unpaid carers and families. Going forward, my Department will continue to work closely with carer representatives concerning the needs of carers.

<https://www.carersuk.org/help-and-advice/technology-and-equipment/36-for-professionals/policy-eng/report/6377-caring-behind-closed-doors-report>

My Department published guidance for unpaid/informal carers on 10 April and this was updated on 22 May. This will be updated regularly and is available at:

<https://www.health-ni.gov.uk/publications/advice-informal-unpaid-carers-and-young-carers-during-covid-19-pandemic>

The guidance includes a comprehensive list of services and links to assist people with their emotional health and wellbeing during the COVID-19 period.

In respect of paid carers, my Department recently advised HSC Trusts that Domiciliary Care Agencies should continue to be paid 100% of the provider's income based on their previous three months reference period. This will ensure that care workers can continue to be paid at their normal rates of pay. This guidance can be accessed via:

<https://www.health-ni.gov.uk/sites/default/files/publications/health/COVID-19-guidance-for-domiciliary-care.pdf>

Independent sector employees also have access to Trust-based wellbeing services should they need to avail of these.

Mental health services in Northern Ireland are provided in line with the regional stepped care model. This approach remains during the COVID-19 emergency. No mental health services have stopped, and all who need care and treatment will be provided with services that are clinically appropriate.

**Ms Sugden** asked the Minister of Health, once steps within the Coronavirus Executive Approach to Decision-Making are actioned by the NI Executive, do these instructions supersede The Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020, or will he be required to amend these regulations.

**(AQW 4139/17-22)**

**Mr Swann:** The NI Executive Coronavirus Executive Approach to Decision-Making sets out the approach that the Executive will adopt in the regular reviews of the Coronavirus Regulations. Any decision by the Executive to relax an existing restriction will require an amendment to the Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020.

**Mr Gildernew** asked the Minister of Health to detail (i) the meetings of SAGE relating to COVID-19, that the Chief Scientific Advisor attended; (ii) the meetings at which someone else took his place as a full member, representing his Department and the Executive, including the date of the SAGE meeting, who was in attendance, and the status of their membership.

**(AQW 4259/17-22)**

**Mr Swann:**

- i) Please find detailed the meetings of SAGE relating to

**COVID-19, that the Chief Scientific Advisor attended:**

Dates of Meetings	
29th March	30th April
7th April	1st May
9th April	5th May
14th April	7th May
16th April	19th May
21st April	21st May
23rd April	
28th April	

- ii) There were no meetings where someone else took Prof Young's place as a full member representing the department and Executive. However there was a meeting Prof Young could not attend on 31st March and the Chief Medical Officer was in attendance.
- iii) We do not hold the rest of the information you have requested but this link does have details of SAGE membership. <https://www.gov.uk/government/publications/scientific-advisory-group-for-emergencies-sage-coronavirus-covid-19-response-membership/list-of-participants-of-sage-and-related-sub-groups>

**Mr Frew** asked the Minister of Health (i) what percentage of people who have died with COVID-19 also had diabetes; (ii) whether there is a direct correlation or vulnerability with diabetes sufferers; and (iii) what measures or advice can be put in place to protect people with diabetes.

**(AQW 4363/17-22)**

**Mr Swann:** The information on the percentage of people who have died with COVID-19 and who also had diabetes is not yet available. Deaths registered in 2020 are currently undergoing the necessary coding to the International Classification of Diseases (ICD-10) that will enable questions relating to co-morbidity and underlying and/or contributory causes of death to be answered. The coded death statistics are scheduled to be published in summer 2020.

People with a range of specific medical conditions identified as placing them at greatest risk of severe illness or hospitalisation if they catch the Coronavirus (Covid-19) received a letter advising them to 'shield' themselves from society for 12 weeks. People living with other underlying health conditions, including diabetes, were identified as part of a wider vulnerable group, but not included in the shielding group.

This group is advised to stringently socially distance and it is recognised that they are at higher risk of severe illness from coronavirus. They should stay at home as much as possible and, if they do go out, take particular care to minimise contact with others outside their household.

There may be some people with diabetes who need to shield based on other conditions which would put them into the clinically extremely vulnerable group. However, under current guidance, most people with diabetes do not need to do this. It is extremely important to ensure that the most effective and up to date advice is provided to those with underlying medical conditions. Any further changes to assessment of risk and advice for those with underlying medical conditions will be based on a thorough review of the medical and scientific evidence as more is learned about the virus.

The Northern Ireland Diabetes Network has established a diabetes telephone support helpline and e-mail support facility to provide additional clinical support and advice to people living with diabetes at this time. The Helpline can be contacted by telephone on 028 9536 0600 or by email at [diabetic.helpline@hscni.net](mailto:diabetic.helpline@hscni.net).

**Mr Sheehan** asked the Minister of Health what data his Department has received on the use of the NHS 111 service by people here, since February; and whether he will publish this data.

**(AQW 4555/17-22)**

**Mr Swann:** At the end of February 2020, Public Health England facilitated a dedicated NHS 111 Covid-19 helpline for callers from NI. Two sets of data are currently provided to the Department; a daily count of calls to the helpline by NI callers, and data in respect of the type of questions asked by callers as well as the location of the caller recorded by name of closest town or closest city and whether the caller is symptomatic of Covid-19. I have no current plans to publish a detailed breakdown of this data due to potential to identify individuals.

**Mr Sheehan** asked the Minister of Health (i) to detail the number of Health and Social Care staff who have tested positive for COVID-19; and (ii) whether he will include this information on the Department of Health dashboard.

**(AQW 4556/17-22)**

**Mr Swann:**

- (i) Information on the total number of Health & Social Care Staff who have had a positive laboratory completed test for COVID-19 is not available as information to enable the identification of Health & Social Care Workers was not initially collected by all HSC Laboratories.
- (ii) My Department is currently working through outstanding issues with HSC Laboratories and National Testing Centres to establish a consistent count of Health & Social Care staff tested, and it is my intention that this information will be included on the DoH dashboard when these issues are resolved.

**Ms Bradshaw** asked the Minister of Health what arrangements he has made in conjunction with the Department of Education and the Department for the Economy to ensure childcare arrangements will be in place for people to be able to return to work in sectors such as retail from 8 June 2020.

**(AQW 4562/17-22)**

**Mr Swann:** A Childcare Sector Recovery Plan for Northern Ireland was published on Thursday 18 June. The objective of the plan is to return the childcare sector to full capacity as quickly and safely as possible and to ensure that childcare is available for any working parent who needs it. From 29 June, childcare will no longer be limited to vulnerable children and the children of keyworkers, and the number of families that childminders will be able to provide childcare to will increase to 4, rising further to 5 families in August. There will be no operating restrictions in terms of minimum or maximum numbers of children in daycare and school-age childcare settings. Guidance to support the sector through to full recovery was issued by my Department on 9 June 2020.

**Ms Bradshaw** asked the Minister of Health what additional support he will be offering to the childcare sector in (i) June, 2020; (ii) July 2020; and (iii) and August 2020.

**(AQW 4566/17-22)**

**Mr Swann:** Through the COVID-19 Childcare Sector Support Scheme, financial support will be provided until the end of June. Financial support for the sector beyond the end of June is currently under consideration and will be subject to the availability of funding. This is being led by the Department of Education.

Guidance has also been made available to the childcare sector, both settings and childminders. All guidance is available on the Family Support NI website at: <https://www.familysupportni.gov.uk/>.

**Mr Gildernew** asked the Minister of Health to detail his Department's projected future capacity for testing, including target dates, broken down by testing programme or pillar.

**(AQW 4579/17-22)**

**Mr Swann:** Pillar 1 testing is delivered via Health and Social Care laboratories and laboratories operating as part of the Scientific Advisory Consortium. Current capacity is up to 2,200 tests per day. It is anticipated that Pillar 1 testing capacity will increase further over the coming weeks. Anticipated capacity under Pillar 1 is the subject to the availability of reagents, global supply chains and for some laboratories the allocation of ROCHE testing kits which are currently on a national allocation.

Testing capacity under Pillar 2 is flexible and is informed by the number of bookings made on the digital platform in the preceding 48 hours. If demand for testing increases, as recorded on the digital platform, testing capacity can be extended to meet the demand. Testing as part of the National Initiative will continue to be an important tool in our response to this Covid-19.

**Mr Gildernew** asked the Minister of Health when health workers will be reimbursed for pay lost due to recent industrial action, as announced by the Minister of Finance on 19 May; and why they have yet to be reimbursed.

**(AQW 4583/17-22)**

**Mr Swann:** I am on record as to the value I place on the skill, dedication and hard work of health and social care staff. I have seen at first hand the magnificent job that all HSC workers perform, the risks that they take, and the sacrifices that they make.

The Executive agreed at its meeting on 18 May to allocate funding of £1.64m to the Department of Health for the reinstatement of pay lost due to participation in strike action. On 20 May I was asked by the Minister of Finance to bring forward proposals to enable the award of this funding to be made to health staff.

I will be bringing a paper very shortly on the issue to the Executive.

**Mr Easton** asked the Minister of Health what advice his Department is giving people with diabetes who have to work but need protection against COVID-19 in the workplace.

**(AQW 4594/17-22)**

**Mr Swann:** People living with diabetes were identified as part of a wider vulnerable group at higher risk of severe illness from coronavirus. People within this group should follow strict social distancing measures and are advised to stay at home as much as possible and, if they do go out, take particular care to minimise contact with others outside their household.

There may be some people with diabetes who are shielding based on other conditions which would put them into the clinically extremely vulnerable group. In such instances, the guidance on shielding would apply.

Where people with diabetes have concerns about protection against COVID-19 in the workplace, they should discuss their particular circumstances with their employer who will be best placed to advise on appropriate measures for their role and workplace at this time, including, for example, if there might be scope for job re-design, changes to working pattern or location, or opportunities to reduce contact with others.

**Mr Allister** asked the Minister of Health to publish the details of the modelling methodology, with particular reference to the assumptions being used to calculate the 'R' number.

**(AQW 4611/17-22)**

**Mr Swann:** The estimated reproduction number, R published by the Department of Health represents the consensus view of the Northern Ireland Covid-19 modelling group.

This is based on estimates of R produced by a number of UK modelling groups using a range of different models, in addition to an NI developed model. The NI model derives R using an extended SIR (Susceptible-Infectious-Recovered) compartmental model and based on the mathematical relationship between the value of R and the growth rate of an indicator of infection. The model currently uses the number of Covid-19 positive hospital in-patients and admissions, and the main assumption is that an individual with Covid-19 is infectious for 6 days. This assumption is based on extensive published data relating to the natural history of the period of infectiousness.

The value of R as an indicator of the trajectory of the virus remains below one as the incidence of Covid-19 in Northern Ireland continues to fall. This means that greater reliance is now being placed on other indicators such as the number of new positive cases.

**Ms Armstrong** asked the Minister of Health to publish guidance for (i) childcare and daycare providers that confirms the hygiene and personal protection equipment requirements when they return to full operation; and (ii) parents and carers of people with disabilities, explaining how and when support for families needing childcare or daycare will be provided.

**(AQW 4639/17-22)**

**Mr Swann:** In respect of childcare, updated COVID-19 guidance was published and circulated to all childcare providers on 9 June 2020, which covers hygiene and personal protective equipment. Guidance for parents who need to access childcare, including parents of children with disabilities, has also been published on my Department's website and NI Direct.

All of the latest guidance regarding childcare is also available on the Family Support NI website at:

<https://www.familysupportni.gov.uk/Support/91/covid19-childcare-options-and-associated-guidance>.

The public health guidance for all health and social care workers is available on the Public Health Agency website at:

<https://www.publichealth.hscni.net/covid-19-coronavirus/guidance-hsc-staff-healthcare-workers-and-care-providers>.

Engagement has been ongoing between HSC Trusts, carers and service users in relation to the reopening of a range of facility based services, including adult day care. HSC Trusts have advised that they have redeployed the staff resource to provide appropriate alternative support to vulnerable service users and families on a risk assessed basis, delivered within COVID-19 guidelines.

**Ms Bradshaw** asked the Minister of Health how direct payments will operate over the period to 30 September 2020, particularly with regard to carers for children who are shielding.

**(AQW 4693/17-22)**

**Mr Swann:** Direct Payments will continue to be paid by Health and Social Care Trusts to individuals who have an assessed need and have chosen this option of self-directed support.

Further guidance for Trusts and individuals in receipt of Direct Payments during the COVID-19 pandemic is under consideration.

Self-directed support is designed to ensure people are given a range of options for how their social care is delivered, empowering people to decide how much ongoing control and responsibility they want over their own support arrangements. There are 4 options of self-directed support:

- 1 Direct Payments, Managed Budget, Trust-led services or a combination of all 3.
- 2 Direct Payments were first introduced by the 'Community Care (Direct Payments) Act 1996' which has since been repealed and replaced by the 'Carers and Direct Payments Act (Northern Ireland) 2002'.
- 3 A Direct Payment is a payment made to an individual as an alternative to services which would have been provided, or purchased by the HSC Trust. Direct Payments allow service users to procure their own care and support. It gives the individual flexibility and choice and helps the HSC deliver on its aim to personalise care and support arrangements.
- 4 Direct Payments can be paid either to the individual in receipt of services and/or their administrator. It is paid after an assessment of need has been undertaken and outcomes agreed with the individual. The personal budget can be used in different ways but the most common include the employment of a personal assistant (PA) or accessing short break (respite) care and support.
- 5 There are in excess of 4,500 people in Northern Ireland in receipt of Direct Payments.
- 6 New guidance being developed will encourage Trusts to adopt a flexible approach in relation to the use of Direct Payments. It is important that the use of Direct Payments is linked to the agreed outcome for the service user and that this is clearly demonstrated before any changes can take place.
- 7 The new draft guidance will shortly be included in a submission for your consideration.

**Ms Bradshaw** asked the Minister of Health how pathways for people diagnosed with long-term neurological conditions will change in the period 1 July 2020 to 30 September 2020.  
(AQW 4696/17-22)

**Mr Swann:** You will be aware that on 9 June 2020 I published the Strategic Framework for Rebuilding Health and Social Care, along with Phase 1 (June 2020) rebuilding plans for each of the six Health and Social Care (HSC) Trusts.

The Strategic Framework will underpin the development of incremental service plans by Trusts. The key aim will be to incrementally increase HSC service capacity as quickly as possible across all programmes of care, within the prevailing COVID-19 conditions. Subsequent phases will see these service activity plans and targets updated in three monthly cycles, the first of which will cover the period July to September 2020.

Consideration will be given to opportunities to improve pathways across services at the earliest opportunity within this process.

**Mr Durkan** asked the Minister of Health for his assessment of when clinics held within GP surgeries will return to business as usual.  
(AQW 4736/17-22)

**Mr Swann:** GPs have a responsibility to provide core services to their registered patients and the current COVID-19 pandemic does not in any way negate this requirement.

GP practices are currently operating a telephone triage system which allows patients to continue to seek medical advice from their GP for both routine and urgent problems.

The GP uses their clinical judgement to decide if the patient can be safely managed over the telephone or whether a face to face appointment is required.

This ensures that patients only visit surgeries where it is absolutely essential.

The resumption of open clinics within GP surgeries is being kept under review and decisions will be made in line with scientific advice and within a framework for the future delivery of services.

**Mr Gildernew** asked the Minister of Health whether the COVID-19 testing centres in Derry, Craigavon, Belfast and Enniskillen have been closed for any days since coming into operation.  
(AQW 4749/17-22)

**Mr Swann:** Only one COVID-19 fixed drive-through testing centre has closed since coming into operation. The SSE Arena (Belfast) was closed over the Easter holiday period on the following dates: Sunday 12th, Monday 13th and Tuesday 14th April 2020. The reason for closure of the SSE Arena site on those specific days was a low demand for testing.

If demand for testing increases, the opening hours of the drive-through testing centres can be extended to meet demand.



**Ms S Bradley** asked the Minister of Health what assurances he can give that the Cancer Strategy is still on target to be delivered in December 2020; and how successful the steering group has been in remotely connecting with the wide range of stakeholders, including lived experience representatives, during COVID-19.

**(AQW 4780/17-22)**

**Mr Swann:** The cancer strategy was being taken forward according to the principles of co-production which seeks to maximise the patient voice and relies heavily on input from key stakeholders, including HSC staff and lived experience patients.

Due to the impact of COVID-19 which saw the redeployment of key staff to meet the pandemic surge and the need for cancer patients to shield, key stakeholders were unable to continue with the development of the strategy and it is therefore unlikely we will meet the target delivery date. Cancer Strategy Sub Group Chairs have been asked for an assessment of the impact of COVID-19 on the development of the strategy including timelines.

In order to continue with our commitment of co-production a further period of time will be required. This additional period will also allow for the effects of the pandemic surge to be taken full account of as we further develop our vision for the provision of cancer services over the next ten years.

Officials continued to liaise with key stakeholders throughout the pandemic surge via teleconference and virtual meetings on a fortnightly basis.

**Ms S Bradley** asked the Minister of Health (i) to publish the advice given to him from the Chief Dental Officer and Chief Medical Officer regarding dental surgeries during COVID-19; (ii) for an anticipated timeline for the re-opening of dental practices; and (iii) what support will be made available to ensure no dental practice is forced to permanently close due to the pressures of COVID-19.

**(AQW 4781/17-22)**

**Mr Swann:** There is a long standing convention that advice to Ministers remains advice to Ministers and is not placed in the public domain.

The Chief Dental Officer wrote to all General Dental Practitioners (GDPs) on 18 June 2020 setting out plans for the phased resumption of non-urgent dental care. In particular, treatments not involving Aerosol Generating Procedures (AGPs) can resume on 29 June 2020. The available treatments will be extended to include AGPs from 20 July 2020, although some practices will be able to provide all dental services from 1 July 2020 if they are able to meet the necessary standards to safely offer AGPs.

The Department has established the COVID-19: General Dental Services (GDS) Financial Support Scheme (FSS) with the aim of providing financial support to General Dental Practitioners (GDPs) in response to the significant reduction in dental activity levels due to the COVID-19 pandemic.

There has been a very high uptake of the scheme to date with the net activity based payments made to GDPs 25% higher in 2020-21 than in the same period in 2019-20.

Full details on the scheme can be accessed at the link below which includes background to the scheme and a list of Frequently Asked Questions.

<http://www.hscbusiness.hscni.net/services/3131.htm>

My Department will continue to work closely with the Health and Social Care Board and representatives of the dental profession to identify what additional support will be required as we move through the pathway to recovery and re-establish dental services.

**Ms S Bradley** asked the Minister of Health what consideration he has given to supporting Cancer Research UK's campaign Safe Spaces for Cancer Services, which calls for the resumption and continuation of cancer services, including screening, in spaces safe from COVID-19 exposure.

**(AQW 4782/17-22)**

**Mr Swann:** I am aware of the CRUK campaign and I can assure you that all HSC Trusts have developed service rebuilding plans for all HSC services. The resumption screening, diagnosis and treatment of cancer patients in clinically safe environments is being given the utmost priority and will proceed as quickly as possible, timed to ensure an appropriate match with available capacity across the system.

**Miss McIlveen** asked the Minister of Health what plans are in place to relocate the COVID-19 testing facility in Newtownards to within the grounds of the MOT centre, or to another location, to allow vehicle testing to resume.

**(AQW 4789/17-22)**

**Mr Swann:** The South Eastern Health & Social Care Trust is actively working to develop a testing facility on the Ulster Hospital site and plans to have this in place by the end of September 2020.

**Mr Frew** asked the Minister of Health at what stage and date will family members be able to visit loved ones in hospital if the illness is not connected with COVID-19.

**(AQW 4799/17-22)**

**Mr Swann:** I recognise the distress and upset for individuals and families when a loved one is admitted to hospital during the restricted visiting period which feels counter-intuitive to how we normally respond in Northern Ireland to family visiting during hospitalisation.

The reduction of visitors to hospitals was a key strategic component of managing the pandemic and it was taken to protect patients, their families, health and social care workers by reducing the risk of infection. This was aligned to the "Stay at Home" message during lockdown.

Please be assured that whilst adhering to the principles of the visiting guidance Trusts in Northern Ireland will always consider individual cases to ensure a person centred approach to our service.

Care providers have been encouraged and supported to make the best use of technology to maintain virtual contact between residents and their families, but I recognise that this is a poor substitute for being able to visit a loved one in person and I do empathise with those who are in this situation

Following Northern Ireland Executive publication of the five step approach to relaxing lockdown restrictions, I am in the process of reviewing the COVID-19 visiting guidance, and will share the revised guidance as soon as is practicably possible.

**Miss Woods** asked the Minister of Health (i) when dentists, including private and NHS practices, will be allowed to fully reopen; and (ii) what financial support is available to enable them to do so safely.

**(AQW 4814/17-22)**

**Mr Swann:** The Chief Dental Officer wrote to all General Dental Practitioners (GDPs) on 18 June 2020 setting out plans for the phased resumption of non-urgent dental care. In particular, treatments not involving Aerosol Generating Procedures (AGPs) can resume on 29 June 2020. The available treatments will be extended to include AGPs from 20 July 2020, although some practices will be able to provide all dental services from 1 July 2020 if they are able to meet the necessary standards to safely offer AGPs.

The Department has established the COVID-19: General Dental Services (GDS) Financial Support Scheme (FSS) with the aim of providing financial support to General Dental Practitioners (GDPs) in response to the significant reduction in dental activity levels due to the COVID-19 pandemic.

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Full details on the scheme can be accessed at the link below which includes background to the scheme and a list of Frequently Asked Questions.

<http://www.hscbusiness.hscni.net/services/3131.htm>

My Department will continue to work closely with the Health and Social Care Board and representatives of the dental profession to identify what additional support will be required as we move through the pathway to recovery and re-establish dental services.

**Ms Sugden** asked the Minister of Health whether he has any plans to recommend an increase of student places to the Department for the Economy for the number of pharmacists being trained.

**(AQW 4844/17-22)**

**Mr Swann:** My Department has commissioned a review of the pharmacy workforce which is expected to be published in the near future and actions related to the number of undergraduate places will be considered during its implementation.

**Mr McCrossan** asked the Minister of Health whether he will pay (i) carers in care homes; (ii) kitchen staff in care homes; (iii) cleaners in care homes; and (iv) domiciliary care workers, a £500 bonus.

**(AQW 4850/17-22)**

**Mr Swann:** I value greatly the tireless efforts of all frontline health and social care staff, and their dedication and care to patients. The issue of any additional remuneration would be an issue for the Executive to consider.

**Mr Durkan** asked the Minister of Health when he expects dental practices can return to normal service; and, until then, will he permit exceptions for cancer patients to avail of a necessary dental check-up before they embark upon chemotherapy treatment.

**(AQW 4855/17-22)**

**Mr Swann:** The Chief Dental Officer wrote to all General Dental Practitioners (GDPs) on 18 June 2020 setting out plans for the phased resumption of non-urgent dental care. In particular, treatments not involving Aerosol Generating Procedures (AGPs) can resume on 29 June 2020. The available treatments will be extended to include AGPs from 20 July 2020, although

some practices will be able to provide all dental services from 1 July 2020 if they are able to meet the necessary standards to safely offer AGPs.

The guidance provided to GDPs by the HSCB includes a list of urgent conditions which dentists are permitted to see during the current phase. This includes "Oro-dental conditions that are likely to exacerbate systemic medical conditions", which would cover a patient about to undergo medical treatment. The full guidance document is available at the link below.

[http://www.hscbusiness.hscni.net/pdf/Dental%20Care%20in%20General%20Dental%20Practice%20and%20UDCs%20during%20the%20COVID\\_19%20Pandemic%2013.5.20.pdf](http://www.hscbusiness.hscni.net/pdf/Dental%20Care%20in%20General%20Dental%20Practice%20and%20UDCs%20during%20the%20COVID_19%20Pandemic%2013.5.20.pdf)

**Ms Bradshaw** asked the Minister of Health how he is going to harness the increase in people walking for leisure and exercise during the COVID-19 lockdown, given its links to better mental and physical health; and whether he is going to bring forward a walking strategy.

**(AQW 4858/17-22)**

**Mr Swann:** "A Fitter Future for All", the obesity prevention strategy for Northern Ireland, seeks to promote greater participation in all forms physical activity, including walking and cycling, as physical activity plays a key role in improving population health and well-being. Through this strategy my Department works closely with Department for Infrastructure and Department for Communities on wider strategies to promote active travel, and sport and physical activity.

In support of "A Fitter Future for All", the Public Health Agency (PHA) commissions a suite of programmes to increase participation in physical activity. In respect of walking, during 19/20 the PHA and Sport NI funded the development of an Economic Appraisal with a view to creating a single co-ordinated and better resourced led-walking programme in Northern Ireland, the "Walking for All" programme. It is anticipated that the programme will operate across Northern Ireland and supersede both Walking for Health and Walking in Your Community (developed by Outdoor Recreation NI) but enabling the activity of these programmes to continue. A key aspiration of the proposed programme is that all areas of NI are served by a regular led walk.

**Ms Bradshaw** asked the Minister of Health for an update on the guidance being introduced for social workers to identify incidents of Parental Alienation as part of the cross-party Parenting and Family Support Strategy, particularly given the access difficulties some parents have had during the COVID-19 pandemic.

**(AQW 4859/17-22)**

**Mr Swann:** Work on the development of Family and Parenting Support Strategy has been temporarily suspended to support the Department's immediate response to the coronavirus pandemic. The Department will progress the development of the Strategy as soon as possible and will consider the impact of the pandemic on parental alienation and separated families.

**Ms Bradshaw** asked the Minister of Health what has been learned from contact tracing since April 2020 about the behaviour of the coronavirus and how it is being transmitted in Northern Ireland.

**(AQW 4860/17-22)**

**Mr Swann:** As far as it has been possible to ascertain, the behaviour of the virus in NI is similar to that which has been the case globally. There is evidence of person to person transmission. There is a risk of transmission to other household members when one member acquires the infection.

The international evidence suggests that maintaining physical distance, frequent hand washing, minimising touching of potentially infected surfaces, good ventilation and early isolation of potentially infected cases and their close contacts can reduce transmission.

Further evidence may emerge in due course.

**Ms Sugden** asked the Minister of Health how he will financially support dentists to ensure they can operate safely when they resume non-emergency appointments.

**(AQW 4896/17-22)**

**Mr Swann:** In light of the risks due to Covid-19, non-urgent dental care had been suspended in Northern Ireland since March 2020. This has resulted in a significant reduction in the normal Item of Service (IoS) payments to General Dental Practitioners (GDPs). In response, the Financial Support Scheme (FSS) was established as a temporary measure to reduce the risk to the financial viability of the service.

FSS payments worth £12 million have been made to GDPs over the past three months in addition to £3 million in IoS payments.

In order to support dentists as they resume non-urgent dental care from 29 June 2020, GDPs will continue to be able to apply for additional FSS support in respect of their July and August 2020 IoS payments. For the remainder of 2020-21 the Department of Health will provide GDPs with ongoing financial support, within the available budget, to support the delivery of dental care.

**Ms Sugden** asked the Minister of Health (i) to outline reasons why GPs were unable to provide non-emergency care for patients, including remotely via telephone or videoconferencing; (ii) when he expects GPs will be able to resume routine appointments; (iii) for his assessment of the impact of those accessing appointments when routine appointments resume; and (iv) how he will support primary care providers so that patients can access an appointment as soon as possible.

**(AQW 4897/17-22)**

**Mr Swann:** As independent contractors, who contract with the Health and Social Care Board to provide primary medical services, GPs have a responsibility to provide core services to their registered patients and the current COVID-19 pandemic does not in any way negate this requirement.

General practice has rapidly changed the way it works in order to cope with the current Covid-19 emergency and, as part of their business continuity planning, GP practices are operating a telephone triage led system. Telephone triage allows patients to continue to seek medical advice for both routine and urgent problems from the GP practice. The GP then uses their clinical judgement to decide whether the patient can be safely managed over the telephone or needs a face to face appointment.

GP practices will provide face to face appointments (including home visits) for those patients who are assessed as requiring them and all practices have been provided with a supply of Personal Protective Equipment (PPE) to allow them to safely provide these necessary face to face appointments.

This ensures that patients are only required to visit surgeries where it is absolutely essential.

**Mrs Cameron** asked the Minister of Health how many residential Health and Social Care Trust and private care homes now have measures in place to allow safe visitation.

**(AQW 4902/17-22)**

**Mr Swann:** Extant guidance for nursing and residential homes published by my Department on 26 April recommends that all nursing and residential care homes should implement the existing policies they would use if there was an infection control issue at the home, whether or not they have a suspected COVID-19 infection. There should be strict restrictions on visitors, similar to the approach in hospitals.

I am aware that a number of nursing and residential homes have put measures in place to facilitate visits, where they consider it is safe and appropriate to do so. However, this is a matter and a decision for the management of individual homes.

The Chief Nursing Officer is leading work to review guidance on visiting restrictions in all health and social care settings. Any proposals to change the current guidance on visiting restrictions will be informed by the available evidence, and evaluated against the continuing need to prevent and control the transmission of COVID-19 to this particularly vulnerable population.

#### **Background Note**

- 1 Input to the answer was sought from HSC Trusts regarding statutory sector homes. Despite reminders, responses have only been received from three out of the five Trusts regarding visiting arrangements in statutory homes. All three have confirmed that there has been no relaxation of visiting restrictions.
- 2 HSC Trusts have advised that a number of independent sector homes in their areas are making arrangements for socially distanced outside visiting, with infection prevention and control measures in place—including physical distancing measures, use of PPE and decontamination before and after visits. Other homes have installed Perspex screens at or near the entrance to the home to allow for visits.
- 3 The Chief Nursing Officer is leading work to review visiting arrangements across all sectors, including care homes, based on the available evidence and practice in the UK and RoI. Any proposed change will be carefully evaluated against the continuing need to prevent and control the transmission of COVID-19 to this particularly vulnerable population.

**Mr McGrath** asked the Minister of Health (i) how many GP-operated COVID-19 centres there are in Northern Ireland; (ii) how many people have attended them, broken down by centre; and (iii) how much it has cost to operate these centres.

**(AQW 4904/17-22)**

**Mr Swann:** There are currently 11 COVID-19 Centres across Northern Ireland. They ensure that patients with COVID symptoms can be assessed and treated by a GP, whilst minimising the risk to patients who do not have COVID symptoms. It is likely that there will be a requirement for COVID-19 Centres until there is a vaccine or appropriate treatment for the disease.

The operational of the centres is managed locally, based on demand. Rotas are developed a number of weeks in advance of each shift and seek to ensure that centres can be staffed to full capacity should the need arise. Where capacity in the Centres exceeds patient demand during particular periods, the number of staff who are on the rota to support a Centre may be reduced. Staff can also be put on standby, allowing them to carry out other duties whilst remaining available to assist patients in the Covid-19 centres should the need arise.

A total of 7,039 people have attended the centres during the period 9 April–10 June 2020. This is broken down by location in the table below:

COVID Centre Location	Total Contacts
BEL: Beech Hall Covid PCC	2114
DUC: COVID Antrim	1171
DUC: COVID Ballymena	1160
DUC: COVID Coleraine*	89
SET: Ards Covid PCC	675
SET: Downe Covid PCC	128
SET: Lagan Covid PCC	256
SHS: Banbridge Covid PCC	411
SHS: Dungannon Covid PCC	373
WUC: Covid AAH	501
WUC: Covid SWAH	161
<b>Total:</b>	<b>7039</b>

\* Coleraine Centre opened 11 May 2020

Total expenditure to date for the COVID Centres is £1,538.4k.

The operational of the centres is managed locally, based on demand. Rotas are developed a number of weeks in advance of each shift and seek to ensure that centres can be staffed to full capacity should the need arise. Where capacity in the Centres exceeds patient demand during particular periods, the number of staff who are on the rota to support a Centre may be reduced. Staff can also be put on standby, allowing them to carry out other duties whilst remaining available to assist patients in the Covid-19 centres should the need arise.

**Mr Robinson** asked the Minister of Health whether a provisional timetable has been prepared for reopening care and residential homes to new admissions meeting the criteria, including those with COVID-19.  
(AQW 4912/17-22)

**Mr Swann:** There has been no direction for care homes to close to new admissions during the COVID-19 pandemic. Guidance published by my Department and available at <https://www.health-ni.gov.uk/sites/default/files/publications/health/guidance-for-nursing-residential-care-homes.pdf> provides advice to care homes and HSC Trusts on how to safely care for people newly admitted to care homes while protecting existing residents. This includes a requirement that anyone being admitted to a care home from any setting should be tested for COVID-19, ideally 48 hours in advance of admission. The guidance also recommends that all new residents should be subject to isolation for 14 days, in line with infection control advice.

**Mr Robinson** asked the Minister of Health for an update on discussions regarding the resumption of outpatient services.  
(AQW 4913/17-22)

**Mr Swann:** You will be aware that on 9 June 2020 I published the Strategic Framework for Rebuilding Health and Social Care Services, along with Phase 1 (June 2020) rebuilding plans for each of the six Health and Social Care (HSC) Trusts.

The Strategic Framework will underpin the development of incremental service plans by Trusts. The key aim will be to incrementally increase HSC service capacity as quickly as possible across all programmes of care, including outpatient services, within the prevailing COVID-19 conditions. Subsequent phases will see these service activity plans and targets updated in three monthly cycles.

**Mr O'Toole** asked the Minister of Health when he will provide a timeframe for the reopening of all dental services in Northern Ireland.  
(AQW 4930/17-22)

**Mr Swann:** The Chief Dental Officer wrote to all General Dental Practitioners (GDPs) on 18 June 2020 setting out plans for the phased resumption of non-urgent dental care. In particular, treatments not involving Aerosol Generating Procedures (AGPs) can resume on 29 June 2020. The available treatments will be extended to include AGPs from 20 July 2020, although some practices will be able to provide all dental services from 1 July 2020 if they are able to meet the necessary standards to safely offer AGPs.

**Mr Dunne** asked the Minister of Health to outline any plans to relax visiting restrictions in hospital wards, including maternity wards.

**(AQW 4940/17-22)**

**Mr Swann:** I recognise the distress and upset for individuals and families when a loved one is admitted to hospital during the restricted visiting period. It is counterintuitive to how we normally respond in Northern Ireland to family visiting during hospitalisation.

The reduction of visitors to hospitals was a key strategic component of managing the pandemic and it was taken to protect patients, their families and health and social care workers by reducing the risk of infection. This was aligned to the "Stay at Home" message during lockdown.

Regrettably, many difficult requests from the health service to the public are being made regarding presence within hospitals and clinics during these unprecedented times and I sincerely apologise for this but do hope the public understand. This applies to all hospital wards, including our maternity wards.

Please be assured that whilst adhering to the principles of the visiting guidance Health and Social Care Trusts in Northern Ireland will always consider individual cases to ensure a person centred approach to our service.

Care providers have been encouraged and supported to make the best use of technology to maintain virtual contact between patients and their families, but I recognise that this is a poor substitute for being able to visit a loved one in person and I do empathise with those who are in this situation.

Following publication of the Northern Ireland Executive five-step approach to relaxing lockdown restrictions, my Department is in the process of reviewing the COVID-19 visiting guidance, and will share the revised guidance as soon as possible, with our intention being to publish by the end of June.

**Ms Sugden** asked the Minister of Health to outline his plans to resume day opportunities for adults with learning disabilities across all Health and Social Care Trusts following the response to COVID-19.

**(AQW 4954/17-22)**

**Mr Swann:** Detailed planning is underway for the resumption of services, including day opportunities, for people with learning disabilities. Service recovery will take place in a phased and regionally consistent manner, informed by a range of factors including COVID-19 transmission levels and guidance on infection prevention. Engagement with providers and families across all Trusts on this issue is continuing.

**Ms Sugden** asked the Minister of Health to update his advice to those who have received shielding letters.

**(AQW 4955/17-22)**

**Mr Swann:** I understand that it has been extremely difficult for those who are shielding. As I emphasised in my statement on 18 May, I believe that it is important that shielding lasts no longer than is deemed clinically necessary.

On 18 June, the Executive agreed to my proposal that, if the risk continues to be low, shielding can be paused from 31 July 2020. On 22 June, I announced interim easements to the shielding advice which will take effect from the 6 July. From that date, those who are shielding will be able to meet up to six people outside the home, as long as social distancing is strictly observed; and, in addition, people who are shielding and living alone will be able to form a support bubble with one other household. These easements are based on the continuing reduction in the rate of community transmission of the virus in Northern Ireland.

Further details on these easements are being provided in writing, in the week commencing 22 June, to people who are shielding. This letter also provides further advice and guidance with respect to our plans to put shielding on hold from 31 July.

**Mr Allister** asked the Minister of Health how much his Department has spent on producing material in Irish, in each of the last three years.

**(AQW 4966/17-22)**

**Mr Swann:** My Department did not produce any material in Irish in each of the last three years.

#### **Background Note**

- 1 Jim Allister, MLA, has asked you how much this Department has spent on producing material in Irish in each of the last three years.
- 2 Mr Allister has issued this request to all NICS Departments.
- 3 This Department has not produced any material in Irish in the last three years.
- 4 Mr Allister previously asked this question in 2016. At that time, again, there was no material produced in Irish by this Department.

**Mr M Bradley** asked the Minister of Health whether he intends to examine the role of each Health and Social Care Trust as part of the review of health provision.

**(AQW 4971/17-22)**

**Mr Swann:** In order to achieve the mission set out in the new 'Strategic Framework for Rebuilding HSC Services' launched on 9 June, I felt it necessary to make significant changes to the current governance structures. These changes impact on the responsibilities of the Health and Social Care Board (HSCB), the Public Health Agency (PHA) and the HSC Trusts. I have published a Memorandum to the HSC Framework Document (2011) setting out the changes to governance and decision making processes for a period of two years, with effect from June 2020. This will be reviewed on a 6 monthly basis.

One of the changes to governance arrangements is the establishment of a Management Board. The Management board will report directly to me and will provide oversight and direction on the implementation of my priorities as reflected in the Strategic Framework for Rebuilding HSC Services.

This does not diminish the existing delegation of the Department's statutory functions to the relevant bodies, including Trusts, but rather ensures that the direction and oversight of the Department's priorities for the next two years is made clear.

**Mr McHugh** asked the Minister of Health to outline (i) when expectant mothers will be able to have their respective partners join them at baby scans; and (ii) an approximate timeframe of when restrictions will be eased to allow partners into the wards to assist mothers post-birth.

**(AQW 4979/17-22)**

**Mr Swann:** I am aware that current Departmental guidance on partners being allowed to attend ultrasound scan appointments is affecting pregnancy and birth experience for many. I am sorry for this, as that is truly not the experience I would wish for any of the families within our Health and Social Care Trusts.

However, as I'm sure you appreciate, these are extremely challenging times for us all and we are working hard to do the right thing. We must achieve a balance between the safety of women, babies and staff and being inclusive of partners. COVID-19 is a new virus and given the limited information currently available about how it could affect pregnancy, the UK Government has decided that it would be prudent for pregnant women to be placed in the vulnerable group and to stringently engage with social distancing measures to reduce the risk of infection.

It is on that basis that women have been asked to attend all antenatal visits and scan appointments alone. While every effort is made to make provision for the attendance of partners at the actual birth, stricter controls than would normally apply have to be in place before labour is established, and after the baby has been delivered. By doing this we can continue the provision of safe and essential care for women and it is also intended to protect other women, babies, the maternity staff, and families from the risk of infection.

I appreciate this is very difficult for parents, and to exclude partners at this time is counterintuitive to how we normally work within the maternity service. Regrettably, many difficult requests from the health service to the public are being made regarding presence within hospitals and clinics during these unprecedented times and I sincerely apologise for this but do hope you understand.

Following publication of the Northern Ireland Executive five-step approach to relaxing lockdown restrictions, my Department is in the process of reviewing the COVID-19 visiting guidance, and will share the revised guidance as soon as possible, with our intention being to publish by the end of June.

**Mr McHugh** asked the Minister of Health for an estimated timeframe of when visitors will be permitted in hospitals again.

**(AQW 4982/17-22)**

**Mr Swann:** The restriction of visitors to hospitals was a key strategic component of managing the pandemic and it was introduced to protect patients, their families and health and social care workers by reducing the risk of infection.

Following publication of the Northern Ireland Executive five-step approach to relaxing lockdown restrictions, my Department is in the process of reviewing the COVID-19 visiting guidance. We will share the revised guidance as soon as is practicably possible, with our intention being to publish by the end of June.

**Mr Easton** asked the Minister of Health what plans his Department has to help pharmacies with the delivery costs of medication.

**(AQW 4987/17-22)**

**Mr Swann:** My Department is currently working with Community Pharmacy NI, the representative body for community pharmacists, in developing a commissioning plan for community pharmacy services up to March 2021. This plan will focus on the provision of services to the public during the coronavirus pandemic to ensure access to medicines, treatments for common ailments and support for physical and mental wellbeing. This includes the potential for the commissioning of a prescription delivery service for certain patients later this year.

However, presently the Health and Social Care Board does not commission a prescription delivery service from community pharmacists nor do they currently get remunerated for the provision of such a service. The home delivery of prescription

medicines is currently provided at a pharmacy contractors own discretion and also during the pandemic, through a network of community and voluntary groups.

**Mr Easton** asked the Minister of Health how many pharmacies availed of loans of up to £60,000 to help during the COVID-19 pandemic.

**(AQW 4988/17-22)**

**Mr Swann:** The Department has thus far provided a significant level of additional funding to support community pharmacies during the COVID-19 pandemic including the advancement of £35m in contractual payments and the provision of £10.5m in additional funding for staffing, adaptation of premises, business continuity and for the establishment of a new emergency supply service. A further £1m was also made available for an exceptional Easter rota and to support enhanced palliative care on-call arrangements.

Community pharmacies are independently owned businesses and as such they are free to borrow and invest in their businesses as they see fit. My Department would therefore not be aware of the borrowing practices of independently owned community pharmacies.

I am aware that the UK Government has set out a package of measures to support some businesses through the disruption that has been caused by COVID-19. Businesses in Northern Ireland, including pharmacies, may apply to access financial support through delivery of a number of business grant schemes. However, the administration of these schemes in Northern Ireland is the responsibility of the Department for the Economy.

**Mr Irwin** asked the Minister of Health to outline the pathway for the restoration of emergency department services at Daisy Hill hospital.

**(AQW 4990/17-22)**

**Mr Swann:** You will be aware that on 9 June 2020 I published the Strategic Framework for Rebuilding Health and Social Care Services, along with Phase 1 (June 2020) rebuilding plans for each of the six Health and Social Care (HSC) Trusts. The Strategic Framework will underpin the development of incremental service plans by Trusts, including for the provision of urgent and emergency care.

The key aim will be to incrementally increase HSC service capacity as quickly as possible across all programmes of care, including emergency care, within the prevailing COVID-19 conditions. Subsequent phases will see these service activity plans and targets updated in three monthly cycles.

The Southern HSC Trust has confirmed that it is committed to the reinstatement of the Emergency Department in Daisy Hill and, in the meantime, options will be developed to further consider interim safe models of service delivery.

**Mr Durkan** asked the Minister of Health when daycare centres and other respite facilities can reopen to provide support for patients and their families; and how COVID-19 restrictions will affect these services.

**(AQW 5008/17-22)**

**Mr Swann:** Detailed planning is underway for the resumption of services, including day opportunities, for people with learning disabilities. Service recovery will take place in a phased and regionally consistent manner, informed by a range of factors including COVID-19 transmission levels and guidance on infection prevention. Engagement with providers and families across all Trusts on this issue is continuing.

**Mr Muir** asked the Minister of Health to detail the reasons for the higher recorded infection rate from Pillar 1 testing in the Ards and North Down council area during June 2020; and why this has not been published to provide guidance and reassurance to the public.

**(AQW 5018/17-22)**

**Mr Swann:** As of 21 June 2020 the rate of positive cases was recorded as 245 per 100K population in the Ards and North Down area. This is lower than the overall rate for Northern Ireland which on the same date was recorded as 259 positive cases per 100K population. The total number of positive cases in the Ards and North Down area identified during June was 44.

Our contact tracing service (Test, Trace & Protect) was introduced on 18 May 2020. The Public Health Agency has advised that no potential clusters or outbreaks have been identified in the Ards and North Down council area to date by the service.

**Mr Carroll** asked the Minister of Health to outline the reasons for lifting capacity restrictions for nurseries but not for childminders.

**(AQW 5031/17-22)**

**Mr Swann:** Although there will be no operating restrictions in terms of minimum or maximum numbers of children daycare and school-age childcare settings can provide childcare to from 15 June, a number of measures have been put in place to make sure, as far as possible, that safety is maintained in infection control terms, including the implementation of play pods in settings. Settings have been asked to organise children and staff in small groups (12 children maximum, although smaller



Pods are advised where possible, particularly in connection with younger children). Mixing of play pods within settings is not permitted at this stage.

It is difficult to make a direct comparison between a childminder's household and a daycare setting. They are different spaces, with different dimensions, with different numbers of staff. The aim is to increase capacity gradually within childminding. This will be kept under review and greater easing could be applied more quickly if medical and scientific evidence indicates that it can.

**Ms Hunter** asked the Minister of Health to outline his Department's position on extending the crisis intervention pilot programmes to other areas, including east Derry.

**(AQW 5067/17-22)**

**Mr Swann:** Policy work to consider the optimal delivery of crisis services has been requested by the Chief Medical Officer and is expected to commence imminently under the Protect Life 2 Strategy. This is expected to make recommendations for the future delivery of crisis intervention services and also enhanced co-ordination of a range of associated programmes including the Towards Zero Suicide programme, Lifeline, and the Multi Agency Triage Team. Decisions on future delivery of crisis services will be taken by the Department once that work is completed.

**Mr Gildernew** asked the Minister of Health to list the recent resignations from the board of the Regulation and Quality Improvement Authority.

**(AQW 5095/17-22)**

**Mr Swann:** The table below lists the former RQIA Board members who have recently resigned and date of resignation

Position	Name	Date of Resignation
Acting Chair	Professor Mary McColgan OBE	17/06/2020
Member	Mr Robin Mullan	17/06/2020
Member	Mr Seamus Magee OBE	17/06/2020
Member	Mrs Sarah Havlin	09/06/2020
Member	Mr Norman Morrow OBE	17/06/2020
Member	Mr Gerry McCurdy	17/06/2020
Member	Mr Denis Power	17/06/2020
Member	Miss Patricia O'Callaghan	17/06/2020
Member	Ms Lindsey Smith	10/06/2020

**Mr Easton** asked the Minister of Health when Health Service staff will receive the salary they lost as a result of the recent strike action.

**(AQW 5104/17-22)**

**Mr Swann:** I am on record as to the value I place on the skill, dedication and hard work of health and social care staff. I have seen at first hand the magnificent job that all HSC workers perform, the risks that they take, and the sacrifices that they make.

The Executive agreed at its meeting on 18 May to allocate funding of £1.64m to the Department of Health for the reinstatement of pay lost due to participation in strike action. On 20 May I was asked by the Minister of Finance to bring forward proposals to enable the award of this funding to be made to health staff.

I will be bringing a paper very shortly on the issue to the Executive.

**Mr Easton** asked the Minister of Health to detail the pay gap between nurses in Northern Ireland and those in the rest of the UK.

**(AQW 5105/17-22)**

**Mr Swann:** With the restoration of pay parity with effect from 1 April 2019, nurses and all Agenda for Change staff in NI are on the same pay rates as their counterparts in England and Wales.

Scotland has its own pay structure. Pay in nursing depends on applicable pay band and years of experience, but for comparison the table below shows the band minima and maxima for Bands 5 and 6 across the regions:

Region	Band 5 Min 2020-21 (£)	Band 5 Max 2020-21 (£)	Band 6 Min 2020-21 (£)	Band 6 Max 2020-21 (£)
NI, England and Wales	24,907	30,615	31,365	37,890
Scotland	25,100	31,649	31,800	39,169

## Department for Infrastructure

**Mr Durkan** asked the Minister for Infrastructure for her assessment of the implications of the Buick judgement on planning decisions.

**(AQW 4223/17-22)**

**Ms Mallon (The Minister for Infrastructure):** The Buick judgments were related to the proposal by the arc21 Councils to build a waste treatment facility and energy from waste plant at Hightown Quarry, Mallusk. These judgments quashed the Department of Infrastructure's decision to approve the related planning application in the absence of a Minister.

The Court of Appeal, in July 2018, found that the decision to grant planning permission raised cross cutting issues and was significant and controversial which required the approval of the Executive Committee. My assessment of the judgment is that it gives weight to the contention that most decisions on planning applications before the Department should fall to the Executive to discuss and agree.

This would leave any Minister for Infrastructure both now and in the future without the authority to make the very planning decisions which are the responsibility of their Department. This in my view is an untenable situation and I tabled a paper for discussion at the Executive to discuss a solution. I am pleased to confirm that my assessment was shared by the Executive and at its meeting on 22nd June 2020, a legislative remedy was agreed for progressing via accelerated passage before the NI Assembly recess period.

**Mr McGuigan** asked the Minister for Infrastructure, following the publication of cyclist casualties from 2014-2018, to outline what her Department is doing to address cyclist safety concerns, such as exploring (i) better educational awareness via driving tests; (ii) separated cycling infrastructure; (iii) a new safe passing law; (iv) increased signage; and (v) the promotion of cyclist safety.

**(AQW 4559/17-22)**

**Ms Mallon:** As Minister for Infrastructure, I take my responsibility for promoting and improving road safety very seriously. I continue to work actively with partners to reduce death and serious injuries on our roads.

It is my intention to bring forward Subordinate Legislation to introduce Graduated Driver Licensing (GDL) as provided for in the Road Traffic (Amendment) Act (Northern Ireland) 2016. GDL will introduce a revised training, testing and post-test regime for learner drivers (and riders). As part of this, a Programme of Training will be introduced through a modular structure covering a number of areas, including road sharing, vulnerable and other road users and risk and hazard awareness.

I recently announced the creation of a Walking and Cycling Champion in my Department with responsibility for taking forward work to deliver safe routes that give people the freedom and confidence to walk and cycle as part of their everyday routine. I am working with Councils and other stakeholders on developing plans for better walking and cycling infrastructure and this will include consideration of better signage.

While there are no current plans for legislation which prescribes a minimum space to be observed when overtaking a cyclist, I am, however, very keen to continue to make clear the need for drivers to be aware of cyclists and other vulnerable road users on the road and particularly the need to take care when overtaking them. The Highway Code advises drivers to give cyclists at least as much room as you would when overtaking a car.

All drivers have a duty of care and consideration to other road users. The Highway Code contains an entire section entitled "Road users requiring extra care" which aims to educate and remind drivers of the needs of more vulnerable road users such as cyclists.

It is also worth noting that it is an offence under Article 12 of the Road Traffic (NI) Order 1995 to drive without due care and attention, or without reasonable consideration for other persons using the road. On conviction, a person faces a fine of up to £5000, between three and nine penalty points and possible disqualification. Any incidents involving dangerous or careless behaviours should be reported to the police.

My Department has a full programme of road safety public information campaigns including those promoting the safety of people cycling. These campaigns are communicated using multimedia channels including TV, radio, bus rears and social media. The cycling safety campaigns provide advice to both drivers and cyclists to increase cyclist safety awareness, including advice to drivers on leaving space of a minimum of 1.5 meters when passing people cycling.

**Ms Ní Chuilín** asked the Minister for Infrastructure (i) whether her Department provided land for social housing in North Belfast; (ii) to detail where this land is located; and (iii) if she has not deemed land from her Department available for social housing, when she will do so.

**(AQW 4573/17-22)**

**Ms Mallon:** Through the government disposal procedures, any departmental land declared surplus to requirements is available to the NIHE or any Housing Association to acquire for social housing.

There is a pressing need for more social and affordable homes in North Belfast. My department currently has four surplus areas of land in the constituency located at:

- Ballysillan Park/Crumlin Road Junction;

- Clifton Street;
- 295 Whitewell Road; and
- Fortwilliam Interchange.

The NIHE is in the process of acquiring the land at Ballysillan Park/Crumlin Road junction, to construct a new recreational area and viewing platform under the Urban Villages Programme. To date there has been no interest in acquiring the Clifton Street land due to the extensive drainage pipework located under the site. Negotiations are ongoing with adjoining landowners for the other two sites.

In disposing of surplus land all government departments must follow the Department of Finance's "Disposal of Surplus Public Sector Property in Northern Ireland" guidelines. All surplus land is trawled first by the Department of Finance's Central Advisory Unit to the internal market contacts and, if no interest is declared within a specific timeline, the land/property is put on the open market for consideration by the external market. The following groups are consulted during the internal trawl:

- All government departments;
- District Councils;
- NIHE and all Housing Associations (land for social and affordable housing); and
- The Development Trust NI which assists third sector bodies wanting to acquire land/property by way of a Community Asset Transfer.

If no interest is received from the internal market, then the disposal is offered to the external market (e.g. former owner, adjoining owner, open market). If no interest is declared in any site by the NIHE or any Housing Association, they may be purchased by the private sector and used for new housing.

In disposing of all surplus land, my department is mindful of the PfG target of "Improving the Supply of Suitable Housing". Details of my entire department's current surplus land were provided directly to the Department for Communities' Public Land for Housing Working Group and my officials attend this Working Group's inter-departmental meetings. These details were also sent to the Chief Executive of the Northern Ireland Federation of Housing Associations. To date no interest has been declared in any of the surplus sites by any Housing Association or the NIHE for social housing.

**Mr Robinson** asked the Minister for Infrastructure whether those who have passed the theory test for a car driving licence will receive an automatic extension for the validity of the test due to the current COVID-19 situation.  
(AQW 4574/17-22)

**Ms Mallon:** I am aware that some learner drivers are in the position that, through no fault of their own, their theory test pass certificate is coming close to the end of its two year period of validity, or has expired during the current pandemic.

I have asked officials to engage with colleagues in the Driver and Vehicle Standards Agency in Great Britain to consider what additional measures may be implemented to ensure that those candidates inconvenienced by the current Covid-19 crisis are not further penalised through the expiry of their theory test certificate. It is, however, likely that any extension to the validity period of theory test pass certificates will require an amendment to legislation and this is being explored.

**Mr Robinson** asked the Minister for Infrastructure to outline (i) why those with a theory test booked during the COVID-19 pandemic were not notified individually of test centres being closed; (ii) whether they will be prioritised for a test when centres re-open; and (iii) why the online system is still accepting bookings for theory tests.  
(AQW 4575/17-22)

**Ms Mallon:** Before a theory test is cancelled or rescheduled, the candidate is sent a notification by the theory test provider. Where an email address has been provided as part of the booking process, the candidate is notified by email. However, where a candidate has not provided an email address as part of the booking process, any change notifications are issued by post to the address provided.

The Driver and Vehicle Agency is holding a number of applications from key workers whose work is critical to the COVID-19 response. When theory test centres reopen, those candidates who meet this criteria will be prioritised manually in the first instance.

The online booking system is currently accepting bookings for tests beyond 22 June 2020, in line with contractual requirements. If the suspension of theory tests is extended beyond that date, these will be rescheduled and affected candidates will be advised how to change or cancel their booking. Before they enter the booking system, candidates are warned that theory tests are suspended until further notice because of COVID-19. I will provide an update on the resumption of DVA services shortly.

**Mr Newton** asked the Minister for Infrastructure to detail the (i) footpath; (ii) road resurfacing projects; and (iii) new roadways, planned in the Belfast East constituency in (a) this current financial year; and (b) in the 2021/22 financial year.  
(AQW 4576/17-22)

**Ms Mallon:** My Department intends to progress a number of footway and road resurfacing schemes and surface dressing schemes in the East Belfast constituency during this financial year. My officials in Roads Eastern Division maintain a priority list of footway and carriageway resurfacing schemes for consideration over a nominal three year period. However as the

ranking of schemes within that list can change for a number of reasons throughout a financial year, it is not normal practice to finalise a programme of resurfacing works for future financial years until the end of the current year.

Completion of all schemes on the 2020/21 programme listed below will be dependent upon a number of factors including the availability of funding and the continued availability and productivity of contractor resources, which have been impacted by the Covid-19 pandemic.

Schemes currently programmed for progression in 2020/21 are as follows:

**Footway reconstruction schemes**

- Marmont Park area;
- Sandhill Parade (Sandhill Gardens to Sandhill Park); and
- Orby Gardens.

**New footway schemes**

- 180m of new footway and resurfacing 40m of existing footway as part of Barnett's Road improvement scheme.

**Road resurfacing schemes**

- Hawthornden Way (Parkway to Upper Newtownards Road);
- Cregagh Road (Tildarg Street to Onslow Parade);
- Woodstock Link (Albertbridge Road to Halcombe Street);
- Marmont Park area;
- Sandhill Parade (Sandhill Gardens to Sandhill Park); and
- Orby Gardens.

**Surface Dressing Schemes**

- Gilnahirk Road West; and
- Ballyregan Road.

**Mr Clarke** asked the Minister for Infrastructure for a copy of the full design risk assessment report for the design of the overbridge at Derrygowan Road on the Randalstown to Toome dual carriageway, as carried out under TD19/06 of the Design Manual for Roads and Bridges, to show all the risk factors incorporated in the decision for design.

**(AQW 4586/17-22)**

**Ms Mallon:** There is no requirement in TD19/06 of the Design Manual for Roads and Bridges for a "full design risk assessment report". However, the document does refer to the "Road Restraint Risk Assessment Process" (RRRAP) software and I will write to you separately to provide this and place a copy of my response in the Assembly Library.

**Mr Muir** asked the Minister for Infrastructure whether she will introduce a discount voucher scheme for the repair and purchase of bicycles.

**(AQW 4587/17-22)**

**Ms Mallon:** My officials have been examining the proposals in England, to introduce a voucher scheme for bicycle servicing and repair. I understand that the proposed scheme is not available for the purchase of bicycles. I will give further consideration to the benefits of a scheme in Northern Ireland.

**Mr Boylan** asked the Minister for Infrastructure whether she intends to increase funding for active travel projects such as (i) cycle lanes; (ii) greenways; and (iii) the active travel school program.

**(AQW 4596/17-22)**

**Ms Mallon:** I have recently announced £20m funding for blue/green infrastructure which will support our communities through the transformation from recent lockdown measures, promoting active travel and shaping our places to live in the new normal. This funding will be community led and Departmentally supported. In partnership, we can ensure lasting change for people across the north. This is an increase in funding provided in previous years for cycle lanes and greenways.

The Active School Travel Programme aims to increase the number of children travelling to and from schools by active travel means such as walking, cycling or scooting. It is currently co-funded by my Department and the Public Health Agency to meet the annual running costs of £400,000. Work has already started on exploring options for the way forward when the current contract expires in 2021. I hope to be in a position to make decisions on the way forward for the programme later in the year.

**Mr Wells** asked the Minister for Infrastructure what recommendations made by the Committee for the Environment's report on their Inquiry into Wind Energy of March 2015 have been implemented.

**(AQW 4598/17-22)**

**Ms Mallon:** I am aware that the former Environment Committee conducted an inquiry into wind energy in Northern Ireland and published a report containing 20 recommendations which cut across the responsibilities of the former Department of the

Environment (DoE), Department of Enterprise, Trade and Investment (DETI), the Health and Safety Executive for Northern Ireland (HSENI), the Utility Regulator and developers/individual home owners.

I am currently considering the way forward for a review of strategic planning policy for renewable energy and, as part of this, I will take time to reflect on all relevant matters, including the recommendations of the then Environment Committee's inquiry into wind energy. I will announce my decision on this in the near future.

**Mr Wells** asked the Minister for Infrastructure, in relation to the Committee for the Environment's report on their Inquiry Into Wind Energy in March 2015, which stated that the ETSU-R-97 Noise Guidelines were seriously out of date, not fit for purpose and in urgent need of review, (i) whether a review of ETSU-R-97 Noise Guidelines was completed; (ii) if so, the outcome of the review; (iii) whether ETSU-R-97 Noise Guidelines are still in use; and (iv) if not, what noise guidelines have been used to assess planning permission for industrial wind turbines, since March 2015.

**(AQW 4599/17-22)**

**Ms Mallon:** I am aware that the Environment Committee's report into Wind Energy in Northern Ireland, included a recommendation "that the Department should review the use of the ETSU-97 guidelines on an urgent basis, with a view to adopting more modern and robust guidance for measurement of wind turbine noise, with particular reference to current guidelines from the World Health Organisation".

The ETSU-97 guidelines are the responsibility of the Department for Business, Energy & Industrial Strategy (BEIS), Westminster therefore my Department is unable to review it.

Furthermore, I am aware that the former Department of the Environment gave a commitment to further investigate and consider the use of the ETSU standard in Northern Ireland as part of an intended review of strategic planning policy for renewable energy when publishing the Strategic Planning Policy Statement (SPPS).

Since the publication of the SPPS in September 2015, my Department issued a 'Call for Evidence' in March 2016 and subsequently commissioned independent consultants to undertake research to inform the future direction of strategic planning policy for renewable energy development. I will decide the way forward for a policy review as soon as practicable, taking time to reflect on all relevant matters, including the consultant's report and the use of the ETSU-R-97 standard in Northern Ireland.

**Mr Butler** asked the Minister for Infrastructure (i) how many applications for road or street adoption have been made in respect of all developments; and (ii) how many were successful, for the periods (a) 1995-2000; (b) 2000-2005; (c) 2005-2010; (d) 2010-2015; and (e) 2015-2020.

**(AQW 4609/17-22)**

**Ms Mallon:** The Private Streets (NI) Order 1980 and the Private Streets (Amendment) Order 1992 provide the statutory basis for the adoption of roads constructed by developers. The Department will consider adopting any street or part of a street that is eligible under the terms of the Order. The Order details the adoption process and further provides for the Department (DfI Roads) to adopt the determined layout upon full and satisfactory completion by the developer.

The following table provides details of the number of road adoptions for developments or part developments made by the Department since April 2002 (the Department does not hold details of numbers of adoptions in this format for the period before 2002):

Period	No. road adoptions
April 2002 – March 2005	1277
April 2005 – March 2010	2630
April 2010 – March 2015	1567
April 2015 – March 2020	1253

**Mr Robinson** asked the Minister for Infrastructure whether her Department permits outdoor seating at cafés in pedestrianised town centres if it is socially distanced.

**(AQW 4618/17-22)**

**Ms Mallon:** The Licensing of Pavement Cafés Act (Northern Ireland) 2014 empowers District Councils to manage Pavement Café requests. The Department for Communities has prepared guidelines to assist district councils with the implementation of this statutory licensing scheme however my Department takes an active role and is a key partner in that process.

I am committed to working in partnership with councils and the hospitality industry to seek to kick start the economy and plan for recovery and I have written to all of the councils asking them, as planning authorities, to temporarily take a flexible and pragmatic planning approach to the use of on-street seating for cafes and bars, beer gardens and similar outdoor areas to accommodate physical / social distancing. I have made it clear however that, in taking forward proposals, the needs of people with visual impairment or mobility difficulties must be properly considered and addressed.

**Ms Rogan** asked the Minister for Infrastructure (i) what preparations are being made for the phased reopening of vehicle test centres, including discussions with trade unions; and (ii) for her assessment as to when testing may resume.

**(AQW 4622/17-22)**

**Ms Mallon:** On 1 June 2020, following consultation with staff and Trade Unions, the Driver and Vehicle Agency (DVA) safely reinstated a limited number of specialist tests for those vehicles that deliver essential services. This was to ensure that supply chains and the health service continue to be supported during this time of significant challenge.

On 22 June, I announced a timetable for the planned reinstatement of further vehicle testing services, initially prioritising those vehicles that cannot avail of an exemption, such as first time taxis and buses, vehicles not registered in Northern Ireland and due a test and vehicles whose MOT certificates have expired by more than 12 months, which includes SORN'ed vehicles and those sold by car dealerships. As restrictions ease, and the DVA's capacity to test vehicles increases, more services will be reinstated until such times as normal business resumes.

Before any vehicle testing services are reinstated they will be fully risk assessed to ensure the processes comply with all public health and safety guidance and in consultation with staff and Trade Unions, to ensure the safety of staff and customers during the testing process.

**Ms Sheerin** asked the Minister for Infrastructure whether she intends to progress the A29 Cookstown bypass.

**(AQW 4623/17-22)**

**Ms Mallon:** I have set aside funding in 2020/21 to progress the development of a number of strategic road improvement schemes, including the A29 Cookstown By Pass.

I am keen to progress strategic road schemes, to address regional imbalance and deliver multiple benefits for communities across Northern Ireland, consistent with my wider priorities, and to ensure that they are future-proofed and help to stimulate our green recovery.

**Mr McHugh** asked the Minister for Infrastructure to detail (i) how many Department for Infrastructure employees went on long-term sick leave; and (ii) how many of those have since returned to work, in the last three years.

**(AQW 4624/17-22)**

**Ms Mallon:** The information requested, in relation to the number of staff within my Department who have had a long-term sick absence in last three financial years, is set out in the table below.

Financial Year	No of Staff who have one or more periods of long term sickness in this financial year	No of long term Absence Spells <sup>1</sup>	No of Spells after which the employee returned to work
2017/2018	430	454	362
2018/19	409	425	331
2019/20 (Estimated)	416	438	329

<sup>1</sup> A long-term spell is any spell of sickness absence that lasts longer than 20 consecutive days. The figure relates to only those periods of sick absence in a financial year that reached 20 consecutive days

A member of staff may have more than one spell of long term sick leave within a financial year and therefore the number of spells is higher than the number of staff. Likewise, the number of spells where a member of staff returned to work is higher than the number of staff who returned to work.

The information set out in the table reflects the position on the Northern Ireland Civil Service HR system as at the end of each financial year.

**Mr Boylan** asked the Minister for Infrastructure (i) when did Translink first approach her Department on the possibility of furloughing staff; and (ii) when did her Department first approach the Department of Finance on this matter.

**(AQW 4627/17-22)**

**Ms Mallon:**

- (i) On 17 April, the Department of Finance issued guidance to my Department on the Coronavirus Job Retention Scheme (CJRS) which outlined the conditions under which, very exceptionally, it might be appropriate for a public sector organisation to consider use of Scheme. Following consideration of that guidance, on 23 April, Translink's Chief Executive provided the Department with a paper providing his assessment of the applicability of the Scheme to Translink in line with the guidance. That assessment concluded that an application to the CJRS would not be appropriate given the impact on the delivery of services. Following a review of this assessment, I confirmed this position to the Finance Minister on 13 May.

- (ii) I first wrote to the Finance Minister on 23 April regarding furloughing public sector workers and Covid 19 financial pressures, again on 28 April and on 13 May on furloughing. On 22 May, the Finance Minister issued updated guidance on the use of the CJRS by public sector organisations which again emphasised the UK Government's view that the scheme would not be used by public sector organisations other than in some very specific circumstances. This updated guidance also made clear that Accounting Officers were responsible for justifying any application to the scheme. Reflecting this, my Department's Accounting Officer requested that the Chief Executive of Translink, in his role as Designated Accounting Officer, undertake a further review. This further assessment was received by my Department on 2 June. It confirmed that the CJRS was not applicable for the majority of Translink staff but identified a small group of staff in Ulsterbus Tours, a small commercial arm of Translink that the Translink Accounting Officer considered may be eligible.

Following review of this assessment, and in line with the guidance provided to us, my officials approached the Department of Finance regarding access to the CJRS for Ulsterbus Tours staff on 4 June and received confirmation that an application would be appropriate. This was notified to Translink and an application was made.

**Mr K Buchanan** asked the Minister for Infrastructure to detail the expenditure on (i) capital projects; and (ii) maintenance in Mid Ulster District Council area, (a) in the last three years; and (b) planned for the next three years.

**(AQW 4628/17-22)**

**Ms Mallon:** Expenditure for Mid Ulster District Council on capital and maintenance has been provided for the three most recent years, 2016-17, 2017-18 and 2018-19 in the table below. Analysis of district council expenditure for 2019-20 is not yet available.

£'k

	2016-17	2017-18	2018-19
Structural Maintenance	10,230	7,528	11,698
Other Maintenance	3,360	3,814	3,370
Capital Projects	22,540	22,069	28,354

DfI Roads officials meet with District Councils bi-annually and present reports to provide detail on projects which benefit the communities who live in their Council area. I have therefore provided you with hyperlinks to the most recent reports presented to Mid Ulster District Council.

<https://www.infrastructure-ni.gov.uk/publications/annual-and-interim-reports-mid-ulster-district-council-2016>

<https://www.infrastructure-ni.gov.uk/publications/interim-report-mid-ulster-district-council-2017>

<https://www.infrastructure-ni.gov.uk/publications/annual-and-interim-reports-mid-ulster-district-council-2018>

<https://www.infrastructure-ni.gov.uk/publications/annual-and-interim-reports-mid-ulster-district-council-2019>

Capital Projects in the three years in the Table above include expenditure on Executive Flagships projects which will benefit the Mid Ulster Council area, namely the A6 Randalstown to Castledawson and the A5 Western Transport Corridor projects. I am happy to confirm that construction work continues on the A6 project with a forecast £27.5m to be spent in 2020-21; the A5 Western Transport Corridor remains at development stage and I have allocated £3.8m to this project in 2020-21.

In addition, I have set aside funding in 2020-21 to progress the development of a number of strategic road improvement schemes, including the A29 Cookstown By Pass. I am keen to progress strategic road schemes, to address regional imbalance and deliver multiple benefits for communities across Northern Ireland, consistent with my wider priorities, and to ensure that they are future-proofed and help to stimulate our green recovery.

I have also maintained the level of investment in Structural Maintenance of the road network at £75m for 2020-21, to help generate regionally balanced growth and to improve connectivity.

As the Executive have agreed a one year budget settlement for 2020-21, planned investment for forward years will be determined as part of future budget settlements.

**Ms Dolan** asked the Minister for Infrastructure when her Department intends to repair the Roscor Bridge, Belleek, Co. Fermanagh.

**(AQW 4645/17-22)**

**Ms Mallon:** A detailed inspection of Roscor viaduct was carried out in 2016. This included an examination of the extent of corrosion on the bridge reinforcement and an underwater inspection of the bridge foundations.

An options study to determine the most appropriate means of strengthening the bridge and replacing the missing northern span, currently accommodated by the temporary Bailey bridge, is now nearing completion.

**Mr Lyttle** asked the Minister for Infrastructure (i) how many; and (ii) what percentage of pupils accessed on-road cycle training, in each of the last three years.

**(AQW 4647/17-22)**

**Ms Mallon:** My Department promotes, funds and supports two cycling initiatives, the Active School Travel Programme (ASTP) and the Cycling Proficiency Scheme (CPS). The knowledge and skills gained in early years will assist young cyclists as they grow and cycle into adulthood.

The ASTP is co-funded by my Department and the Public Health Agency (PHA) and delivered under contract by Sustrans NI. Up to 16 year six pupils, at each of the 60 new schools joining each year, are provided with on-road cycle training in the first year of the three year programme.

The table below shows the numbers and percentages of pupils accessing the on road element of cycling training for ASTP:

Year	Total Primary School Enrolment	Average Year Group Enrolment (Primary School Enrolment Year Groups)	Number of Pupils trained through AST on-road training (Up to 16 no. pupils in 60 schools)	Percentage of Average Year Group Enrolment Trained on-road via AST
2017-18	173,700	24,800	877	3.5%
2018-19	174,500	24,900	844	3.4%
2019-20	173,900	24,800	825	3.3%

The Cycling Proficiency Scheme (CPS) is offered to every primary school in Northern Ireland with 348 schools and 6434 pupils participating on the scheme last year. The scheme is made up of two elements; the off-road and on-road training. As CPS is not a mandatory part of the school curriculum, the decision to participate in one or both elements of training is for each individual school. My Department encourages school principals to take up both elements of the scheme and provides all the necessary administration, risk assessments, training and resources to enable them to do so.

The table below shows the number of pupils who have accessed on-road cycle training element of CPS.

Year	Primary School Enrolment	Average Year Group Enrolment (Primary School Enrolment Year Groups)	Number of Pupils trained in CPS on-road, out of total trained in CPS	Percentage of Average Year Group Enrolment Trained on-road via CPS
2017-18	173,700	24,800	650 out of 7102 total no. trained in CPS	2.6%
2018-19	174,500	24,900	695 out of 6331 total no. trained in CPS	2.8%
2019-20	173,900	24,800	795 out of 6434 total no. trained in CPS	3.2%

It may also be worth noting that between 25% and 29% of the year group receive off-road cycle training through the CPS.

As cycling becomes more popular it is important that children have a full experience of cycling both on and off road. I hope you find this information useful.

**Mr Allister** asked the Minister for Infrastructure how vehicles, which are currently subject to a Statutory Off Road Notification, can be taxed and obtain an MOT so that they can return to the road.

**(AQW 4652/17-22)**

**Ms Mallon:** On 24 March 2020, in the interest of public safety and to tackle the spread of COVID-19, I suspended all vehicle testing at DVA test centres for three months, until 22 June 2020. Since vehicle testing was suspended, DVA has been issuing Temporary Exemption Certificates (TEC) to ensure that vehicles may continue to be driven legally on the road. TEC's will continue to be issued to all eligible vehicles until normal vehicle testing services resume.

Vehicles which are subject to a Statutory Off Road Notification (SORN) and have an MOT certificate which has not expired by 12 months or more will qualify for a TEC. This will allow the owner to tax and insure their vehicle.

Vehicles whose MOT certificate has expired by more than 12 months do not qualify for a TEC. More detailed information on TECs can be found at <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-and-motoring>.

On 22 June, I announced a timetable for the planned reinstatement of further vehicle testing services, initially prioritising those vehicles that cannot avail of an exemption, such as first time taxis and buses, vehicles not registered in Northern Ireland and due a test and vehicles whose MOT certificates have expired by more than 12 months, which includes SORN'ed



vehicles and those sold by car dealerships. As restrictions ease, and the DVA's capacity to test vehicles increases, more services will be reinstated until such times as normal business resumes.

**Ms Sheerin** asked the Minister for Infrastructure whether her Department will resurface the B40, Moneyneaney Road, Draperstown, which is considered to be a high priority by departmental engineering officials.

**(AQW 4659/17-22)**

**Ms Mallon:** The B40 Moneyneaney Road has been identified as a high priority for resurfacing within the Mid Ulster area and it is anticipated that a resurfacing scheme will be completed before the end of 2020.

**Miss Woods** asked the Minister for Infrastructure, pursuant to AQW 53446/11-16, (i) why local planning authorities can withhold Habitats Regulations Assessments from the planning portal; (ii) for her assessment of the practice being detrimental to enabling public access to the planning system; and (iii) whether she will follow the lead of Ireland's Department of Housing, Planning and Local Government and introduce regulations that require all planning documentation to be uploaded to the planning portal within five days of receipt.

**(AQW 4661/17-22)**

**Ms Mallon:** Where an assessment required by the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 has been undertaken by a planning authority this must be made available to the public. How this requirement is met is ultimately a matter for the individual planning authority, however, I believe the NI Planning Portal offers a consistent and readily accessible mechanism through which the public can electronically access important environmental information. I am unaware of any local planning authorities withholding such assessments but my officials intend to highlight this important issue with council Heads of Planning.

I do not consider there is a need for a statutory timeframe for uploading documents in Northern Ireland over and above the existing planning process. Nonetheless, my officials will reiterate to all councils the importance of making relevant documents available in a timely manner.

**Mr Easton** asked the Minister for Infrastructure why Lough Shore Road, Portaferry, has been left unrepaired for the last three months.

**(AQW 4663/17-22)**

**Ms Mallon:** The damage at Loughshore Road, Portaferry due to coastal action first came to the attention of my officials in February this year. The road was immediately closed for public safety reasons and has remained closed since then due to the severity of the damage. The site has been monitored and it is regrettable that there has been some disregard for the road closure with signs and cones being removed.

I can also confirm that a design for the repairs was developed and a Marine Licence obtained to carry out work in this environmentally sensitive area on the shores of Strangford Lough. Unfortunately, due to the Covid-19 lockdown restrictions, the contractor was unable to commence repair work as originally planned but it is now expected to commence in July.

**Mr K Buchanan** asked the Minister for Infrastructure to outline any plans to reduce speed limits to 20mph close to schools in Mid Ulster.

**(AQW 4667/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Miss McIlveen** asked the Minister for Infrastructure when she plans to reintroduce (i) parking enforcement; and (ii) parking charges for (a) on-street parking; and (b) off-street locations managed by her Department.

**(AQW 4675/17-22)**

**Ms Mallon:** I can advise that from Monday 22 June 2020, traffic attendants will be issuing advisory notices to inform and give vehicle owners time to prepare for the introduction of Penalty Charge Notices (PCN's). From Monday 29 June onwards, PCN's will be issued.

Parking charges will be reintroduced at on street locations and in my Department's off-street Park and Ride car parks from Monday 29 June.

**Ms Ní Chuilín** asked the Minister for Infrastructure for an update on the next stage of the North/South Belfast Rapid Transit route.

**(AQW 4704/17-22)**

**Ms Mallon:** A north-south Glider route is one of the projects identified for inclusion in the Belfast Region City Deal, officials have recently completed an Interim Outline Business Case for submission to the BRCD Programme Board and are working closely with the councils and other partners to take forward a feasibility and options appraisal, which will help in identifying route options. We are aiming to have this work completed by the end of this calendar year.

**Miss Woods** asked the Minister for Infrastructure (i) whether she would support the use of pavements and public spaces by hospitality businesses to safely open, provided they do not cause inappropriate obstructions and ensure social distancing; and (ii) if so, what measures can be put in place to facilitate this.

**(AQW 4708/17-22)**

**Ms Mallon:** The Licensing of Pavement Cafés Act (Northern Ireland) 2014 empowers District Councils to manage Pavement Café requests. The Department for Communities has prepared guidelines to assist district councils with the implementation of this statutory licensing scheme however my Department takes an active role and is a key partner in that process.

I am committed to working in partnership with councils and the hospitality industry to seek to kick start the economy and plan for recovery and I have written to all of the councils asking them, as planning authorities, to temporarily take a flexible and pragmatic planning approach to the use of on-street seating for cafes and bars, beer gardens and similar outdoor areas to accommodate physical / social distancing. I have made it clear however that, in taking forward proposals, the needs of people with visual impairment or mobility difficulties must be properly considered and addressed.

**Ms Flynn** asked the Minister for Infrastructure whether she will grant the concessionary fare scheme to Belfast Taxi CIC to bring them in line with other modes of public transport.

**(AQW 4714/17-22)**

**Ms Mallon:** I have requested a meeting with the Finance Minister and the Minister for Communities in relation to the request from Belfast Taxi CIC to join the concessionary fares scheme. In order for me to recommend an operator join the concessionary fare scheme it is important that I am satisfied the audit requirements of the scheme can be met by the operator and that their inclusion in the scheme is affordable within the budget I have available to me.

I have been clear that in its present format the concessionary fares scheme is underfunded. I am mindful that any decision to expand the scheme must be considered in the context of sustained levels of recurrent funding to maintain high quality public transport, a very significant challenge considering the severe constraints on my Department's budgets. For these reasons my officials are continuing to engage with Belfast Taxis CIC, and I am continuing to engage with the Finance Minister and Executive colleagues given the impact that access to public transport has on the economic, social and environmental well-being of the region.

**Ms Flynn** asked the Minister for Infrastructure for an update on cycle routes for West Belfast.

**(AQW 4715/17-22)**

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through this transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported.

I am keen to see progress on better walking and cycling infrastructure in all areas of the city and throughout the North and am currently considering the basis upon which funding may be allocated for cycling infrastructure. My department is working in partnership with Councils and stakeholders, in identifying and taking forward schemes that deliver on our Programme for Government outcomes and ensure lasting change for people across the North.

**Mr Carroll** asked the Minister for Infrastructure for her assessment of the value for money on the £300,000 spent on the award of a consultancy contract to Golder Associates UK.

**(AQW 4721/17-22)**

**Ms Mallon:** Due to the complex nature of the assignment which is in a highly specialised technical field, the accepted contract sum is considered appropriate and was agreed after a full market procurement. As the consultancy contract has only recently commenced my officials will be monitoring progress closely over the contract period to ensure that the scope of services required is fully delivered for the contract sum.

**Mr Beggs** asked the Minister for Infrastructure how much of the additional funding for park and ride facilities in this year's budget is to be allocated to the Trooperslane Park and Ride site.

**(AQW 4725/17-22)**

**Ms Mallon:** I have allocated £4m for the development of Park and Ride sites in 20/21 and will shortly be considering my priorities.

**Miss McIlveen** asked the Minister for Infrastructure to detail the 100 schools which have met the criteria for 20mph speed limit signage, as outlined in her budget statement.

**(AQW 4727/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Miss McIlveen** asked the Minister for Infrastructure which greenway projects have been identified for funding, as detailed in her budget statement.

**(AQW 4728/17-22)**

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through this transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported. In partnership we can ensure lasting change for people across Northern Ireland.

I am still considering the basis upon which funding may be allocated to specific greenway projects but it is important that schemes will deliver on our Programme for Government outcomes. I will make a further announcement shortly.

**Miss McIlveen** asked the Minister for Infrastructure to outline (i) details of the Blue/Green fund; and (ii) how this will be allocated.

**(AQW 4729/17-22)**

**Ms Mallon:** The £20m Blue/Green fund that I have announced will act as a catalyst for positive infrastructure and cultural change in the way citizens live and travel, building on current initiatives that I have already introduced.

I want to make sure that there is an inclusive approach to determining the deployment of this fund with a wide range of stakeholders having had the opportunity to identify innovative solutions that will transform communities for the better.

I therefore intend to meet with a wide range of stakeholders in the coming weeks to swiftly explore and seek support for co-design ideas and initiatives that can be taken forward under the fund immediately.

**Ms Dolan** asked the Minister for Infrastructure which schools in Fermanagh and South Tyrone will have 20mph speed limits on the roads around them.

**(AQW 4731/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised and the scheme rolled out at pace.

**Mr Lynch** asked the Minister for Infrastructure to detail how funding for greenway infrastructure will be allocated.

**(AQW 4732/17-22)**

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through this transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported. I am still considering the basis upon which funding will be allocated for greenway infrastructure but it is important that schemes will deliver on our Programme for Government outcomes. I will make a further announcement shortly.

**Mr Frew** asked the Minister for Infrastructure (i) whether Diamond Primary School, Cullybackey, is included on the list of schools for the 20mph speed limit investment; and (ii) to list all schools in North Antrim that are included.

**(AQW 4743/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. As the budget commitment has only been confirmed, priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. I am happy to confirm that Diamond Primary school, will be included in the assessment process. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Ms Rogan** asked the Minister for Infrastructure whether she will include (i) Holy Family Primary School, Teconnaght; (ii) St. Nicholas' Primary School, Ardglass; (iii) St. Mary's Primary School, Aughlisnafin; and (iv) St. Mary's Primary School, Dunsford, in the £2 million investment to introduce 20mph speed limits outside schools.

**(AQW 4748/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. Holy Family Primary School, Teconnaght; St. Nicholas' Primary School, Ardglass; St. Mary's Primary School, Aughlisnafin; and St. Mary's Primary School, Dunsford, will be considered as part of this process. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Ms Sheerin** asked the Minister for Infrastructure whether Crossroads Primary School, Kilrea, will be included as one of the schools to have a 20mph speed limit outside.

**(AQW 4752/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. Crossroads Primary School on the Drumagarner Road, Kilrea will be considered as part of this process. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Mr McHugh** asked the Minister for Infrastructure (i) whether a pre-application community consultation was conducted on planning applications (a) LA11/2019/1000/F; and (b) LA10/2019/1386/F; (ii) if not, why her Department did not consider it necessary; and (iii) whether these applications have been the subject of a public notice in the press.

**(AQW 4753/17-22)**

**Ms Mallon:**

- (i) There is no record of any pre application community consultation being conducted by the applicant, nor any record of a notice, known as a 'proposal of application notice' (PAN), being given to either Fermanagh and Omagh District Council or Derry City and Strabane District Council on submission of either application.
- (ii) Section 27 of Planning Act (Northern Ireland) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting any application if the development falls within the major category as prescribed in the Planning (Development Management) Regulations (Northern Ireland) 2015. As neither application falls within the major category there is no legislative requirement for the applicant to engage in a pre-application community consultation exercise.
- (iii) To date both applications have not been subject to publicity procedures. The appropriate publicity arrangements are being considered and I can confirm that both applications will then be subject to full statutory consultation, including public notice in the press.

**Mr McHugh** asked the Minister for Infrastructure to outline the extent of the neighbour notification process regarding the planning applications (i) LA10/2019/1386; and (ii) LA11/2019/1000/F.

**(AQW 4754/17-22)**

**Ms Mallon:** To date both applications have not been subject to neighbour notification procedures. The appropriate publicity arrangements are being considered and I can confirm that both applications will then be subject to full statutory consultation, including neighbour notification.

**Mr McHugh** asked the Minister for Infrastructure, given that her Department had already called in planning application LA10/2017/1249/F at the time NIE submitted the applications (i) LA11/2019/1000/F; and (ii) LA11/2019/1386/F, and in line with Part 3, Section 26 of the Planning Act; whether she can confirm what consultation took place with her Department prior to submission regarding whether the applications should be submitted to her Department or to the local planning authorities. **(AQW 4755/17-22)**

**Ms Mallon:** I can advise that LA10/2017/1249/F was not called in by my Department. It was determined that the proposal for the mine was of regional significance and therefore the planning application was made directly to the Department for determination.

Section 26 of the Planning Act 2011 requires a prospective applicant to enter into consultations with the Department for any major application as prescribed in the Planning (Development Management) Regulations (Northern Ireland) 2015. No consultation took place with the Department prior to submission regarding whether the two powerline applications should be submitted to the Department or to the local planning authorities under the provisions of Section 26(3) of the Planning Act 2011. Consultation was not necessary for the powerline applications as they do not fall within the threshold of major developments as prescribed in the Planning (Development Management) Regulations (Northern Ireland) 2015. The powerline applications were local applications, submitted to the appropriate local council, prior to call in by the Department.

**Mr McHugh** asked the Minister for Infrastructure whether she maintains the policy position that there should not be new overhead power lines in Areas of Outstanding Natural Beauty, as per Section 6.250 of the Strategic Planning Policy Statement. **(AQW 4756/17-22)**

**Ms Mallon:** I am aware that Paragraph 6.250 of the SPPS currently directs that proposals for new overhead power lines "will be considered having regard to potential impact on amenity and should avoid areas of landscape sensitivity, including Areas of Outstanding Natural Beauty (AONBs)". The SPPS also provides that development proposals in AONBs must be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife, and be in accordance with relevant plan policies' (Paragraph 6.187). This remains my Department's current policy approach.

Any proposal for new overhead power lines will, of course, be considered by the relevant planning authority on a case by case basis taking into account the local development plan, regional planning policy and guidance, including the Regional Development Strategy 2035, the Strategic Planning Policy Statement (the SPPS), local circumstances, and all other material considerations. The relevance and weight to be attached to all material considerations will therefore be a matter of planning judgement for the decision taker.

**Miss Woods** asked the Minister for Infrastructure for a breakdown of the £4 million budget allocation for greenway infrastructure. **(AQW 4758/17-22)**

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through this transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported. Of this amount I identified £4 million for cycling and greenways. I am still considering the basis upon which funding will be allocated to greenway infrastructure but it is important that schemes will deliver on our Programme for Government outcomes. I will make a further announcement shortly.

**Mr Muir** asked the Minister for Infrastructure to detail (i) the purpose; and (ii) the scope of the Blue/Green Fund. **(AQW 4760/17-22)**

**Ms Mallon:** The £20m Blue/Green fund that I have announced will act as a catalyst for positive infrastructure and cultural change in the way citizens live and travel, building on current initiatives that I have already introduced.

I want to make sure that there is an inclusive approach to determining the deployment of this fund with a wide range of stakeholders having had the opportunity to identify innovative solutions that will transform communities for the better.

I therefore intend to meet with a wide range of stakeholders in the coming weeks to swiftly explore and seek support for co-design ideas and initiatives that can be taken forward under the fund immediately.

**Mr Muir** asked the Minister for Infrastructure to detail how the 100 schools will be selected for 20mph restrictions within the vicinity of their premises. **(AQW 4761/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Mr Muir** asked the Minister for Infrastructure to detail planned (i) structural maintenance works; and (ii) strategic road improvement schemes in the North Down constituency during 2020/21.

**(AQW 4763/17-22)**

**Ms Mallon:** Unfortunately my Department has been forced to revise its original programme of structural maintenance works in North Down as a result of the impact of Covid-19. I understand officials from the local Section Office have made the Member aware of this recently and confirmed that two schemes, one in Holywood and one in Bangor, have been deferred until next Spring. I can confirm that the following resurfacing schemes are planned for the current year and additional schemes may be added as finance permits:

- Church Drive, Bangor;
- Manse Road, Bangor; and
- Cultra Avenue, Holywood.

In relation to strategic road improvement (SRI) schemes, I can confirm that there are currently no SRI schemes planned for in the North Down constituency in 2020/21.

**Mr Chambers** asked the Minister for Infrastructure, given that the project was due for completion in 2019/20 having been put back from 2018/19, for an update on the construction of an area of hard standing and 110m of footpath on the A2 Donaghadee Road, Groomsport, near the junction with Lower Balloo Road.

**(AQW 4766/17-22)**

**Ms Mallon:** Following a review of pedestrian usage at this location, revised proposals were taken forward and works were completed earlier this year on A2 Donaghadee Road, Groomsport. The works provided hardstandings at two bus stops near the junction with Lower Balloo Road along with a connecting link to the existing footway thus negating the need to construct the previously proposed 110m footway link along Donaghadee Road.

The Department is satisfied that the measures provided adequately cater for the bus stop waiting areas on both sides of the road and for crossing the road at that location improving both road safety and accessibility.

**Mr Chambers** asked the Minister for Infrastructure to detail (i) how many lots and purchasers are involved NI Water's sale of Portavoe Reservoir; (ii) the completion dates of these sales; (iii) whether a purchaser is entitled to make alterations to any aspects of the property prior to the completion date of the sale.

**(AQW 4767/17-22)**

**Ms Mallon:** Northern Ireland Water (NI Water) has advised me that:

- (i) Portavoe Reservoir was sold in six lots to four purchasers;
- (ii) the sale of the reservoir to the four purchasers was completed on 11 June 2020; and
- (iii) a purchaser would not be allowed to make any alterations to any aspects of the property prior to the completion of sale without the consent of the seller. NI Water did not give consent to undertake alterations at the reservoir to any of the purchasers prior to completion of the sale.

**Mr Givan** asked the Minister for Infrastructure whether her Department plans to offer reduced on-street parking charges to assist the economic recovery of our towns and cities.

**(AQW 4771/17-22)**

**Ms Mallon:** I have no plans to offer reduced on-street parking charges at this time.

The current tariff for on street parking is set to ensure a turnover of car parking spaces, so that spaces are available for more customers and anyone travelling to our towns and cities.

**Mr Dunne** asked the Minister for Infrastructure to detail the schools in North Down that will benefit from the new 20mph zones.

**(AQW 4775/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Mr Dunne** asked the Minister for Infrastructure to detail the overtime costs for Department of Infrastructure staff to cut roadside grass verges, including traffic management, in North Down during 2019/20.

**(AQW 4776/17-22)**

**Ms Mallon:** DfI Roads activities are undertaken outside of normal hours only when it is deemed operationally necessary to do so. In North Down there are four sections of carriageway where traffic volumes, speed limits and road type are such that it is deemed operationally necessary, for safety reasons and to minimise disruption, to carry out grass cutting outside of normal hours. These locations are at:

- A2 Whinney Hill to Tillysburn Roundabout;
- A2 Ring Road, Bangor;
- A21 Bangor to Comber; and
- A20 Kempstones Road.

The overtime costs for cutting the grass at these locations during 2019/20, including traffic management, were approximately £10,000.

**Mr Dunne** asked the Minister for Infrastructure, pursuant to AQW 4317/17-22; (i) to clarify the current policy for frequency of grass cutting; and (ii) the contract cost of grass cutting works on (a) motorways; and (b) the A1 dual carriageway from Sprucefield to Newry.

**(AQW 4777/17-22)**

**Ms Mallon:** Motorways and the A1 dual carriageway from Sprucefield to the border are currently maintained through two Design, Build, Finance and Operate contracts. These contracts require a minimum 1.2 metre strip of grass to be cut on verges and on all parts of the central reserve as necessary, to ensure that the grass height does not exceed 300 millimetres. In addition, the DBFO Companies are required to ensure that sight lines at junctions and minimum stopping sight distances are kept clear and that signs, emergency telephones, lights and marker posts are not obstructed.

In 2018 an amended grass cutting specification was introduced for the M1 between Sprucefield and Dungannon and A1 between Sprucefield and the border, which requires the contractor to carry out 2 cuts per annum on all verges and the M1 central reservation. There has been no change to the requirements associated with junction sight lines, stopping sight distances, the A1 central reserve or the remainder of the motorway network, which continue to be maintained such that the grass does not exceed 300mm in height.

The DBFO Contracts were established with a payment mechanism spanning a thirty year contract period. Contract payments are based on the concept of Maximum Annual Availability Payments, whereby an agreed annual payment is made, covering all aspects of the contract including the initial major construction works and the various elements of routine maintenance, including grass cutting, pothole repairs, street lighting maintenance etc. Within this annual payment mechanism, details of individual costs for particular work activities, such as grass cutting, are not available to the Department.

**Mr Beggs** asked the Minister for Infrastructure when the recently approved scheme to provide a park and ride facility at Trooperslane Station will be completed.

**(AQW 4779/17-22)**

**Ms Mallon:** I have allocated £4m for the development of Park and Ride sites in 20/21 and will shortly be considering my priorities.

**Mr McCann** asked the Minister for Infrastructure to detail the number of passengers arriving into ports, including the number of ferry arrivals, each week since the beginning of March 2020.

**(AQW 4784/17-22)**

**Ms Mallon:** My Department does not hold detail on the number of passengers arriving in ports.

In relation to ferry arrivals we are aware that the number of sailings has varied since the beginning of March as operators have had to adapt to the reductions in freight and passenger numbers as a result of covid 19. Ferry operators would be best placed to provide you with this information.

**Miss McIlveen** asked the Minister for Infrastructure to outline (i) what engagement she or her officials have had with Approved Driving Instructors to support and advise them during the COVID-19 pandemic; and (ii) how the sector will operate post-lockdown.

**(AQW 4788/17-22)**

**Ms Mallon:** While my Department is responsible for regulating the Approved Driver Instructor (ADI) industry, through the Driver & Vehicle Agency (DVA), it does not employ ADIs in the capacity of delivering driving instruction. The Department has no remit to determine how ADIs will operate post-lockdown.

My officials in the DVA notified all ADIs and AMIs of the suspension of all testing services and counter services at the outset of the COVID-19 crisis on 19 and 20 March. Since then they have engaged with the industry, signposting them to a range of advice and guidance from the Public Health Agency NI and Department for the Economy for workers, small businesses and the self-employed on a range of issues such as social distancing, safe working practices and financial support that they may be able to avail of.

The DVA Registrar has provided regular updates to the industry during the suspension of all theory and practical driving tests, confirming the DVA is continuing to explore options to reinstate driving tests safely. The Registrar updated the industry on the resumption of the supply of Compulsory Basic Training (CBT) certificates, the extension of expired driving licences and the reinstatement of the processing of first time driving licences.

On 22 June, I announced a timetable for the reinstatement of further vehicle and driver testing services, including practical driving tests for motorcycles, buses, tractors and Module 4 CPC tests for lorry, bus and coach drivers. In terms of practical driving tests for cars, there are significant issues to be addressed before these can be recommenced. The Registrar wrote to the industry on 22 June outlining these changes.

My officials continue to engage with our colleagues in the Driver and Vehicle Standards Agency (DVSA) regarding the resumption of theory tests and I hope to be in a position to confirm a date for this very soon.

On 23 June, the Registrar met with the industry stakeholder group, the Northern Ireland Approved Instructor Council (NIAIC), to provide further updates, address their queries in relation to the planned reinstatement of services, and listen to their concerns, including dates for resumption of driving and vehicle tests, extension of theory test pass certificates, and safe working practices. This meeting was welcomed by the industry.

**Mr Beattie** asked the Minister for Infrastructure, given the release of the South Lakes Masterplan in Craigavon, which shows a predetermination in the award of planning permission for the Southern Regional College, whether she will (i) review how planning permission was given; and (ii) investigate whether there was maladministration in awarding planning permission.

**(AQW 4793/17-22)**

**Ms Mallon:** The planning permission granted by Armagh City Banbridge and Craigavon Borough Council in relation to the Southern Regional College is currently subject to Judicial Review. It would therefore be inappropriate for me to comment further on this council matter whilst the judicial proceedings are ongoing.

**Mr Allister** asked the Minister for Infrastructure, as local councils develop Local Development Plans with considerable variation in and changes to PPS21, why she allows inconsistent policies governing rural planning across Northern Ireland.

**(AQW 4797/17-22)**

**Ms Mallon:** Under the two-tier planning system councils are progressing with the preparation of new Local Development Plans (LDPs). As long as councils take account of policies and advice in guidance issued by my Department, such as the Regional Development Strategy 2035 and the Strategic Planning Policy statement 2015, there is flexibility for them to bring forward detailed operational planning policies, including policies for development in the countryside, tailored to their specific local social, environmental and economic circumstances.

In its role as a statutory consultee, my Department has made representations on each draft Plan Strategy and, where relevant, has highlighted any departures from regional planning policy on development in the countryside. Each draft Plan Strategy will also be subject to scrutiny at independent Examination by the Planning Appeals Commission (PAC), which will take account of representations, counter representations and consultation responses. At this time no Local Development Plans have been through the Independent Examination process.

**Mr Frew** asked the Minister for Infrastructure, given her statement on 10 June 2020 regarding the £30 million investment for low emission buses, (i) what plans she has to invest in hydrogen vehicles; and (ii) what support she can provide Wrightbus in creating an innovation and manufacturing hub for hydrogen technology in North Antrim.

**(AQW 4798/17-22)**

**Ms Mallon:** In my 2020/21 Budget Statement to the Assembly, I announced that I had added £5m to the already ring-fenced allocation of £25m for Low Emission Buses to Translink in an effort to take further steps towards addressing climate change and making public transport a more attractive and efficient alternative to private cars. The announcement of £30m capital investment will allow for the purchase of zero emission vehicles by Translink over the next 2 years. These vehicles will include both Hydrogen Fuel Cell and Battery Electric Buses.



Earlier this year I announced of the procurement of 3 Hydrogen Buses by Translink from Wrightbus, as part of the Northern Ireland Hydrogen (NIH2) Project which will see the first Hydrogen buses and, in conjunction with Energia, the first Hydrogen refuelling station in Ireland (NI and RoI).

**Ms Ní Chuilín** asked the Minister for Infrastructure for an update on the report from Belfast City Council identifying six potential alternative sites for the Translink bus depot in Short Strand.  
(AQW 4800/17-22)

**Ms Mallon:** Whilst I am aware of the commissioning of the report by Belfast City Council on this matter, the findings of it have not yet been shared with my Department and I am therefore unable to comment on the report or its recommendations at this point.

**Ms Bunting** asked the Minister for Infrastructure, given that she has indicated that her Department is not responsible for any support package to the taxi sector, despite being its regulator in line with the Taxis Act (Northern Ireland) 2008, to outline (i) who is responsible for instigating grants to the sector; (ii) what discussions she has had with these relevant persons; and (iii) what were the outcomes.  
(AQW 4804/17-22)

**Ms Mallon:** From 20th March and the onset of this crisis I have actively pushed the issue of financial and wider support for the taxi industry with the Minister for the Economy and my Executive Colleagues. Most recently I wrote to the Minister of Finance on 12 June 2020, advising that I remained concerned about the number of taxi drivers who fall outside the remit of the financial assistance schemes, with a number of sole traders not being able to access any assistance presently on offer from DfE, DoF or UK Treasury. I have advised DoF and DfE that as regulator of the industry, my Department has information on taxi drivers that could be used to assist any new scheme available to help those who cannot avail of the current support.

While it is outside the remit of DfI to administer such a scheme, if a scheme were established for taxi drivers by the Department for the Economy in its efforts to provide assistance to sole traders not supported under existing schemes, I am willing to assist in identifying those people who could benefit. The Driver and Vehicle Agency could contact drivers by post to advise them of the schemes availability and direct them to the relevant Department to apply to avail of the scheme on an individual basis.

**Ms Sheerin** asked the Minister for Infrastructure for an update to the capital works project on the A6, including details on (i) the right-hand turning lane into Ranaghan Road; and (ii) other works which are required to combat road safety issues in the area.  
(AQW 4811/17-22)

**Ms Mallon:** The Covid-19 pandemic has resulted in disruption to many of my Department's activities due to the impact on supply chains, social distancing requirements and workforce availability. We have been working closely with the contractors on both of the A6 Randalstown to Castledawson and Dungiven to Drumahoe Strategic Road Improvement schemes to mitigate these impacts. The situation is now much improved with the re-commencement of many activities, albeit with reduced productivity due to social distancing requirements.

While Covid-19 has impacted construction work on the A6, it is hoped that Randalstown to Castledawson scheme will finish next year, with the Dungiven to Drumahoe scheme completing in 2022, largely as planned.

I am pleased to confirm that the new footbridges over the busy Castledawson Roundabout were completed this spring and now provide a safe route for pedestrians, cyclists and wheelchair users travelling between Magherafelt and Castledawson.

The right-hand turning lane planned for the A6 at Ranaghan and an additional lane on the approach to Castledawson Roundabout from the A6 Glenshane Road remain on Western Division's Local Transport and Safety Measures programme (2020-22) however their delivery is subject to the availability of funding.

Earlier this year my Department renewed all the 'cats eyes' and the road markings on the A6 Glenshane Road between Castledawson Roundabout and the Mid Ulster District Council boundary. It is anticipated that the road signage on this section of carriageway will also be replaced later this financial year.

**Mr McHugh** asked the Minister for Infrastructure to detail the schools in the West Tyrone constituency to be included in the forthcoming 20mph scheme.  
(AQW 4812/17-22)

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Mr K Buchanan** asked the Minister for Infrastructure to detail (i) the schools in Mid Ulster that will benefit from the new 20mph zones; and (ii) how schools are selected for the scheme.

**(AQW 4819/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate my commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. As the budget commitment has only been confirmed, priority listings are currently being developed for each Division. These listings will be based on scores calculated using the assessment framework contained within the Department's road safety at schools policy document. I also anticipate further requests from other schools and these will also have to be assessed before any of the listings can be finalised. I am committed to moving at pace in the roll out of these new 20mph zones.

**Mr Beggs** asked the Minister for Infrastructure (i) why her statement on work on strategic roads and flagship road schemes of 12 June 2020 omits to mention the Yorkgate Interchange; and (ii) when the procurement competition for this major road scheme will be re-advertised.

**(AQW 4826/17-22)**

**Ms Mallon:** Development work on the York Street Interchange scheme is substantially complete. Officials are currently finalising options for a new procurement strategy. The Member will know from responses to oral questions in the Assembly that I have stated my commitment to Yorkgate Interchange.

**Miss McIlveen** asked the Minister for Infrastructure what areas in the Strangford constituency will benefit from the £8 million investment in low energy LED street lights, as announced in her 2020/21 Budget Statement.

**(AQW 4836/17-22)**

**Ms Mallon:** I was pleased to announce in my 2020/2021 budget statement, that I have allocated £8m of funding for the replacement of sodium street lights with energy efficient LED units. These units allow energy savings of up to 60% compared to the equivalent sodium lights, as well as savings in maintenance costs and a reduction in the number of outages on the network.

This will allow my Department to replace approximately 30,000 lanterns, however, as the funding has only recently been allocated, programmes for the retrofitting of LED lighting in the Strangford area, and indeed all other areas across Northern Ireland, have still to be finalised.

**Miss McIlveen** asked the Minister for Infrastructure for an update on the proposed Comber park and ride.

**(AQW 4837/17-22)**

**Ms Mallon:** I have allocated £4m for the development of Park and Ride sites in 20/21 and will shortly be considering my priorities.

**Miss McIlveen** asked the Minister for Infrastructure (i) to outline details of the next stage of the A24 Ballynahinch bypass; and (ii) how much has been allocated to progress the scheme this financial year.

**(AQW 4838/17-22)**

**Ms Mallon:** The Ballynahinch Bypass is at an advanced stage of development. To complete the development phase, the next stage includes the finalisation of the Business Case for the scheme and consideration of the making of the Direction Order. In conjunction with this work, I wish to examine how the scheme could at the same time kick-start improvements to the town - by reducing traffic travelling through the town, we would create an opportunity to reshape the town centre, providing more space for people and creating a better place for all.

I recognise that many in the community support the provision of a bypass in Ballynahinch and I have allocated £8m capital funding for the development of a range of strategic road improvements in 2020/21. This will allow the completion of development work on the Ballynahinch Bypass this financial year. Progression to construction will depend on the availability of funding in subsequent years.

**Mr Butler** asked the Minister for Infrastructure to detail the criteria to be applied by her Department to determine which 100 schools will qualify for the 20mph speed limits announced in her Written Ministerial Statement on 10 June 2020.

**(AQW 4857/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate this commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division. These will be based on scores calculated using the assessment framework contained within the Department's current road safety at schools policy document, that allows schools to be individually scored based on various factors pertaining to the school, such as the number of collisions, speed limits, measured speeds etc.

**Mr Blair** asked the Minister for Infrastructure whether her Department would consider introducing planning permission for slurry tanks.

**(AQW 4870/17-22)**

**Ms Mallon:** The building of slurry tanks is a frequent requirement of farming operations and benefits from permitted development rights under Part 7 of Schedule 1 to the Planning (General Permitted Development) Order (Northern Ireland) 2015 subject to certain limitations and conditions. I have no plans to change the current permitted development rights for agricultural buildings and operations.

Where development is identified in either of the Schedules to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and Environmental Impact Assessment is applicable based on the details of the proposed development, permitted development rights do not apply and a planning application will be required.

**Mr Muir** asked the Minister for Infrastructure when Approved Driving Instructors can book lessons with learners.

**(AQW 4876/17-22)**

**Ms Mallon:** While my Department is responsible for regulating the Approved Driver Instructor (ADI) industry, through the Driver & Vehicle Agency (DVA), it does not employ ADIs in the capacity of delivering driving instruction. The Department has no remit to suspend their services or determine when they might return to work.

The Registrar for ADIs/ AMIs in the DVA has advised driving instructors of this position and signposted them to the latest public health advice on social distancing and safe working practices.

**Miss McIlveen** asked the Minister for Infrastructure when she will make a decision on the compulsory use of face masks on public transport.

**(AQW 4890/17-22)**

**Ms Mallon:** As an Executive, we have been clear that our response to COVID 19, including the relaxation of restrictions through our Recovery Plan, must continue to be firmly grounded in the science, with health protection at its heart. As with our response to COVID 19, the evidence base is not static and has continued to develop. In light of this, the Executive agreed to the establishment of a cross-departmental officials' group to continue discussion and consideration of face coverings. That group meet on 17 June and had a positive and useful discussion.

The evidence suggests that face coverings can provide a degree of protection to other people but limited or no protection to those wearing them. For the benefit of face coverings to be realised, it requires a high proportion of the population to use them routinely in places where social distancing cannot be maintained at all times.

Over recent weeks, as we have moved through the stages of our recovery plan we have seen an increase in passenger numbers on Translink services. Despite that growth in passenger numbers and our current advice to consider wearing face coverings, Translink reports that no more than around 10% of passengers are currently doing so. The further easing of restrictions planned through to 3 July is likely to increase further the level of passenger demand for public transport. This will clearly present challenges for Translink in accommodating social distancing on public transport, even with a fully restored bus and rail timetable.

My officials are continuing discussions on this matter with departmental colleagues, including those from Health and Justice, to explore issues such as enforcement and exclusions in any move to a mandatory position and will update me on the outcome of those deliberations. Any decision on the mandatory use of face coverings will require Executive agreement and I intend to provide a further update to my Executive colleagues in the coming days.

**Ms Bailey** asked the Minister for Infrastructure whether she will make public the climate change and air pollution assessments made in the approval of the proposed Belfast Harbour Estate fossil gas power plant.

**(AQW 4918/17-22)**

**Ms Mallon:** I understand that the power plant referred to is that approved by the Department in April 2019 at Airport Road West in the Belfast Harbour Estate (Planning Reference LA04/2017/0878/F). Air quality assessments for the power plant are available to view in the Environmental Statement and further environmental information submitted in support of this proposal and can be viewed on the planning portal via the public access website, using the application reference number. The Department's consideration of the air quality issues is contained within the Development Management Report which is also available to view online.

In regard to a climate change assessment, the objectives of government policy are embedded in prevailing planning policy and guidance. This planning decision was made taking account of the regional guidance set out in the Regional Development

Strategy 2035 (RDS) and in light of prevailing planning policy as set out in the Strategic Planning Policy Statement for Northern Ireland (SPPS). One of the key aims of the RDS is to reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality. Similarly the SPPS indicates that the planning system should help to mitigate and adapt to climate change by shaping new and existing developments in ways that reduce greenhouse gas emissions and by promoting sustainable patterns of development while working with natural environmental processes.

**Ms Bailey** asked the Minister for Infrastructure whether she will make public her Department's rationale for approving the Belfast Harbour Estate fossil gas power plant.

**(AQW 4919/17-22)**

**Ms Mallon:** I understand that the power plant referred to is that approved by the Department in April 2019 at Airport Road West in the Belfast Harbour Estate (Planning Reference LA04/2017/0878/F). The Department's full consideration and assessment of the proposal and rationale for granting planning permission is contained within its Development Management Report which is available to view on the planning portal via the public access website, using the application reference number.

**Mr Muir** asked the Minister for Infrastructure whether there are plans to pilot public hire schemes for e-Bikes.

**(AQW 4927/17-22)**

**Ms Mallon:** As the Member will be aware, I am very keen to increase the proportion of journeys made by walking, cycling and public transport right across Northern Ireland. I want to do what I can to remove barriers for people who want to walk and cycle more as they go about their everyday lives. That is why I introduced legislation in the Assembly to make e-bikes legal in Northern Ireland and help make cycling accessible to more people. It is also why I announced a £20 million fund for blue / green infrastructure.

The current public bike hire scheme in Belfast is run by Belfast City Council although it is temporarily suspended due to the current Covid-19 pandemic. A pilot public hire scheme for e-Bikes might be the kind of project that could be supported from the blue / green infrastructure fund and I would be willing to consider any proposal put forward by Councils.

**Mr Beggs** asked the Minister for Infrastructure whether her Department classes the York Street Interchange project as (i) a strategic infrastructure scheme; (ii) a flagship scheme; or (iii) an essential infrastructure project.

**(AQW 4942/17-22)**

**Ms Mallon:** The York Street Interchange project is a Strategic Road Improvement scheme that will provide a fully grade separated interchange to replace the existing at-grade signal controlled junction of the A12 Westlink, M2 and M3. The importance of the scheme is recognised by its inclusion in the New Decade New Approach document, however it was not included by the previous Executive as one of its Flagship projects identified in the Budget 2016-2017.

**Mr O'Dowd** asked the Minister for Infrastructure what plans her Department has to improve cycle routes and infrastructure in Upper Bann.

**(AQW 4949/17-22)**

**Ms Mallon:** Last month I announced the creation of £20 million blue / green infrastructure funding that will act as a catalyst for positive infrastructure and cultural change in the way citizens live and travel, building on current initiatives that I have already introduced.

I want to make sure that there is an inclusive approach to determining the deployment of this fund with a wide range of stakeholders having had the opportunity to identify innovative solutions that will transform communities for the better.

I therefore intend to meet with a wide range of stakeholders in the coming weeks to swiftly explore and seek support for co-design ideas and initiatives that can be taken forward under the fund immediately. Accordingly, it is not yet possible to be specific about investment in any particular constituency.

**Mr McHugh** asked the Minister for Infrastructure when work will begin on the A5 road project.

**(AQW 4981/17-22)**

**Ms Mallon:** A Public Inquiry administered by the Planning Appeals Commission into the A5 Western Transport Corridor scheme, concluded on 13 March 2020. I am awaiting the Inspector's report, which is scheduled for completion in September 2020.

Subject to a favourable outcome from the Public Inquiry and the successful completion of all statutory procedures and environmental assessments, construction work on the first phase of the scheme, Phase 1A from New Buildings to north of Strabane, could commence during 2021.

**Miss McIlveen** asked the Minister for Infrastructure whether she intends to extend the period a driving theory test is valid for those who are currently unable to book a driving test.

**(AQW 4998/17-22)**

**Ms Mallon:** I am aware that some learner drivers are in the position that, through no fault of their own, their theory test pass certificate is coming close to the end of its two year period of validity, or has expired during the current pandemic.

I have asked officials to engage with colleagues in the Driver and Vehicle Standards Agency in Great Britain to consider what additional measures may be implemented to ensure that those candidates inconvenienced by the current Covid-19 crisis are not further penalised through the expiry of their theory test certificate. It is, however, likely that any extension to the validity period of theory test pass certificates will require an amendment to legislation and this is being explored.

## Department of Justice

**Mr Givan** asked the Minister of Justice to detail the number of domestic violence reports from March until June 2020, compared to the same time period in 2019.

**(AQW 4769/17-22)**

**Mrs Long (The Minister of Justice):** There is no official data available for domestic violence reports for this period. The first domestic abuse bulletin for 2020/21 will cover the 12 months to 30th June and will be published by NISRA on 27th August 2020. Therefore, official figures in relation to domestic abuse motivated crime and incidents will not be available until that date. The latest PSNI published information provides that from 1 April 2019 to 31 March 2020, there were 31,817 domestic abuse incidents in Northern Ireland, an increase of 135 (0.4 per cent) on the previous 12 months.

However, since March 2020, PSNI has provided weekly data, by way of exceptional release, on the number of domestic violence and abuse related calls made to the service. This information is not directly comparable to that contained in PSNI's official statistics, recording incidents and crime, which has undergone rigorous quality assurance checking prior to publication. The most up-to-date weekly exceptional release published by PSNI (17 June 2020) shows that for the period 4 March until 16 June 2020, PSNI received 9,303 domestic violence and abuse related calls. This is a percentage increase of 14.75 % (n: 1,196) compared to the same period for the previous year (or an 8.8% increase against the annual weekly average of 570). The table below provides a breakdown of calls made during this period:

Period	Domestic abuse calls received by PSNI in 2019	Domestic abuse calls received by PSNI in 2020
4/3 – 10/3	534	565
11/3 – 17/3	550	555
18/3 – 24/3	532	595
25/3 – 31/3	504	567
1/4 – 7/4	520	583
8/4 – 14/4	537	721
15/4 – 21/4	511	616
22/4 – 28/4	544	657
29/4 – 5/5	521	608
6/5 – 12/5	501	654
13/5 – 19/5	531	633
20/5 – 26/5	608	640
27/5 – 2/6	576	727
3/6 – 9/6	558	599
10/6 – 16/6	580	583
<b>Total</b>	<b>8,107</b>	<b>9,303</b>

**Mr Beattie** asked the Minister of Justice (i) whether a review of the support mechanisms within the Northern Ireland Prison Service for prison officers will be independent; and (ii) who is proposed to lead this review.

**(AQW 4790/17-22)**

**Mrs Long:** I have commissioned the review of support services for frontline prison staff and this will be independent from the Northern Ireland Prison Service.

Once I have finalised who should conduct this review, I will write to the Justice Committee with the terms of reference including who will deliver this important piece of work.

**Mr Allister** asked the Minister of Justice, given the matter was heard in May 2019, why there has been a delay in the Court of Appeal giving judgement in the appeal against the ruling of Mrs. Justice Keegan in the case involving the Police Ombudsman's Loughinisland report.

**(AQW 4796/17-22)**

**Mrs Long:** The timing and delivery of court judgments are matters for the judiciary. It is an accepted principle that the courts are completely independent and therefore it would be inappropriate for me to become involved in or comment on any aspect of court proceedings.

**Mr Carroll** asked the Minister of Justice, in light of the Black Lives Matter protest on 6 June, whether she can confirm that the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 expressly uphold the right to protest in an effective and safe manner as a fundamental human right.

**(AQW 4884/17-22)**

**Mrs Long:** I can confirm that regulation 6 of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, which deals with gatherings in a public place, does not contain an exemption in relation to public protests. The European Convention on Human Rights recognises that the right to peaceful assembly/association may be qualified in the interests of public safety and for the protection of health.

**Ms Sugden** asked the Minister of Justice to provide an update on Prisons 2020: The Way Forward.

**(AQW 4956/17-22)**

**Mrs Long:** Since the publication of Prisons 2020: The Way Forward in July 2018, NIPS has driven continuous improvement across the organisation. Years One and Two of Prisons 2020 have seen significant progress made towards the strategic commitments across each of the four strands of the programme (People, Services, Infrastructure and Partnerships). These plans contained over 180 deliverables, of which only 5% were not achieved, which has resulted in improvements for both staff and people in our care.

The programme will run until March 2021 and the Year Three plan has recently been finalised. Copies of the annual delivery plans, along with the corresponding end year reports, are available on the NIPS internet site.

**Mr Frew** asked the Minister of Justice, in light of ongoing concerns around COVID-19 deaths, particularly in care homes, and amid a stand down of Regulation and Quality Improvement Authority inspections, whether she is satisfied the Adult Safeguarding Policy 2015, of which her Department was co-author, has been adhered to during this crisis.

**(AQW 4968/17-22)**

**Mrs Long:** The Adult Safeguarding Prevention and Protection in Partnership policy has been in place since 2015. It aims to prevent harm from occurring and sets out approaches, arrangements and responses to protect adults at risk where harm has occurred or is likely to occur without intervention. Partnership is a fundamental principle throughout the policy, which applies across Departments, sectors and agencies.

There are different roles within the arrangements set out in the policy. Decisions relating to the operation of routine RQIA inspections fall to the Minister of Health and are not within my remit as Justice Minister.

The policy clearly aims to reduce the potential for harm to occur to adults at risk. Where a crime has occurred, my Department has put in place arrangements for a range of measures to enable adults at risk, who are victims of crime, to have effective access to justice and to support them through the justice processes. These include:

- Victim and Witness Care Unit provides a single point of contact for victims from the point when the case file is transferred from the PSNI to the Public Prosecution Service.
- Registered Intermediaries facilitate the giving of evidence and assist a vulnerable person, who has a significant communication difficulty, during the criminal justice process if their communication difficulties would diminish the quality of their evidence.
- Special measures at court are in place which aim to assist vulnerable and intimidated witnesses to give their best evidence.
- The Victim Charter provides victims of crime with relevant information and sets out their entitlements together with the standards of service that they can expect to receive as they move through the criminal justice process.
- Support services to victims and witnesses are provided by Victim Support Northern Ireland and funded by my Department. Through these services victims and witnesses can receive emotional support, information, practical help, assistance with compensation, advocacy support, support at court and help with making a victim personal statement.

My Department remains committed to working in partnership with the Department of Health and others to deliver the Adult Safeguarding policy, ensuring that the risk of harm is reduced through effective prevention and protection measures; and that the needs of victims of crime as they navigate criminal justice processes are met with effective support and measures that will assist them in achieving best evidence and accessing justice. This has continued to be the position during the current Covid-19 crisis.

**Mr Newton** asked the Minister of Justice what action her Department will take to address the issue of one parent refusing to adhere to a child contact order that allows a separated parent to have contact with their child during this pandemic.

**(AQW 4978/17-22)**

**Mrs Long:** Contact orders and issues arising from them are matters for the independent judiciary. The Lord Chief Justice has approved guidance for court users which can be found at <https://judiciaryni.uk/coronavirus-covid-19>.

The guidance includes advice regarding contact arrangements and recognises that it is important that children should maintain their usual routine of spending time with each of their parents in compliance with a Contact Order unless to do so would put the child, or others, at risk with regards to Government and Public Health Authority (PHA) guidance.

The decision whether a child is to move between parental homes is for the child's parents to make after a sensible assessment of the circumstances, including the child's present health, the risk of infection and the presence of any recognised vulnerable individuals in one household or the other.

The Lord Chief Justice has suggested that if direct contact cannot be achieved, alternative arrangements should be made to establish and maintain regular contact between the child and the other parent, for example remotely – by Face-Time, WhatsApp Face-Time, Skype, Zoom or other video connection or, if that is not possible, by telephone.

The guidance goes on to state that if any court directed contact arrangements are missed or found to be unreasonable, the court may take this into consideration when making further orders, and it may be possible to 'make up' time with the child after the restrictions are lifted.

Where a party to the proceedings feels a matter of contact is urgent they may request a hearing by lodging the requisite Form. On receipt of the form the judge will determine whether the matter is urgent or necessary and if it can be dealt with administratively or will require a hearing.

Breach of contact orders made under the Children (Northern Ireland) Order 1995 can be dealt with by way of contempt of court proceedings or initiated under enforcement powers in the Magistrates' Courts (Northern Ireland) Order 1981.

**Mr McHugh** asked the Minister of Justice, what preparations are being made to allow for the reopening of rural courthouses, such as Strabane and Omagh, in a safe manner for court staff, practitioners and members of the public.

**(AQW 5015/17-22)**

**Mrs Long:** In keeping with the Northern Ireland Executive's plans for recovery, the Northern Ireland Courts and Tribunals Service is working on a phased recovery from the critical business model implemented as a response to the Covid-19 pandemic and subsequent PHA advice.

It is recognised that the traditional model for courts is very difficult to use in the current circumstances. Members of the public and legal practitioners are advised not to attend court buildings unless directed to do so. The majority of hearings are taking place remotely.

The Lord Chief Justice has initiated a programme of work to commence the incremental recovery of court business. This will see an increase in the number of legal practitioners and court users attending court buildings.

My officials in the Northern Ireland Courts and Tribunals Service are currently working through a series of Covid-19 Risk Assessments on our operational buildings to ensure that they comply with PHA guidelines on managing the risk of Covid-19 and are safe for staff, judiciary and court and tribunal users.

Risk assessments have already been completed in the main court venues in Belfast and the operational hubs of Lisburn, Dungannon and Londonderry. Further risk assessments at Newtownards and Craigavon will be completed by 30 June 2020.

Stage 2 of the risk assessment process will encompass the NICTS venues at Newry, Antrim, Coleraine, Downpatrick and Omagh Courthouses. Completion of these risk assessments will allow the buildings to be re-opened for NICTS staff, and for administrative purposes only. Stage 2 is due to be completed by mid-July.

Stage 3 which is due to be completed by the end of July will include assessments of the remaining court venues and Hearing Centres, including Strabane Courthouse.

**Mr T Buchanan** asked the Minister of Justice whether her Department is in receipt of COVID-19 monies which have not been forwarded to the PSNI, and, if so, (i) how much; and (ii) when will it be released.

**(AQW 5028/17-22)**

**Mrs Long:** The Department has informed the PSNI of all COVID-19 monies agreed by the NI Executive to date, and these will be formally allocated by the Department of Finance to PSNI as part of June monitoring round.

The outcome of any additional funding at June Monitoring, will be notified to PSNI as soon as it is formally approved by the Executive.

## Department for the Economy

**Dr Archibald** asked the Minister for the Economy to detail (i) what obligations are bestowed on her Department and associated arm's-length bodies by the the Protocol to the Withdrawal Agreement, entitled Protocol on Ireland/Northern Ireland; (ii) what steps she is taking to ensure these obligations are fulfilled; and (iii) when will each of these obligations be met.

**(AQW 3614/17-22)**

**Mrs Dodds (The Minister for the Economy):**

- (i) The UK Government has not yet made clear how it intends to implement the Protocol and whether it will require NI authorities to make any of the necessary regulations in devolved areas. The responsibility for enacting the terms of the Protocol lies primarily with the United Kingdom Government (UKG) as many of the requirements, such as those on goods regulation and customs, are reserved matters.
- (ii) There are likely to be some implications for devolved matters in the remit of my Department and its Arm's Length Bodies. My officials are working to seek clarity from UKG and consider all of the Department's legislation, services, policies and strategies to ensure they can respond to the new circumstances resulting from the implementation of the Protocol.
- (iii) The extent and timing of our preparations will depend on clarity being secured on the practical implementation of the Protocol.

**Ms Rogan** asked the Minister for the Economy what steps her Department will take to financially support qualified nurses re-entering the profession, who incur considerable costs in terms of resources for study.

**(AQW 3618/17-22)**

**Mrs Dodds:** This is not within the remit of my Department. Policy responsibility for financial support for qualified nurses re-entering the profession lies with the Department of Health."

**Mr Boylan** asked the Minister for the Economy whether she will (i) urgently issue sector-specific guidance for taxi drivers; and (ii) provide financial support to the sector during COVID-19.

**(AQW 4066/17-22)**

**Mrs Dodds:** Schedules 1 and 3 to the Budget Act 2020 allocate funding to the Department for Infrastructure for "transport licensing, enforcement and regulation", as well as "support for transport services including grants in respect of rail and road passenger services including fare concessions". Taxis are clearly regarded as "transport services".

Within this context I have set out below my own Department's actions, as well as those of the Executive and UK government, in providing guidance and financial support to this industry.

Health and Safety Guidance, including social distancing

Neither the Health and Safety Executive Northern Ireland (HSENI) nor my Department are responsible for providing specific advice or direction on the application of the public health guidance on social distancing and safe working practice for the transport industry, which includes taxi companies, owners and drivers. To reiterate, these are public health matters, with specific policy responsibility for this industry residing with the Department for Infrastructure.

A safety guidance document, Covid-19: Working Through This Together, A Practical Guide to Making Workplaces Safer', is available on the NI Business Info website and has been informed by input from the Public Health Authority (PHA) and HSENI:

<https://www.nibusinessinfo.co.uk/sites/default/files/Covid-19-Working-Through-This-Together.pdf>

There are a large number and wide variety of businesses and working environments, and an assessment of each has to be fact-specific. It is, therefore, for each business, in light of its own legal advice, to determine whether it can continue to, or start to operate in accordance with the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 and the guidance that has been produced.

Financial Support measures for the Taxi Industry

The Executive and UK Government has introduced an unprecedented number of interventions and packages of financial support to help those who have been affected by the consequences of Covid-19.

Information on current and evolving support options are being updated continuously on the NI Business Info website:

<https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>

I understand that over 30 taxi firms which met the eligibility criteria, were able to access the business support grants available in Northern Ireland. In addition taxi firms and self-employed taxi drivers who met the relevant criteria are able to access national support packages including the Coronavirus Job Retention Scheme (CJRS) and the Self-Employment Income Support Scheme (SEISS), which have both been extended to October 2020.



**Mr Allister** asked the Minister for the Economy to outline the number of students from a Roman Catholic and Protestant background who have enrolled at (i) Queen's University, Belfast; (ii) each campus of Ulster University; (iii) St Mary's University College; and (iv) Stranmillis University College, in each of the last three years.

**(AQW 4227/17-22)**

**Mrs Dodds:** The table below sets out the number of Northern Ireland domiciled students enrolled at Northern Ireland's higher education institutions by institution, campus and religion for academic years 2016/17 to 2018/19.

Institution/Campus	Academic Year					
	2016/17		2017/18		2018/19	
	Catholic	Protestant	Catholic	Protestant	Catholic	Protestant
QUB	8,425	6,045	8,505	6,045	8,675	6,210
UU Belfast	730	490	700	465	725	480
UU Coleraine	1,390	1,575	1,310	1,390	1,300	1,375
UU Jordanstown	6,030	3,210	5,975	3,110	6,135	3,330
UU Magee	2,500	780	2,460	820	2,475	890
Stranmillis	515	835	525	855	550	850
St. Mary's	940	10	950	10	1,000	10

To prevent the identification of individuals, figures in the attached table are rounded to the nearest 5, with 0, 1 and 2 rounded to 0.

**Mrs D Kelly** asked the Minister for the Economy to detail what guidance she has have given the taxi industry on social distancing.

**(AQW 4399/17-22)**

**Mrs Dodds:** Health and Safety Guidance, including social distancing

Neither the Health and Safety Executive Northern Ireland (HSENI) nor my Department are responsible for providing specific advice or direction on the application of the public health guidance on social distancing and safe working practice for the transport industry, which includes taxi companies, owners and drivers. To reiterate, these are public health matters, with specific policy responsibility for this industry residing with the Department for Infrastructure.

A safety guidance document, Covid-19: Working Through This Together, A Practical Guide to Making Workplaces Safer', is available on the NI Business Info website and has been informed by input from the Public Health Authority (PHA) and HSENI:

<https://www.nibusinessinfo.co.uk/sites/default/files/Covid-19-Working-Through-This-Together.pdf>

There are a large number and wide variety of businesses and working environments, and an assessment of each has to be fact-specific. It is, therefore, for each business, in light of its own legal advice, to determine whether it can continue to, or start to operate in accordance with the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 and the guidance that has been produced.

**Mr Muir** asked the Minister for the Economy whether any financial assistance will be provided to accommodation providers registered for domestic rates and required to close due to the COVID-19 Pandemic.

**(AQW 4424/17-22)**

**Mrs Dodds:** Although, the Business Support Grant schemes were only available to businesses who paid business rates, the NI Microbusiness Hardship Fund had no such criteria. The scheme was open to accommodation providers that employ between one and nine people paid via PAYE. Further information is available at <https://www.nibusinessinfo.co.uk/content/coronavirus-ni-micro-business-hardship-fund>.

This is an evolving situation and my Department, along with Executive colleagues, will continue to explore all potential options to identify further means of offering support to as many local businesses as possible, including accommodation providers, during the Covid-19 pandemic.

I welcome the reopening for certain businesses within the tourism sector, dependent upon scientific and medical advice. This is an important step on the road to recovery and enabling the sector to plan ahead. My Department is working with Tourism NI to bring forward the necessary support and guidance to help tourism and hospitality sector businesses plan for social distancing and hygiene measures and aid further recovery of the sectors.

**Ms McLaughlin** asked the Minister for the Economy what steps, if any, her Department and Invest NI are taking to support and strengthen the business rescue sector, in order to minimise the economic and employment damage from the economic crisis resulting from the COVID-19 pandemic and to help build a more sustainable economy for the future.

**(AQW 4533/17-22)**

**Mrs Dodds:** The impact of Covid-19 is unprecedented and has had an immediate and significant impact on the Northern Ireland economy. In response to the crisis, my Department launched three schemes to support businesses during the Covid-19 pandemic with the aim of protecting jobs, preventing business closures and promoting economic recovery.

The £10,000 Small Business Support Grant Scheme provided a £10,000 grant to businesses who are in receipt of Small Business Rates Relief or Industrial Derating, and who have a Total Net Annual Value (NAV) of £15,000 or below. This scheme closed on 20 May 2020.

The £25,000 Retail, Hospitality, Tourism and Leisure Grant Scheme provided a grant of £25,000 to businesses in those sectors who have a Total NAV of between £15,001 and £51,000. This scheme closed on 20 May 2020.

The NI Microbusiness Hardship Fund opened on 20 May 2020 offering up to £10,000 of support to businesses with one to nine employees facing immediate cash flow difficulties due to Covid-19. To date over 3,500 applications have been submitted and are under consideration. Applications for this scheme closed on 12 June 2020.

To support businesses facing significant financial difficulty or insolvency the Northern Ireland Assembly passed a Legislative Consent Motion on 2 June 2020 which allowed provisions that amend Northern Ireland's insolvency and company legislation to be included in the Corporate Insolvency and Governance Bill. The amendments made by this bill will provide relief and support for companies facing financial difficulty to explore rescue and restructuring options.

Invest NI have been the key provider of advice and guidance on support available to all businesses in Northern Ireland during this difficult period with its dedicated business support helpline and management of the nibusinessinfo website. They also work closely with my Department considering a range of other support which can help feed into our recovery plan going forward. Key aspects include the potential of adopting greater digital technology through automation and e-commerce.

Our economy is now beginning to gradually, and safely, reopen. However, we now need to be clear that simply reopening the economy is not enough. We need to rebuild our economy.

The document 'Rebuilding a Stronger Economy' published by my department, sets out a framework for how this recovery can be achieved. The aims I have set for the economy will not be surprising: we need more people working in higher paying jobs. We need to build the skills of our work force and ensure that we have a regionally balanced economy where every part of NI prospers.

Further details can be found at: <https://www.economy-ni.gov.uk/publications/rebuilding-stronger-economy-medium-term-recovery>

**Mr O'Dowd** asked the Minister for the Economy what engagement there has been between her Department, or InvestNI, and Thompson Aerospace in relation to the recent job losses at the company and securing its future.

**(AQW 4558/17-22)**

**Mrs Dodds:** Invest NI has maintained regular contact with Thompson Aero Seating since February 2020 on the challenges resulting from the Covid-19 pandemic. The job losses are regrettable and our thoughts remain with those workers that may lose their jobs.

Unfortunately, the current global conditions has resulted in Thompson Aero Seating having to reduce headcount. The focus remains on securing the long term success of the business and Invest NI is fully engaged with Thompson Aero Seating on process improvements of the assembly lines as well as new product concepts and skills developments, all aimed at securing the long term future of this highly innovative business.

I was in direct contact with the Company on 9 June 2020 and Invest NI will work with the local Council and the Department for Communities to establish redundancy clinics in conjunction with the company. My Career's Service will also provide support, as appropriate.

I will be meeting with a representative group of companies, large and small, from the Northern Ireland Aerospace sector on 24 June to hear from them the challenges they face in relation to COVID-19, the support required from Government, and also to discuss matters related to EU Exit that may affect the sector.

**Mr Allister** asked the Minister for the Economy how much income the South Eastern Regional College has received from activities within the training centre in Dublin since it commenced operation, broken down by month.

**(AQW 4570/17-22)**

**Mrs Dodds:** The commercial income received to date by South Eastern Regional College from programmes at the Professional Skills Centre in Dublin has been £26,210.

**A monthly breakdown of this and courses to which it relates is shown below.**

Month	Programmes Delivered	Income
August 2019	DGA (Domestic Gas)	£3,463

Month	Programmes Delivered	Income
September 2019	Heat Pumps	£1,000
November 2019	DGA (Domestic Gas) Gas Boiler Servicing Flu Gas Analysis	£6,371
January 2020	DGA (Domestic Gas) Gas Safety Awareness Unvented Gas Boiler Servicing	£8,223
February 2020	DGA (Domestic Gas) Gas Boiler Servicing	£3,897
March 2020	DGA (Domestic Gas) Gas Boiler Servicing Flu Gas Analysis	£3,256
<b>Total</b>		<b>£26,210</b>

**Mr M Bradley** asked the Minister for the Economy to detail (i) how many businesses within the Causeway Coast and Glens council area have been granted the £10k business support grant; and (ii) how many are still awaiting payment.

**(AQW 4617/17-22)**

**Mrs Dodds:** As of 12 June 2020, 1,925 grants under the £10,000 Small Business Support Grant scheme have been issued to businesses within the Causeway Coast and Glens Borough Council area.

There are 299 small businesses in the Causeway Coast & Glens District Council area that are still awaiting a decision on their application. The remaining applications will be processed as soon as possible.

**Mr Muir** asked the Minister for the Economy whether she will bring forward a grant assistance scheme to support businesses with costs arising as a result of public health requirements and social distancing guidelines due to COVID-19.

**(AQW 4625/17-22)**

**Mrs Dodds:** My Department, along with Executive colleagues, continue to explore all potential options to identify further means of offering support to as many local businesses as possible during the Covid-19 pandemic.

However, to date the NI Executive and the UK Government have introduced an unprecedented number of interventions and packages of financial support to help those who have been affected by the consequences of Covid-19. These interventions have included three grant schemes brought forward by my Department.

The money provided by these schemes was provided with no stipulation on their usage and could therefore be used to offset the costs arising from following social distancing guidelines.

**Mr Durkan** asked the Minister for the Economy to outline when activity in the housing market, including the buying and selling process, can restart.

**(AQW 4649/17-22)**

**Mrs Dodds:** Minister Dodds transferred this question to the Department for Communities. This is because my Department led on work to develop proposals to amend 'The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020', to allow house moves and associated activities to take place.

I can confirm that my Department's proposals to amend the legislation were approved at the Executive meeting of the 11th June 2020 and came into effect at 11pm on the 14th June 2020.

My Department has also produced a guidance document that provides public health information to ensure that the re-opening of the housing market and key activities around this, such as viewing property, can happen safely.

The press release announcing the legislative change and providing a link to the guidance can be found here: <https://www.communities-ni.gov.uk/news/hargey-confirms-re-opening-housing-market>

**Ms Dolan** asked the Minister for the Economy, in light of the latest NISRA Women in NI findings, what steps she will take to improve employment rates amongst women.

**(AQW 4678/17-22)**

**Mrs Dodds:** The “Women in Northern Ireland 2020” publication considers the different labour market experiences of women and men. A consistent feature of the labour market is higher employment and unemployment rates for males and higher inactivity rates for females. The most common reason for inactivity among women was family and home commitments.

My Department currently has a range of services and support available to help support women into employment.

- The Work Experience Programme provides funding for childcare while mothers undertake work experience placements.
- The Adviser Discretion Fund helps remove a barrier to employment by providing up to £300 for matters such as clothing for interview, tools for use in a specific occupation and Access NI checks.
- The Travel to Interview Scheme provides financial assistance to cover travel costs to attend job interviews.
- Work Coaches can provide assistance with job search activity, providing upskilling opportunities, assistance with CV development, interview skills and general confidence building to help women move into employment.
- Women may also be able to claim back up to 85% of registered childcare costs if working or having secured a job offer. Costs of £646 for one child and £1108 for 2 or more children may be reimbursed per month.

My Department has also been working on the Employability NI Initiative which will deliver a flexible new offer that addresses current labour market needs with a particular emphasis on tackling the barriers to employment faced by those who are economically inactive – this includes those with family/caring commitments. The Employability NI Initiative will deliver flexible, tailored support and labour market interventions for each individual to help them on their work and wellbeing journey. Everyone will benefit from this flexible and person centred support and ultimately it will help women (as well as others) move closer to and into employment.

My Department is currently considering its wider Post Covid-19 Recovery Plan which focuses on Labour Market Interventions using the Employability NI Initiative as a flexible delivery model.

**Mr Allister** asked the Minister for the Economy (i) whether her Department, as a matter of course, provided the Renewable Heat Incentive Inquiry with departmental emails which were not on the TRIM system; (ii) in what circumstances was the RHI Inquiry supplied with departmental emails which were not on the TRIM system; (iii) whether Civil Service witnesses to the RHI Inquiry, retired or otherwise, were afforded access to their emails which had not been retained on the TRIM system; and (iv) whether staff and advisers of the RHI Inquiry were advised that departmental emails may not have been retained on the TRIM system, and told that such nonetheless could be accessed, if that was the case.

**(AQW 4739/17-22)**

**Mrs Dodds:**

- (i) The Department for the Economy (DfE) as a corporate witness provided the RHI Inquiry with emails which were not on the HPRM (Hewlett Packard Records Manager, formerly known as TRIM) system.
- (ii) All Departmental officials were required to identify and provide any and all records held in relation to RHI, which included documents not on the HPRM system. These were supplied to the RHI Inquiry.
- (iii) Retired witnesses were granted access to relevant records stored on HPRM. Witnesses still working within the NICS who had personal departmental mailboxes had the facility to request that their mailboxes be restored as far back as back-up servers allowed. Some did avail of this facility.
- (iv) DfE provided the RHI Inquiry with all records held in relation to RHI, this included documents not on HPRM. Records provided which were not extracted from HPRM were marked as such.

**Mr Muir** asked the Minister for the Economy to detail the planned marketing budget allocation to (i) Tourism NI; and (ii) Tourism Ireland for 2020/21 in order to attract tourists following the easing of COVID-19 restrictions.

**(AQW 4762/17-22)**

**Mrs Dodds:** We are working with both Tourism NI and Tourism Ireland to consider their financial requirements in light of the impact of Covid-19 on tourism both domestically and worldwide. Both organisations have commissioned research to determine people’s propensity to travel both within, and to Northern Ireland, and this will help to inform decisions.

**Mr Givan** asked the Minister for the Economy to outline what discussions are planned with HM Government in respect of the Belfast Regional City Deal and the challenges facing projects as a result of COVID-19.

**(AQW 4770/17-22)**

**Mrs Dodds:** The Belfast Region City Deal (BRCD), through its proposed investment of nearly £1 billion in economic infrastructure, particularly in innovation and digital, will be critical in providing an important platform to support the rebuilding of the economy.

The impact of COVID 19, whether through uncertainty around future visitor numbers or future private sector investment in innovation and R&D, has heightened the challenges in developing value for money projects. However, with the support of HM Government, I am determined to support the BRCD Programme Board and its partners to address those challenges. My officials are continuing to work closely with the Universities and individual councils helping them to update their proposals to take account of COVID 19. In addition, Tourism NI have commissioned new market research which will further inform

business case development, while additional work has been commissioned to look at alignment between the various innovation projects. The Department is also working closely with the Digital Task and Finish Group, which has been established by the BRCD Programme Board to assess the short term needs arising from the COVID-19 crisis and how those can be addressed by the City Deal programme.

**Mr McNulty** asked the Minister for the Economy (i) for an update on the progress of the new Energy Strategy for Northern Ireland; (ii) advise when she expects the strategy to be published; and (iii) whether the strategy will detail proposed individual energy Infrastructure projects.

**(AQW 4828/17-22)**

**Mrs Dodds:**

- (i) There is a substantial work programme ongoing to review the inputs provided through the Call for Evidence, gather further evidence where needed and develop robust policy options for a new Energy Strategy. This is detailed further in the recently published Energy Strategy monthly e-Bulletin, available on my Department's website.

A summary report of responses received will be published by the end of June, alongside each individual response (with personal information redacted). This will also be accompanied by a report on the five workshops that took place in February to highlight the key themes emerging from these.

- (ii) I intend to publish an options paper on the Energy Strategy for consultation by the end of March 2021. Following the consultation, and subject to securing Executive approval, I would aim to have the final Strategy in place by November 2021.
- (iii) The Energy Strategy will provide strategic direction on the pathway to net zero emissions by 2050 and the policy levers needed to deliver this. However, government does not determine what individual energy infrastructure projects are brought forward, and this detail will therefore not be included within the Strategy.

**Ms Sugden** asked the Minister for the Economy, further to her announcement to allow the reopening of public houses, bars, restaurants, cafes and coffee shops from 3 July 2020, whether she will consider reopening of sports and social clubs with similar restrictions.

**(AQW 4894/17-22)**

**Mrs Dodds:** This is not within the remit of my Department.

**Mrs Cameron** asked the Minister for the Economy, how much financial assistance has been received, or estimated final figure, in the South Antrim constituency for (i) the £10,000 Small Business Support Grant; and (ii) the £25,000 Retail, Hospitality, Tourism and Leisure Grant.

**(AQW 4961/17-22)**

**Mrs Dodds:** For the £10,000 Small Business Support Grant, £10,490,000 of financial support has been provided to the South Antrim Parliamentary Constituency as of 19 June 2020.

For the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme, £2,745,000 of financial support has been provided to the South Antrim Parliamentary Constituency as of 18 June 2020.

**Mrs D Kelly** asked the Minister for the Economy to detail (i) the impact of the apprenticeship levy on businesses in Northern Ireland; (ii) the net impact of the levy on the block grant since 2017; and (iii) what action her Department has taken to expand access to apprenticeship funding for businesses.

**(AQW 5050/17-22)**

**Mrs Dodds:** The introduction of the Apprenticeship Levy, by the UK Government in April 2017, was unwelcome news for Northern Ireland's public and private sector employers with a pay bill over £3m; however, as a fiscal policy, it is a reserved matter for the UK Parliament. Northern Ireland receives the Barnett Consequential from the levy, but this had no significant impact on the block grant.

Although the collection of the levy is a reserved matter, with no scope for derogation for Northern Ireland, the delivery of Apprenticeships is a devolved matter.

In Northern Ireland, Apprenticeships are delivered through my Department's ApprenticeshipsNI and Higher Level Apprenticeship programmes. My

Department provides funding to support the cost of apprenticeship training for private sector employers regardless of whether they pay levy contributions.

The introduction of the Levy has not resulted in a reduction in the number of Apprenticeships in Northern Ireland. The Department's apprenticeship programmes continue to offer support to over 6,000 new apprentices every year. These are demand led programmes, and I encourage all employers to avail of these Programmes to drive forward business growth.

I am also focused on ensuring the apprenticeships system best meets the needs of employers and participants in Northern Ireland. The Strategic Advisory Forum and Sectoral Partnerships are working on an ongoing basis to ensure employers play a central role in policy development and curriculum design.

I have met with a number of employers and representative bodies to understand the impact of the levy and identify opportunities to enhance our apprenticeship system. I will consider the issues raised by NI employers, on the impact of the levy in NI, including policy changes around the current age related criteria, potential public sector apprenticeships, and how to improve transparency for employers on the level of funding support they are currently availing of through participation in our apprenticeship programmes. I am committed to ensuring that the apprenticeship programme continues to meet the demands of the NI economy and will press for additional funding should this be required.

**Mr Durkan** asked the Minister for the Economy to detail the number of unsuccessful applicants to the £25,000 Business Grant Scheme for businesses in the retail, hospitality, tourism and leisure sectors, broken down per constituency. **(AQW 5084/17-22)**

**Mrs Dodds:** At 22 June 2020, a total of 709 applications to the £25,000 Retail Hospitality, Tourism and Leisure Grant scheme had been rejected on the grounds of duplication or ineligibility. A breakdown of this figure by Parliamentary Constituency is published in the 'Operation of the scheme by council, constituency and sector' section on the following webpage - <https://www.nibusbusinessinfo.co.uk/content/coronavirus-£25000-retail-hospitality-tourism-and-leisure-grant>.

Here you can find information about the operation of the scheme to date. Based upon applications received, this details applications by decision status (paid/rejected/being processed), and provides a facility to interrogate by District

Council area, Parliamentary Constituency, and supported sector. This data will be updated on a regular basis.

**Mr Buckley** asked the Minister for the Economy to outline the steps being taken to reopen each sector of the economy in a timely and efficient manner. **(AQO 492/17-22)**

**Mrs Dodds:** The Northern Ireland Executive has published its approach to Coronavirus decision making, which includes a five step pathway for us to emerge from lockdown in a safe and sustainable way.

## Northern Ireland Assembly Commission

**Mr Allister** asked the Assembly Commission why it agreed to light Parliament Buildings yellow on 6 June 2020 in support of the Black Lives Matter movement while refusing similar recognition of European Day for Victims of Terrorism. **(AQW 4653/17-22)**

**Mr Butler (The Representative of the Assembly Commission):** Under the Assembly Commission's Special Lighting Policy, the normal procedure for anticipated occasions is that the Commission may grant permission for special lighting, subject to receiving a request that fulfils the criteria no later than four weeks before the date(s) on which special lighting is being sought.

In 2019, an application under this procedure to light Parliament Buildings on the European Day of Remembrance for Victims of Terrorism on 11 March 2019 was accepted and the Building was duly illuminated.

In 2020, an application was received to light Parliament Buildings in conjunction with a Member-sponsored event on Friday 6 March 2020 to mark the European Day of Remembrance for Victims of Terrorism, which was actually on Wednesday 11 March 2020. That application did not meet the criteria of the Special Lighting Policy and the Commission, although understanding and sympathising with the significance of the European Day, was unable to approve the request.

In exceptional circumstances, and in order to react to unpredictable circumstances and current events, the Special Lighting Policy allows the Commission to take a decision, upon referral by the Speaker, to illuminate Parliament Buildings to mark those exceptional circumstances. On Wednesday 3 June 2020, the Speaker received a request to light Parliament Buildings on Saturday 6 June in opposition to racism on a coordinated day of solidarity. The request was submitted by:

- North West Migrants Forum;
- African and Caribbean Support Organisation Northern Ireland;
- Horn of Africa People's Aid Northern Ireland;
- Ethnic Minority Sports Organisation Northern Ireland; and
- United Against Racism Belfast

The Speaker referred this to the Commission for decision and, while it was mindful of previous decisions, the Commission agreed by consensus, and in line with the policy, to accept the request.

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# Northern Ireland Assembly

Friday 3 July 2020

## Written Answers to Questions

### The Executive Office

**Mr Givan** asked the First Minister and deputy First Minister how many commissioners from the Equality Commission worked on the Lee v Ashers Baking Company Ltd case in its duration.  
(AQW 2087/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill (The First Minister and deputy First Minister):** The Equality Commission for Northern Ireland is a Non Departmental Public Body and as such this is a matter for it to answer. We have therefore asked the Chief Executive to respond to you directly on this matter.

**Dr Archibald** asked the First Minister and deputy First Minister, in relation to contingency planning to respond to a coronavirus outbreak, whether she will give consideration to supporting low-paid workers and workers on zero-hours contracts, who may be adversely affected by the advice on self-isolation and have less access to sick leave or sick pay, many of whom have front line roles in the hospitality or health sector.  
(AQW 3021/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** We recognise the importance of this issue and we are aware that the Minister for Communities is currently giving consideration to it. As we understood you have tabled questions to her in similar terms she will be best placed to respond in the first instance.

**Mr Allister** asked the First Minister and deputy First Minister pursuant to Section 28 of the Northern Ireland Act 1998 what, if any, changes have been made to the Ministerial Code since the publication of New Decade, New Approach.  
(AQW 4514/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** No changes have been made to the Ministerial Code since the publication of New Decade, New Approach.

### Department of Agriculture, Environment and Rural Affairs

**Miss McIlveen** asked the Minister of Agriculture, Environment and Rural Affairs when he plans to reopen public toilets in country parks and forest parks.  
(AQW 4674/17-22)

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** I authorised the re-opening of toilet facilities at DAERA owned forest and country parks from Monday 15 June 2020. Toilets at many of our parks re-opened on that date and having urgently completed further work at remaining sites, facilities are now operational at all DAERA Forest and Country Parks.

I opened these facilities as a further step to aid recovery and to provide a more complete experience for people visiting these fantastic outdoor venues. In doing so, I stressed the need for visitors to use the facilities responsibly and continue to play their part in reducing Covid-19 risks for everyone.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs whether there will be adequate veterinary capacity to meet the demands for veterinary certification, supervision for goods and equine and pet animals moving from Britain from 01 January 2021.  
(AQW 5077/17-22)

**Mr Poots:** Responsibility for the certification for movements of goods and animals to Northern Ireland from Great Britain will rest with Animal and Plant Health Agency (APHA) in Great Britain. DAERA is focussed on delivering a Minimum Viable Product (MVP) to implement the elements of the Ireland / Northern Ireland Protocol (the Protocol) within its remit to ensure

that the Department is operationally prepared by the end of December. This includes planning for appropriate resources to be able to conduct regulatory checks on such movements.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the £1.3 million that was announced in December 2019 for eight new agri-food research projects.

**(AQW 5078/17-22)**

**Mr Poots:** Of the eight projects my Department announced in December 2019 it would be funding in collaboration with the Department of Agriculture, Food and the Marine (DAFM) in the Republic of Ireland, one has now commenced.

As these projects create research posts for early career scientists, there is typically a lead time on recruitment following commissioning before the project is resourced and able to commence. The Covid-19 pandemic has caused some disruptions in terms of workforce availability and the application of social distancing measures in the workplace. My Department has been working closely with our research organisations to monitor and mitigate these impacts and I am confident the remaining seven projects will commence as soon as is practicable.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs whether he has conducted an assessment of the potential impact the new immigration system will have on the capacity of veterinary businesses.

**(AQW 5079/17-22)**

**Mr Poots:** While the systems governing immigration into the United Kingdom are a reserved matter, I understand that the addition of veterinary surgeons to the Shortage Occupation List, as requested of the Migration Advisory Committee by the British Veterinary Association and Royal College of Veterinary Surgeons, should make it easier, quicker and less costly for employers to hire nationals from non-European Economic Area countries for roles where there is a lack of suitably skilled workers within the resident labour market. I anticipate this will help ensure there is no impediment to the recruitment of veterinary graduates into local veterinary businesses, from outside the United Kingdom in response to the usual supply, demand and job-pricing mechanisms.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs (i) whether his Department has considered and prepared for a no deal scenario between the British Government and the EU; and (ii) how this would impact on (a) points of entry; and (b) sanitary and phytosanitary checks.

**(AQW 5080/17-22)**

**Mr Poots:** DAERA is focussed on delivering a Minimum Viable Product (MVP) to implement the elements of the Ireland/Northern Ireland Protocol (the Protocol) within its remit to ensure that the Department is operationally prepared at the end of the Transition Period in relation to sanitary and phytosanitary checks (SPS). Planning for the MVP includes dealing with the possibility of addressing a non-negotiated agreement between the UK and the EU (i.e. no Free Trade Agreement) and the Protocol will come into force.

It will be important for the UK Government and the EU to work together to ensure that trade friction is minimised and that Northern Ireland businesses and consumers do not face unacceptable costs.

**Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs, given the Government has said that, under the Protocol on Ireland/Northern Ireland, there need be no further infrastructure in Northern Ireland's ports, why is his Department continuing to prepare for the same.

**(AQW 5091/17-22)**

**Mr Poots:** The recent publication by the UKG of the Command Paper on the UK's Approach to the Northern Ireland Protocol sets out a four point delivery plan for the implementation of the Protocol. The paper confirms that UKG see no need to construct any new bespoke customs infrastructure in Northern Ireland. The paper also confirms that existing facilities and designations for the arrival of agri-food goods to ports and airports in Northern Ireland will be maintained, and some existing entry points for agri-food goods will be expanded to provide for proportionate additional controls.

Following the publication of the Command Paper, the Northern Ireland Executive has agreed my Department as the lead for the implementation of the sanitary and phytosanitary elements of the Protocol.

**Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs to outline the basis of his assertion to the Assembly on 16 June that the absence of any infrastructure at ports would lead to a situation where all Northern Ireland goods had to be imported through the Republic of Ireland.

**(AQW 5092/17-22)**

**Mr Poots:** The recent Command Paper on the UK's Approach to the Northern Ireland Protocol clearly stated that there will be a need to expand some existing entry points in Northern Ireland for agri-food goods to provide for proportionate additional controls.

To achieve this under the Protocol means having approved port facilities designated by the European Union which enable the continued importation of animal and plant products and live animals into Northern Ireland. My Department is working towards ensuring that this happens.



**Mr Allister** asked the Minister of Agriculture, Environment and Rural Affairs whether there was ministerial approval for the letter of 12 June 2020 from the Director of Brexit Operational Readiness to Larne port proposing Larne as a Border Control Post, internal to the United Kingdom.

**(AQW 5180/17-22)**

**Mr Poots:** The publication of the UK Government's command paper on 20 May 2020, provided the necessary clarification to proceed to implement the Northern Ireland Protocol. As the lead Department for the implementation of our obligations in relation to the Northern Ireland Protocol on Sanitary and Phytosanitary (SPS) checks, my officials have had engagement with port officials following initiation of the programme on 26 May. Since then DAERA officials have been working at pace to work to deliver a Minimum Viable Product (MVP) for process design, IT, trained staff and supporting facilities in an attempt to deliver first day operational readiness for SPS checks at Northern Ireland's Points of Entry (POE) by the end of December 2020.

In addition to meetings, site visits and Operational workshops, part of the process for agreeing the Points of Entry was correspondence between officials and Senior Port Authority Officials. That process does not require Ministerial approval, and I did not therefore have sight of the letter dated 12 June 2020 issued to Larne Port.

## Department for Communities

**Mr Dunne** asked the Minister for Communities for an update on when a community hall funding programme will be established through a culture and community fund.

**(AQW 759/17-22)**

**Ms Hargey (The Minister for Communities):** The "New Decade, New Approach" agreement includes a number of commitments made by the British Government to the restored Executive including a commitment to provide funding to establish a Culture and Community fund.

The British Government have an obligation to resource the commitments set out in the deal. I will continue to keep this under review.

**Ms Mullan** asked the Minister for Communities for an update on the proposed redevelopment of Daisyfield sports facilities in Derry.

**(AQW 2162/17-22)**

**Ms Hargey:** My Department is not responsible for the development of the Daisyfield Sports Facility. I understand that Derry City & Strabane Council has developed plans to redevelop the facility and that a Planning Application has recently been approved.

I have asked my officials to engage with Council officials to hear more about their plans for the redevelopment of the Daisyfield site and the timescales for delivering the project.

**Mr Allister** asked the Minister for Communities, in regard to her appointment of a special adviser, (i) whether she independently chose her special adviser or an allocation was made by her party; (ii) how it was made known, and to whom, that she was seeking to appoint a special adviser; (iii) whether a pool of candidates was considered; (iv) if so, how many were within the pool; (v) how any pool of candidates was assembled; (vi) what were the essential and desirable criteria set for the job; (vii) by what process was the choice made; (viii) what notes and records were made and kept of the process; (ix) how fair employment obligations were met; (x) on what date(s) was the job offered and accepted; (xi) what was the contractual start date; and (xii) was the range of available salary discussed with the appointee, or was the job offered and accepted without knowledge of the likely salary.

**(AQW 2511/17-22)**

**Ms Hargey:** My special advisor Ronan McGinley was appointed on 15 June 2020. The appointment of my special advisor is in line with the Code for the Appointment of Special Advisers agreed by the Executive and published by the Department of Finance on 20 January 2020. Ronan was previously appointed by Minister Hargey on 20 February 2020. Salary details were confirmed by the Department of Finance on 14 February 2020.

**Mr Easton** asked the Minister for Communities what her Department can do to stop Personal Independence Payment appeals being held in courthouses.

**(AQW 2782/17-22)**

**Ms Hargey:** The Minister of Justice and Minister Hargey were scheduled to meet to discuss a number of issues, including the use of court houses for benefit appeals, prior to the onset of the COVID-19 pandemic. However, due to the impact of COVID-19 it was necessary to postpone the planned meeting, but we are aiming to reschedule this meeting in the near future.

Before any venue is confirmed as suitable for a benefit appeal tribunal hearing, The Appeals Service (TAS) completes a health and safety risk assessment of the location and facilities to determine its suitability. These will be reviewed against current Public Health Agency (PHA) guidelines when oral hearings are reconvened.

The use of court houses has allowed TAS to arrange more tribunal sessions and subsequently has helped reduce delay to appellants in securing a hearing date. On occasions where availability causes difficulties other venues may be deemed suitable for consideration following a risk assessment on facilities.

**Mr Chambers** asked the Minister for Communities whether her Department has any intention of allowing people who bought their house from the Northern Ireland Housing Executive to extend their lease with the Northern Ireland Housing Executive. (AQW 2786/17-22)

**Ms Hargey:** The Housing Executive has advised that there is no provision in the statutory House Sales Scheme under which flats are sold to sitting tenants to enable them to extend the term of the leasehold or to buy out the freehold, or, alternatively, seek to purchase the building in which the flat is situated.

However Section 1 of the Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971 confers upon persons to whom the section applies a general right to acquire a fee simple estate in land or to obtain an extension of the leasehold estate in land (on one occasion only) for a term of not more than 50 years.

Whilst the 1971 Act does provide the right to extend a Leasehold, this cannot be exercised at any time earlier than five years before the expiry of the Lease. As such none of the Housing Executive's flat leaseholders would, at this point in time, be approaching the last five years of their Lease to enable them to extend their leaseholds.

The Housing Executive acknowledges that concerns have been raised around the requirements of lending institutions and the diminishing leasehold terms on its sold flats.

This is an operational matter for the Housing Executive, and it has already held discussions with Land & Property Services (LPS) in the Department of Finance (DoF) who are responsible for the relevant legislation, around the nature and scale of the concerns and the available options to appropriately address these. The Housing Executive has advised that it will be meeting with LPS again shortly to seek to progress the matter.

**Mr McNulty** asked the Minister for Communities (i) whether she will review the effectiveness of the Discretionary Support Service telephony service; (ii) how many personnel are dedicated to the team accepting telephone claims; (iii) how many applications have been serviced in each month since the service was launched; (iv) what is the average length of time a customer waits to have a call answered; and (v) to detail the length of time an average call or application takes to process the data. (AQW 2805/17-22)

**Ms Hargey:**

- (i) A review of the Discretionary Support telephony service is currently underway.
- (ii) There are 100 Finance Support telephony agents available to answer this range of calls and to answer enquiries.
- (iii) On average 6156 applications each month have been processed since Discretionary Support was introduced on 28 November 2016.
- (iv) The average length of time a person waited to have their call answered for the period 1 January – 28 February 2020 was 21 minutes.
- (v) On average, during the period 01 January to 28 February 2020, each person spent 46 minutes on the phone having their Discretionary Support application completed.

The Discretionary Support service has significantly changed since 1 March 2020 with a number of changes made due to the increased demand and staff absences due to the Covid-19 pandemic. An on-line application was introduced for Discretionary Support living expenses grants (Universal Credit Contingency Fund, Covid-19 living expenses grant and Discretionary Support living expenses grant). All applicants are encouraged to use the on-line form to reduce waiting times and call duration.

From 1 June, the average waiting time has been just over 7 minutes and call duration time has also decreased to 7 minutes.

**Mr Allen** asked the Minister for Communities to detail the waiting time for discretionary support calls to be answered and the average call duration. (AQW 2858/17-22)

**Ms Hargey:** On average length of time a person waited to have their call answered for the period 1 January – 28 February 2020 was 21 minutes.

On average during the period 01 January to 28 February 2020, each person spent 46 minutes on the phone having their Discretionary Support application completed.

The Discretionary Support service has significantly changed since 1 March 2020 with a number of changes made due to the increased demand and staff absences due to the Covid-19 pandemic. An on-line application was introduced for Discretionary Support living expenses grants (Universal Credit Contingency Fund, Covid-19 living expenses grant and Discretionary

Support living expenses grant). All applicants are encouraged to use the on-line form to reduce waiting times and call duration.

From 1 June, the average waiting time has been just over 7 minutes and call duration time has also decreased to 7 minutes.

**Dr Archibald** asked the Minister for Communities, in relation to contingency planning to respond to a coronavirus outbreak, whether she will give consideration to supporting low-paid workers and workers on zero-hours contracts, who may be adversely affected by the advice on self-isolation and have less access to sick leave or sick pay, many of whom have front line roles in the hospitality or health sector.

**(AQW 3020/17-22)**

**Ms Hargrey:** Employers will be urged to ensure that they use their discretion and respect the medical need to self-isolate in making decisions about Statutory Sick Pay. Those workers on zero hours contracts may be entitled to Statutory Sick Pay and can check eligibility at: <https://www.gov.uk/statutory-sick-pay/eligibility>

Those who aren't entitled to Statutory Sick Pay, including those who are self-employed, can make a claim to Universal Credit and/or new-style Employment and Support Allowance depending on their circumstances.

Those whose employers ask them to stay away from the workplace due to Coronavirus concerns, and who do not qualify for Statutory Sick Pay, may be able to claim Universal Credit and/or new-style Employment and Support Allowance. Those who do qualify for Statutory Sick Pay will not be eligible for new-style Employment and Support Allowance but may still qualify for Universal Credit depending on their circumstances.

A person who is in a crisis situation can apply to the Discretionary Support scheme for assistance with short-term living expenses. Discretionary Support is available to people in employment provided their income does not exceed £16,286 per year. The income threshold is set with reference to the National Living Wage and will increase to £18,137 from April 2020.

I will continue to review the situation and take appropriate measures in line with any further developments.

**Dr Archibald** asked the Minister for Communities, in relation to contingency planning to respond to a coronavirus outbreak, whether she will give consideration to supporting low-paid workers and workers on zero-hours contracts, who may be adversely affected by the advice on self-isolation and have less access to sick leave or sick pay, many of whom have front line roles in the hospitality or health sector.

**(AQW 3022/17-22)**

**Ms Hargrey:** I fully recognise the potential difficulties that many low paid workers, including those on zero-hours contracts, may face as a result of the current outbreak. For this reason, Minister Hargrey has written to the Secretary of State for Work and Pensions urging that serious consideration be given to increasing the rate of Statutory Sick Pay, to better reflect the true cost of living and ensure that people are financially supported during this worrying time. While this proposed measure will not provide cover for all workers it would certainly provide further financial support to some.

In the meantime, the following measures are available to help workers impacted by the coronavirus outbreak:-

- Statutory Sick Pay is available from day one, instead of day four and for those who need to self-isolate for medical reasons to protect others.
- Statutory Sick Pay has also been extended to people classed as extremely vulnerable and at very high risk of severe illness from COVID-19 who are advised to remain at home, and cannot work, for at least 12 weeks (known as shielding).
- Anyone self-isolating on a zero hours contract or who works in the gig-economy, if they are not eligible for Statutory Sick Pay, can apply for Universal Credit or new-style Employment and Support Allowance, depending on their circumstances.
- All those in receipt of Employment and Support Allowance suffering from Coronavirus or required to self-isolate in line with guidance issued by the Executive will:
  - be treated as having Limited Capability for Work without the requirement for a fit note or undergoing a Work Capability Assessment; and
  - subject to the normal conditions of entitlement, waiting days will be removed meaning that Employment and Support Allowance will be payable from day one of their claim;
- The standard allowance in Universal Credit and the basic element in Working Tax Credit has been increased for one year. The increases to rates of Universal Credit mean that, on average, every Universal Credit award will go up by approximately £90 per month.
- There has also been adjustments to the local housing allowance rates that will make it more beneficial for private-rented sector tenants.
- In response to the Covid-19 outbreak, enhancements to the Discretionary Support scheme include increasing the amount of individual living expenses awards by increasing the rate of benefit used when calculating awards and allowing discretion to pay for longer periods. In addition, the Discretionary Support Annual Income Threshold has been increased to £20,405 from 22nd April. This will ensure that more people can access Discretionary Support.

I will continue to look for other ways in which I can help those in financial need arising from the current crisis.

**Mr McGlone** asked the Minister for Communities how many eviction notices the Housing Executive has issued since the rollout of Universal Credit in Northern Ireland; and how many evictions have been completed.

**(AQW 3081/17-22)**

**Ms Hargey:** The Housing Executive has advised that it has issued 1,428 eviction notices since 27th September 2017, which is the date when Universal Credit began to be rolled out across Northern Ireland. The total number of evictions it has completed for rent arrears only since 27th September 2017 is 66.

None of these 66 evictions for rent arrears only were in receipt of Universal Credit when the legal action to repossess the dwelling commenced (i.e. when the Civil Bill was served). 11 of these were in receipt of Universal Credit at the time the eviction took place. However, each case has been reviewed with the Housing Executive Income Collection Units and it can be confirmed that Universal Credit had no bearing on the decision to evict.

**Mr McCrossan** asked the Minister for Communities for an update on the future of Herdman's Mill in Sion Mills.

**(AQW 3157/17-22)**

**Ms Hargey:** I understand that Derry City and Strabane District Council, following stakeholder consultation, have developed a master plan for the village that aims to chart a holistic way forward for the whole settlement. I understand that this plan has been agreed by the Council's Environment & Regeneration Committee but not yet launched due to the Covid-19 pandemic. I hope that the plan will be successful in its aims regarding the village and in realising a long term sustainable use for this important former industrial complex. Herdman's Mill remains an important Grade B+ listed building which is highlighted on the Heritage at Risk (HARNI) register.

**Mr McCrossan** asked the Minister for Communities to outline the support her Department is giving to Derry City and Strabane District Council to repair river walkways in (i) Strabane; and (ii) Sion Mills.

**(AQW 3158/17-22)**

**Ms Hargey:** My Department has not received any request from, or is giving support to, Derry City and Strabane District Council to repair river walkways in either (i) Strabane or (ii) Sion Mills. However, my officials are happy to engage with Council to ascertain if there is any support that can be provided.

**Ms McLaughlin** asked the Minister for Communities what plans her Department has to alleviate urgent financial problems for people on zero hour and casual contracts who are laid off because of the coronavirus and who are without access to income.

**(AQW 3256/17-22)**

**Ms Hargey:** People on zero hours contracts may be entitled to Statutory Sick Pay and can check eligibility at: <https://www.gov.uk/statutory-sick-pay/eligibility>. In response to the coronavirus, Statutory Sick Pay will be made available from day one, instead of day four and for those who need to self-isolate for medical reasons to protect others. Statutory Sick Pay has also been extended to people classed as extremely vulnerable and at very high risk of severe illness from COVID-19 who are advised to remain at home, and cannot work, for at least 12 weeks (known as shielding).

Employees laid off because of coronavirus concerns and, who will not qualify for Statutory Sick Pay, may be able to claim Universal Credit, New style Jobseekers Allowance or New Style Employment Support Allowance, depending on their circumstances. Further information can be found at the following - <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-and-benefits>

In response to the COVID-19 pandemic, a number of measures have been taken to provide financial assistance to people adversely affected by COVID-19. These include -

- All those in receipt of Employment and Support Allowance suffering from Coronavirus or required to self-isolate in line with guidance issued by the Executive will:
  - be treated as having Limited Capability for Work without the requirement for a fit note or undergoing a Work Capability Assessment; and
  - subject to the normal conditions of entitlement, waiting days will be removed meaning that Employment and Support Allowance will be payable from day one of their claim.
- The standard allowance in Universal Credit and the basic element in Working Tax Credit has been increased for one year. The increases to rates of Universal Credit mean that, on average, every Universal Credit award will go up by approximately £90 per month.
- There has also been adjustments to the local housing allowance rates that will make it more beneficial for private-rented sector tenants.
- In response to the Covid-19 outbreak, enhancements to the Discretionary Support scheme include increasing the amount of individual living expenses awards by increasing the rate of benefit used when calculating awards and allowing discretion to pay for longer periods. In addition, the Discretionary Support Annual Income Threshold has been increased to £20,405 from 22nd April. This will ensure that more people can access Discretionary Support.

I will continue to look for other ways in which I can help those in financial need arising from the current crisis.

**Mr Durkan** asked the Minister for Communities what action has been taken to address the double earnings problem for Universal Credit claimants who receive two payments within one assessment period.

**(AQW 3375/17-22)**

**Ms Hargey:** As you may be aware, the Department for Work and Pensions is appealing a recent Judicial Review on the way in which earned income is calculated within Universal Credit. Whilst we must await the outcome of that appeal to inform the way forward I remain concerned about the financial impact that this matter may have on individuals and families.

**Mr Allister** asked the Minister for Communities to detail (i) how many staff are employed within her Department's information service; (ii) of these, how many are classed as press officers; and (iii) the annual cost of this service.

**(AQW 3538/17-22)**

**Ms Hargey:** There are currently (i) 7.34 staff employed within my Department's Information Service; (ii) 4.91 are classed as Press Officers; and (iii) the annual cost of this service in 2019/20 was £381,963.57.

**Mr McCrossan** asked the Minister for Communities for her assessment on replacing Universal Credit.

**(AQW 3588/17-22)**

**Ms Hargey:** Universal Credit for new claims, was introduced here on a phased geographical basis between September 2017 and December 2018 based on the principle of a single system of social security here and across Britain. Any divergence from this, such as a bespoke benefit system that replaces Universal Credit here requires legislative change, and would also need to be funded and maintained by the block grant.

I am committed to protecting the most vulnerable in our society.

I will constantly review all options available.

**Mr Durkan** asked the Minister for Communities whether funded community projects, impacted by restrictions as a result of COVID-19, will be given an extension to complete their scheduled programmes and activities after 31 March 2020.

**(AQW 3668/17-22)**

**Ms Hargey:** Minister Hargey wrote to her colleagues in the Voluntary and Community Sector on 19th March to explain the steps she was taking to ensure that a high degree of flexibility was in place for groups who were at the front line of the community response to the pandemic.

My Department's contingency arrangements included the option to pay grants with less restrictive conditions attached that encouraged groups to find new and innovative ways to secure jobs and maintain essential core services, wherever possible, on the ground.

Given these flexibilities it was not considered necessary to universally extend the completion dates for programmes and activities past 31 March 2020. Our consideration of an organisation's performance is on a case-by-case basis with the option for key activities, disrupted by the COVID-19 situation, to be included within the following year's work programme without detriment to the organisation.

I am committed to working with other departments across the Executive to coordinate our support for the people in our communities.

**Mr Allister** asked the Minister for Communities to detail the funding allocated to clubs affiliated to the (i) Gaelic Athletic Association; (ii) Irish Football Association; and (iii) Irish Rugby Football Union, in each of the last five years.

**(AQW 3683/17-22)**

**Ms Hargey:** Table 1 below provides a summary of funding allocated up to 31 March 2020 to clubs affiliated to the Gaelic Athletic Association; the Irish Football Association; and the Irish Rugby Football Union, in each of the last five years. Given the period covered by the question, these figures include funding from the former Departments of Culture, Arts and Leisure and Social Development and rely on historical records and accounting procedures.

Funding has been provided through a range of programmes including Neighbourhood Renewal Investment Fund, Regional Shared Space Sporting Facilities Fund, Community Halls Programme, Small Capital Grants Programme, Access and Inclusion Programme and Building Successful Communities Programme.

**Table 1.**

	<b>Gaelic Athletic Association</b>	<b>Irish Football Association</b>	<b>Ulster Rugby</b>
2015/16	£2,361,467	£791,458	£63,750
2016/17	£2,241,227	£25,000	£0
2017/18	£126,733	£0	£0

	Gaelic Athletic Association	Irish Football Association	Ulster Rugby
2018/19	£593,969	£554,049	£4,580
2019/20	£402,879	£409,259	£1,475

In addition, Table 2 below provides a summary of funding allocated by Sport NI, the arms-length body responsible for the development of sport here, directly to clubs through a range of programmes.

**Table 2.**

	Gaelic Athletic Association	Irish Football Association	Ulster Rugby
2015/16	£217,512	£130,326	£13,223
2016/17	£114,456	£107,043	£8,506
2017/18	£691,516	£239,223	£7,473
2018/19	£749,533	£296,363	£35,960
2019/20	£1,031,747	£440,659	£68,614

Sport NI also delivered a series of good relations workshops to sports clubs across the 11 district council areas which focused on the priorities of Together Building a United Community (T:BUC) through sport and included the provision of sports merchandise. Table 3 below shows the value of this support:

**Table 3.**

	Gaelic Athletic Association	Irish Football Association	Ulster Rugby
2016/17	£50,112	£57,576	£3,199
2017/18	£63,973	£52,245	£15,993

Finally, Table 4 shows the value of support under Sport NI's Defibrillator for Sport Programme:

**Table 4.**

	Gaelic Athletic Association	Irish Football Association	Ulster Rugby
2016/17	£40,600	£63,000	£10,500
2017/18	£50,400	£87,500	£2,100
2018/19	£22,400	£34,300	£2,100

**Mr Givan** asked the Minister for Communities how many prisoners in Northern Ireland are in receipt of Income Support. (AQW 3709/17-22)

**Ms Hargey:** There are no prisoners in receipt of Income Support.

The most recent benefit statistics, produced by my Department's Professional Services unit, were published on 27 May 2020 and can be found at <https://www.communities-ni.gov.uk/system/files/publications/communities/bss-income-support-feb-2020.xls>

**Ms Sugden** asked the Minister for Communities whether she intends to supplement Income Support, Jobseeker's Allowance and Employment Support Allowance payments as an Executive response to the impact of COVID-19. (AQW 3797/17-22)

**Ms Hargey:** I am pleased to advise that my Department has moved quickly in response to the COVID-19 pandemic to relieve hardship and ensure the people most in need get the help and support they require.

A number of changes have been made to the social security system in response to the Coronavirus pandemic. Alongside the temporary increases to Universal Credit standard allowances and the basic element of Working Tax Credits, which came into operation on 6 April and will remain in place for the tax year 2020/21, other measures include:

- Statutory Sick Pay will now be paid temporarily from day one of an employee's absence from work, where that absence is related to Coronavirus;
- Statutory Sick Pay has been extended to people classed as extremely vulnerable and at very high risk of severe illness from COVID-19 who are advised to remain at home, and cannot work, for at least 12 weeks (known as shielding);

- people unable to work for more than seven days because of Coronavirus can obtain an isolation note through a new online service;
- the Minimum Income Floor has been temporarily relaxed for all self-employed people in receipt of Universal Credit affected by Covid-19. This means a drop in earnings during the outbreak will see a person's Universal Credit payment increase;
- the Local Housing Allowance rates are being increased for those in the Private Rented Sector;
- the additional earnings disregard in Housing Benefit has been increased from £17.10 a week to £37.10 a week;
- people applying for or receiving benefits do not have to attend appointments at the Jobs and Benefit Office for 3 months, starting from 19 March 2020;
- all those in receipt of Employment and Support Allowance suffering from Coronavirus or required to self-isolate in line with guidance issued by the Executive will:
  - be treated as having Limited Capability for Work without the requirement for a fit note or undergoing a Work Capability Assessment; and
  - subject to the normal conditions of entitlement, waiting days will be removed meaning that Employment and Support Allowance will be payable from day one of their claim;
- disabled sick people who cannot attend a reassessment for Personal Independence Payment, Employment and Support Allowance or Universal Credit will continue to receive their payments while their assessment is rearranged.

In addition the Department also introduced a number of changes to the eligibility criteria for Discretionary Support, including the introduction of a living expenses grant for those directly impacted by Covid-19.

Minister Hargey has written to Members outlining the social security measures taken in response to COVID-19 to ensure people most in need get the help and support they require.

These are rapidly developing circumstances, I continue to keep the situation under review and will keep the Assembly updated accordingly. People's safety and protecting them and their families is of primary importance.

**Mr Carroll** asked the Minister for Communities whether she has any plans to introduce financial support payments, or allow access to benefits, for students who have lost their job as a result of COVID-19.

**(AQW 3874/17-22)**

**Ms Hargey:** In response to the COVID-19 pandemic, a number of measures have been taken to provide financial assistance to people adversely affected by COVID-19.

One such measure is that students in full-time education who are normally not eligible for benefits may access emergency financial support through the Discretionary Support scheme during the current public health crisis. Further enhancements my predecessor, Minister Hargey, made to the Discretionary Support scheme to assist people affected by COVID-19 includes increasing the amount of individual living expenses awards by increasing the rate of benefit used when calculating awards and allowing discretion to pay for longer periods. All of these changes came into effect from 25 March 2020.

In addition, the Discretionary Support Annual Income Threshold was increased to £20,405. This widens eligibility to Discretionary Support and ensures that more people on a low income can access assistance when they need it most.

**Mrs D Kelly** asked the Minister for Communities (i) how many new applications for Personal Independence Payments have been lodged since the beginning of the COVID-19 outbreak; (ii) how they are being assessed; and (iii) what is the timeframe for decisions to be made.

**(AQW 3970/17-22)**

**Ms Hargey:** Between 1 March 2020 and 31 May 2020, my Department has received 4,011 Personal Independence Payment (PIP) claims.

On 18 March in light of escalating issues around the COVID -19 outbreak and in order to safeguard vulnerable people I announced the suspension of face-to-face assessments for all benefits for a period of three months which included PIP.

All new claims continue to be referred to Capita for assessment where the Disability Assessor reviews all the evidence and where appropriate will complete a report— a Paper Based Review (PBR). Where there is insufficient evidence available to enable a PBR to be completed, a telephone assessment will be carried out. Arrangements have been put in place to allow a support or advice worker or family member to join those calls to support the person claiming PIP if this is required. In addition to support the telephony assessment process Capita have deployed the Video Relay Service which supports people who use either BSL or ISL. My Department is continuing to monitor assessments to ensure they meet quality standards.

My priority is ensuring people get their benefit payments and that we can continue to support those who need us the most and on 23 March we announced that we are automatically extending all awards and reassessments for health and disability benefits. This temporary measure is being taken to ensure the Department's resources are focused on enabling access to financial support for new claims and reassure people about continuity of their benefit during the coronavirus outbreak.

Given the impact of the Pandemic I also announced that the time a person has to return their PIP form has been extended to 3 months hence the vast majority of forms relating to claims for the period above have yet to be returned. The most recent PIP statistics published show the average clearance time for a PIP claim is approximately 13 weeks.

We have a number of measures in place to ensure that Special Rules applications are given the utmost priority. The Department has a target under the contractual arrangements with Capita of clearing 99% of special rules referrals within two days of the referral being received. In these cases a decision on entitlement is normally made by the Department within one day of the case being returned from Capita.

**Miss Woods** asked the Minister for Communities (i) whether her Department has issued guidance to housing providers on how best to protect and support tenants of sheltered accommodation and independent living schemes; (ii) whether her Department has issued guidance to those tenants who are currently shielding or self-isolating and accessing communal areas; and (iii) what information tenants and relatives can expect of providers at this time.

**(AQW 4001/17-22)**

**Ms Hargey:**

(i) On 13 March 2020, my Department wrote to each of the 20 Registered Housing Associations (RHAs) in the North of Ireland, to advise that they follow the latest guidance in relation to Coronavirus (COVID-19) issued by the Department of Health, the Government, the NHS and the Public Health Agency (PHA). This included links to the following advice:

- <https://www.health-ni.gov.uk/coronavirus>
- <https://www.publichealth.hscni.net/news/covid-19-coronavirus>
- <https://www.gov.uk/government/topical-events/coronavirus-covid-19-uk-government-response>
- <https://www.nhs.uk/conditions/coronavirus-covid-19/>

Since then my Department has continued to liaise with, monitor and seek regular assurance from RHAs on compliance with relevant aspects of the guidance.

Departmental guidance for all social housing tenants and landlords was published on 17 June. The guidance provides advice and reassurance to social tenants and landlords around the measures that have been put in place to ensure that people continue to remain safe and secure in their home during the COVID-19 pandemic. The guidance can be accessed via the following link:

- <https://www.communities-ni.gov.uk/publications/covid-19-guidance-social-housing-landlords-and-tenants>

In respect of sheltered accommodation and independent living, my Department funds the Supporting People (SP) Programme which is delivered by the Housing Executive and I can confirm that guidance has been shared by the Housing Executive with all SP providers throughout this time.

On 12 February the Housing Executive wrote to all providers seeking assurance that organisations and supported housing schemes had Business Continuity Plans in place for responding to infectious diseases, including COVID-19, and that staff were acquainted with the corresponding Business Continuity Plans. This correspondence also shared key public health advice and guidance from the PHA and Central Government.

The Housing Executive again wrote to all SP provider organisations on 17 March 2020 to share Central Government COVID-19 Guidance for Domiciliary Care Providers and COVID-19 Guidance for Residential Care Providers.

In order to support SP funded services to continue to deliver services during the COVID-19 outbreak, a SP Programme COVID-19 Contingency Plan was shared with all providers on 24 March 2020 and subsequently updated and shared on 17 April 2020.

This included links to the following advice:

- COVID-19: Guidance for Homeless Providers in Northern Ireland;
- COVID-19: Guidance for Domiciliary Care Providers in Northern Ireland;
- COVID-19: Guidance for Nursing Homes and Residential Care homes in NI;
- Health and Social Care (NI) Summary COVID-19 Plan for the Period Mid-March to Mid-April 2020;
- COVID-19: Pre employment Vetting Guidance Health and Social Care Providers;
- COVID-19: Department of Health Central Advise Resource; and
- Public Health Agency Advice on COVID-19 (coronavirus)

Contingency arrangements and escalation measures to support SP-funded services were also shared with all providers on 02 April through the Housing Executive Homeless Services COVID-19 Surge Plan.

The Housing Executive also advised SP service providers of Health and Social Care Trust points of contact for the management of Personal Protective Equipment (PPE) on 04 April. Following this, information on COVID-19 testing for key worker staff was shared 01 May and information on COVID-19 Testing for Supported Living Services was shared on 13 May 2020.

(ii) Each organisation funded through the Supporting People programme is responsible for the provision of housing-related support to tenants. In order to assist this provision, the Housing Executive has confirmed that it has shared PHA and Central Government guidance with the providers, which has included information on shielding and self-isolation.



(iii) In response to COVID-19, rather than face to face support, service providers have advised that support is being provided through daily digital/telephone support; and signposting to community and voluntary services such as pharmacy collections and grocery deliveries.

Most services are also signposting to diversionary activities, for example virtual classes, distant socialising, newsletters, referring to community support, befriending schemes and in some cases meal provision.

Many providers of older people's housing support services are acutely aware about the impact of self-isolating and social distancing on the mental health of their clients, particularly as many clients have received shielding letters and will be in isolation for 12 weeks or more. Whilst remote access and limited contact can be sustained for a short period, as lockdown continues this approach will need to be reviewed and plans made by providers around how support will become less remote.

**Mr K Buchanan** asked the Minister for Communities how many applications for government food parcels were requested by (i) people with shielding letters; (ii) people in financial hardship; and (iii) senior citizens, broken down by council district electoral area.

**(AQW 4006/17-22)**

**Ms Hargey:** The information requested is collected by councils and health trusts and is not shared with the Department. Given the nature, volume of data and the different systems involved at different levels, the Department does not plan to collect this particular information.

**Mr Muir** asked the Minister for Communities why Model Engineers' Society (NI) Ltd cannot remain at Ulster Transport Museum, Cultra.

**(AQW 4230/17-22)**

**Ms Hargey:** National Museums NI is developing a new masterplan for the Cultra site and looking at how they can more fully unlock its potential in the future to meet long term objectives. In this context they reviewed the relationship with the Model Engineers Society NI, who for over 50 years have been given access to the Walled Garden within the Transport Museum site to operate their model engines.

National Museums NI have stated that they no longer consider this to be sustainable for the following reasons:

- The Walled Garden is a key heritage asset and there is a responsibility to unlock greater public value from it – from both a social impact perspective and commercially. As part of the master planning work National Museums NI are actively developing a project to restore the Walled Garden and give it a new lease of life in a manner sympathetic to its original role.
- The use of the site by the Society is creating increasing operational challenges and risks, particularly when they interface with visitors.
- From a governance and accountability perspective it is increasingly difficult to justify exclusive free access and use of a key part of the site when other organisations have expressed an interest.

With these considerations in mind, National Museums NI indicated to the Society in October 2019 that their continued use of the Walled Garden would not form part of the future plans for the site.

National Museums NI have not yet given the Society formal written notice to vacate. They are obliged to give six months' notice and they intend to issue that notice over the summer 2020.

National Museums NI advise that an important part of this project will involve assisting the Society's move to an alternative location.

**Ms Armstrong** asked the Minister for Communities how the people who are relying on the regular food hampers from her Department will be supported when provision ends in June 2020; and, if her Department plans to continue with provision of hampers, where will funding come from to meet ongoing cost.

**(AQW 4238/17-22)**

**Ms Hargey:** I am aware that a number of people across the community are currently relying on regular food hampers from my Department and are likely to continue to require support when present provision ends in June 2020.

In light of this, it has been decided that the Department's food parcel programme should be extended until 31st July 2020 for people who have been asked to shield by their GPs and cannot otherwise get food. Those who are not medically shielding, but may still need food help, are now being signposted to alternative forms of food support in the community.

Those no longer eligible are being signposted to other means of food support and the Department is now investing up to £875,000 in other forms of food assistance. This includes the Department working with Fareshare to deliver increased food supplies to community providers.

I believe that these responses, when taken together with the Social Supermarket wrap around model and the work of local Foodbanks, have the potential to play an important role in the food poverty response in the medium to long term. The learning, intelligence and data being gathered as a result of the Food Parcel programme will also prove invaluable in this regard and in ongoing and future policy development.

**Ms Bradshaw** asked the Minister for Communities to outline the criteria under which the COVID-19 Charities Fund will be allocated.

**(AQW 4253/17-22)**

**Ms Hargey:** The Covid-19 Charities Fund is being delivered by the National Lottery Community Fund. Eligible applications will be assessed using a two-step process to consider the extent of financial need and the impact of their charitable activity to reach an assessment. Decision makers will also take into consideration the key aim of the Fund which is to ensure that a balanced charitable sector, representative of the diverse interests and needs of citizens, and geographic spread, remain in place after the crisis has passed.

**Mr Easton** asked the Minister for Communities what help her Department can give to animal charities, such as Assisi in Conlig, who are struggling to fundraise due to COVID-19.

**(AQW 4311/17-22)**

**Ms Hargey:** I am pleased to say that the Executive's Covid-19 Charities Fund opened for applications on Monday 15 June 2020. The Fund is open to all charities that have lost income due to the impact of COVID-19 and are at imminent risk of closure. The Fund will provide support for unavoidable costs faced by such charities, which may include animal charities.

**Mr Easton** asked the Minister for Communities what plans are in place to help local community food banks cope once her Department's support for food essentials for the most vulnerable is stopped.

**(AQW 4312/17-22)**

**Ms Hargey:** Local community food banks generally rely on food donations from members of the public, schools, churches, food retailers and food redistribution bodies. They are therefore not necessarily dependent on direct help from government.

I recognise, however, that with the ending of the Department's current emergency food parcel programme, many local foodbanks and food charities may face increased demand for food from the community. With that in mind, it has been decided that the Department's food parcel programme should be extended until 31st July 2020 for people who have been asked to shield by their GPs and cannot otherwise get food. Those no longer eligible are currently being signposted to other means of assistance and the Department is also now investing up to £875,000 in alternative forms of food support. This includes the Department working with Fareshare to deliver increased food supplies to community providers.

In addition, since October 2017 five Social Supermarket pilots have been supported as part of the Welfare Mitigations package. A Social Supermarket offers food provision alongside a wraparound of support to address the underlying causes of food insecurity. Evaluation of these has shown positive outcomes for users and a business case to consider a full roll out is underway. I believe this model has the potential to form a sustainable part of the food poverty response in the medium to long term.

**Mr Dunne** asked the Minister for Communities to outline the rationale for the removal of the Model Engineers Society Northern Ireland Railway from the Ulster Folk and Transport Museum, Cultra.

**(AQW 4319/17-22)**

**Ms Hargey:** National Museums NI is developing a new masterplan for the Cultra site and looking at how they can more fully unlock its potential in the future to meet long term objectives. In this context they reviewed the relationship with the Model Engineers Society Northern Ireland, who for over 50 years have been given access to the Walled Garden within the Transport Museum site to operate their model engines.

National Museums NI have stated that they no longer consider this to be sustainable for the following reasons:

- The Walled Garden is a key heritage asset and there is a responsibility to unlock greater public value from it – from both a social impact perspective and commercially. As part of the master planning work National Museums NI are actively developing a project to restore the Walled Garden and give it a new lease of life in a manner sympathetic to its original role.
- The use of the site by the Society is creating increasing operational challenges and risks, particularly when they interface with visitors.
- From a governance and accountability perspective it is increasingly difficult to justify exclusive free access and use of a key part of the site when other organisations have expressed an interest.

With these considerations in mind, National Museums NI indicated to the Society in October 2019 that their continued use of the Walled Garden would not form part of the future plans for the site.

National Museums NI have not yet given the Society formal written notice to vacate. They are obliged to give six months' notice and they intend to issue that notice over the summer 2020.

National Museums NI advise that an important part of this project will involve assisting the Society's move to an alternative location.

**Mr McNulty** asked the Minister for Communities when AQW 3984/17-22 will be answered.

**(AQW 4327/17-22)**

**Ms Hargey:** AQW 3984/17-22 was answered on 25 June 2020.

**Mr Durkan** asked the Minister for Communities what legislation has been put through, or is planned to be put through, Westminster instead of the Assembly; and to outline the rationale for this decision.

**(AQW 4402/17-22)**

**Ms Hargey:** The Executive agreed that Westminster would bring forward legislation to provide for the introduction of those welfare changes introduced in Britain and the primary legislation to provide for the introduction of the welfare benefit mitigation payments.

The Welfare Reform (Northern Ireland) Order 2015 was subsequently made on 9 December 2015. This Order made provision for the delivery of Welfare Reform here including the introduction of new benefits including Universal Credit (UC) and Personal Independence Payment (PIP). It also introduced other major changes to the existing welfare system including the Benefit Cap, Social Sector Size Criteria and the bespoke Discretionary Support, which replaced elements of the Discretionary Social Fund.

Under Article 4 of the 2015 Order the powers to make subordinate legislation to implement the various welfare reforms are vested in the Secretary of State (for Work and Pensions), until such time as those powers are transferred back to the Department.

Since that time any amending subordinate legislation for PIP and UC continues to be brought forward by DWP through Westminster.

In response to the COVID-19 pandemic, a number of emergency regulations have been taken forward by DWP, on behalf of DfC, in recognition of the urgency of the situation and to deliver the changes both in Britain and here, until such time as those powers are transferred back to the Department.

A list of the legislation that has been made by DWP since the restoration of the Assembly in January 2020 follows in Annex A.

#### Annex A

<b>Made by DWP following Restoration of the Assembly</b>
The Employment and Support Allowance and Universal Credit (Coronavirus) Regulations (Northern Ireland) 2020
The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations (Northern Ireland) 2020
The Social Security (Coronavirus) (Prisoners) Regulations (Northern Ireland) 2020
The Social Security (Coronavirus) (Further Measures) Regulations (Northern Ireland) 2020
The Social Security (Coronavirus) (Further Measures) Amendment Regulations (Northern Ireland) 2020
The Universal Credit (Coronavirus) (Self-employed Claimants and Reclaims) (Amendment) Regulations (Northern Ireland) 2020
<b>Planned Legislation to be made by DWP</b>
The Universal Credit (Miscellaneous Amendments) Regulations (Northern Ireland) 2020
The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations (Northern Ireland) 2020
The Universal Credit (Persons who have attained state pension credit qualifying age) (Amendment) Regulations (Northern Ireland) 2020
The Social Security (Income-Related Benefits) (Persons of Northern Ireland – Family Members) (Amendment No. 2) Regulations (Northern Ireland) 2020
<b>Provisions of the Pension Schemes Bill currently before the House of Lords.</b>
The Assembly agreed the Legislative Consent Motion on 1 June.
The rationale is as set out in the Legislative Consent Memorandum for the Bill.
Provisions of the Immigration and Social Security Co-ordination (EU Withdrawal) Bill currently before the House of Commons.
It is proposed that a Legislative Consent Motion will be brought before the Assembly for provisions of the Bill relating to social security co-ordination.
The rationale will be set out in the Legislative Consent Memorandum for the Bill.

**Ms S Bradley** asked the Minister for Communities what communications she has had with the Minister of Justice in relation to the need to restructure courthouses to comply with social distancing requirements; and for her assessment of the removal of Appeals Service hearings from the courthouses to more suitable, applicant-centred, venues.

**(AQW 4551/17-22)**

**Ms Hargey:** The Minister of Justice and Minister Hargey were scheduled to meet to discuss a number of issues, including the use of court houses for benefit appeals, prior to the onset of the COVID-19 pandemic. However, due to the impact of COVID-19 it was necessary to postpone the planned meeting, but we are aiming to reschedule this meeting in the near future.

Before any venue is confirmed as suitable for a benefit appeal tribunal hearing, The Appeals Service (TAS) completes a health and safety risk assessment of the location and facilities to determine its suitability. These will be reviewed against current Public Health Agency (PHA) guidelines when oral hearings are reconvened.

The use of court houses has allowed TAS to arrange more tribunal sessions and subsequently has helped reduce delay to appellants in securing a hearing date. On occasions where availability causes difficulties other venues may be deemed suitable for consideration following a risk assessment on facilities.

**Mr Carroll** asked the Minister for Communities whether she has considered extending the suspension of benefit deductions to include repayments of Universal Credit Advance.

**(AQW 4633/17-22)**

**Ms Hargey:** I recognise the many difficulties and challenges which people and communities, particularly the most vulnerable, are facing at this time and in response to the pandemic have introduced measures to help ease the financial burden on those claiming benefit, support our most vulnerable people and to provide additional financial assistance to those who need it.

As part of these measures I have temporarily suspended the recovery of debt which is controlled by my Department. All recoveries achieved by means of direct debits, Direct Earnings Attachments, private sector supplier work and litigation have been paused. I have also approved the suspension of existing benefit overpayment deductions from Universal Credit and legacy benefit payments, and the suspension of recovery of Social Fund and Discretionary Support loans.

As to the suspension of the recovery of Universal Credit Advance Payments which are recovered through the Department for Work and Pensions (DWP) Universal Credit computer system, my officials discussed with DWP the potential to temporarily suspend their recovery here. However I'm advised this was not possible.

I understand the impact of this for people currently repaying an Advance Payment and if someone is in financial hardship they should contact my Department's Debt Management to discuss the repayment plan as people have up to 12 months to pay back the advance.

**Mr McGlone** asked the Minister for Communities whether work has been carried out to establish if there has been a shortfall in state pension payments to married women in Northern Ireland.

**(AQW 4856/17-22)**

**Ms Ní Chuilín:** Under the State Pension rules that apply before 6 April 2016, individuals may be able to derive entitlement or a top up to their State Pension using their husband's National Insurance (NI) contributions once he reaches his State Pension age.

My Department is aware that in some instances the proper action was not taken in all cases in line with legislation in place at the time however our early assessment is that volumes in NI will be small. This is due to the fact that the Pension Centre in NI has over the years targeted these type of cases in their routine accuracy checking regime, corrected them and paid arrears when detected.

My Department is checking for further cases and will reassess their entitlement immediately if there has been a shortfall and people will be contacted in these circumstances. In the intervening period if a married woman contacts the Pension Centre enquiring about their State Pension award, staff will check the award and revise if necessary.

**Mr Hilditch** asked the Minister for Communities for her assessment of the Housing Executive intimidation points policies; and whether she has any plans to reform these policies.

**(AQW 4882/17-22)**

**Ms Ní Chuilín:** A consultation on 'A Fundamental Review of Social Housing Allocations' ran from September to December 2017.

This was the culmination of a Department-led review to examine the Housing Selection Scheme, which sets out rules governing the allocation of social homes and is administered by the Northern Ireland Housing Executive.

I am currently considering the Review, including the proposal to remove intimidation points and stakeholder feedback on the issue, options and next steps.

**Ms Sugden** asked the Minister for Communities how she is supporting the community and voluntary sector to resume services, including services within community centres.

**(AQW 4895/17-22)**

**Ms Ní Chuilín:** My department is working with regional and grassroots community and voluntary organisations through the Emergencies Leadership Group, established by Deirdre Hargey, to identify the full range of issues to be addressed and the support that will be needed as part of a shared Recovery and Renewal Plan for the Sector. This work covers both practical

issues around how we move out of the current emergency response situation as well as the longer term support required for sustainability of the Sector.

In addition, officials are engaging with local councils with responsibility for community centres to provide any guidance required to support the safe delivery of services in line with social distancing measures, as restrictions are eased.

**Mr Durkan** asked the Minister for Communities what action her Department has taken, alongside the Department of Education, to combat holiday hunger by providing support for those in receipt of free school meals over the summer.  
(AQW 4901/17-22)

**Ms Ní Chuilín:** I welcome and support Minister Weir's proposals to extend Direct Payments over the summer months and to continue with the equally important targeted element of support through the Eat Well, Live Well Programme delivered through the Youth Service. My Department's Emergency Response Programme has acted as a wraparound to Free School Meals and ensured vulnerable families have been supported throughout.

I remain committed to providing this wraparound support to families through localised provision of services and the Department will work closely with Education colleagues to ensure that the work that we are doing to support families who are at risk of food poverty is aligned and complementary to the Direct Payment Scheme and the Youth Service offer.

The food box scheme will come to an end on 26th June in its current form, and those shielding will continue to receive boxes until the end of July. For those who are not shielding who are in need of food support, we are investing in alternative sources of help to ensure that the needs of the most vulnerable continue to be met.

For those not shielding there are a range of additional ways available by which they can get help to access food. The department in conjunction with its community partners will signpost people to other ways in which they can access food including:

- Priority online shopping deliveries for those shielding with the large supermarkets.
- Delivery services from a range of local shops.
- Local volunteers to assist with delivering shopping
- Local support through voluntary and community sector organisations/food charities.

An additional investment of more than £875,000 in other forms of food support will be made by the Department for people who are seeking help with food as we transition from the emergency to recovery phase of the pandemic. To help people progress from the current emergency interventions the Department will support Fareshare to deliver an increased supply of food to community food providers. Whilst we recognise that food may be at the forefront of need, the transition from an emergency response includes support and advice on wider issues and the strong network of local services will be vitally important.

**Mr McGrath** asked the Minister for Communities (i) when the Fraud Unit in her Department was stepped down; (ii) how many cases of fraud have been reported since; and (iii) when she intends to start the work of the unit again.  
(AQW 4903/17-22)

**Ms Ní Chuilín:** The Department's Fraud Team has not been stood down at any point. Some staff from the Fraud Investigation Unit have been temporarily redeployed to assist with urgent benefit administration in light of the pandemic. This includes assisting with the processing of Discretionary Support payments and Universal Credit as both these areas received an unprecedented increase in claims. The Department has also created an Evidence Verification Team: a team of fully trained fraud investigators who carry out additional checks on Universal Credit claims where front line staff have expressed a doubt over a person's entitlement to benefit. Throughout the period of the pandemic the work of the Department's Organised Fraud Unit has also continued.

The Department has received 769 allegations of benefit fraud during the period 1 April 2020 to 17 June 2020 and all these allegations will be fully investigated.

Across my Department we are now actively working towards recovering all our services which includes assessing when staff temporarily redeployed will return to their normal duties. Part of this work also includes risk assessments of offices designed to ensure that workplaces are safe in line with the changed environment we now find ourselves in. Those assessments will be undertaken over the coming weeks.

We hope to return to our normal level of service as quickly as possible

**Mr Allen** asked the Minister for Communities to detail the amount of revenue raised through the house sales scheme; and how much of the revenue raised has been reinvested in social housing new builds.  
(AQW 4911/17-22)

**Ms Ní Chuilín:** Capital receipts from Housing Association house sales contribute to the funding which is used to deliver the Social Housing Development Programme (SHDP). When any Housing Association completes a house sale, the associated capital receipt has to be placed in the Association's Disposal Proceeds Fund (DPF), which in turn must be re-invested in the provision of new social housing via the SHDP within 2 years. When completing house sales, Housing Associations also receive discount back from the Housing Executive, as Voluntary Purchase Grant (VPG), up to a maximum of £24k. This is also placed in the relevant association's DPF, and re-invested in the SHDP.

Legislation providing for house sales by registered Housing Associations was commenced in 2004, and grant payments for the SHDP transferred from the Department to the Housing Executive in 2006. Whilst the NIHE therefore does not hold full historical records of house sales by Housing Associations, it has been able to identify £104m generated by Housing Association house sales from the available records, of which £89m has been re-invested via the SHDP in the provision of new social housing. It should be noted that Housing Associations are permitted to use a proportion of the capital generated on fees e.g. solicitor fees, valuation fees, clearing mortgage debt etc.

The revenue raised through the NIHE's House Sales Scheme from 2008/09 has been outlined in Appendix 1. The records prior to this year are not readily available and would take considerably more time for the NIHE to provide.

However NIHE receipts arising from its House Sales Scheme are returned to the Department for Communities (DfC) each year for consideration in the context of funding the wider DfC budget. The level of receipts that the NIHE, through DfC Capital Grant, can retain each year is determined by the Department with the balance used to fund other Departmental priorities. Any receipts the NIHE may retain through Capital Grant is used by its Landlord Services to fund in part, along with its rental income, improvements in its own stock and is not used in financing the new build programme.

## Appendix 1

### Revenue raised through the NIHE House Sales scheme from 2008/09

#### NIHE Receipts from Right to Buy scheme.

	House Sales £k
2008/09	(4,793)
2009/10	(15,565)
2010/11	(11,766)
2011/12	(9,161)
2012/13	(9,510)
2013/14	(14,610)
2014/15	(14,718)
2015/16	(13,854)
2016/17	(16,036)
2017/18	(18,291)
2018/19	(20,061)
2019/20 (estimated)	(21,618)

#### Notes

The figures above are taken from the NIHE Budget hierarchy within the General Ledger. 2019/20 figures are prior to the completion of the year end accounts process.

**Mr Newton** asked the Minister for Communities what sites are owned by her Department in the Belfast East constituency; and to outline the plans and timescale for the development of these sites.

**(AQW 4914/17-22)**

**Ms Ní Chuilín:** The Department owns 7 sites in the Belfast East constituency. A list of the sites with development plans and timescales is attached at Annex A.

## Annex A

### Sites owned by the Department for Communities in the Belfast East Constituency

Site Address	Development Plans	Timescale for Development
139-141 Albertbridge Rd, 2-24 Castlereagh St, 1-3 Stormount Lane	Preferred development proposal selected following a development brief competition. Full details of the development cannot be disclosed at this stage as the legal agreement process is still ongoing.	Timescales still to be finalised with developer.
130-138 Castlereagh St, 60-64 Clondeboye St	Development proposal from adjoining landowner currently being considered. Full details of the development cannot be disclosed at this stage as the final agreement is not yet in place.	Timescales still to be finalised with developer.

Site Address	Development Plans	Timescale for Development
380-388 Newtownards Rd, 2 Connswater St, 9-11 Welland St	Development proposal from adjoining landowners currently being considered. Full details of the development cannot be disclosed at this stage as the final agreement is not yet in place.	Timescales still to be finalised with developer.
57-63 Templemore Ave, 189-189 Madrid St	Interest from Connswater Housing Association.	Timescales still to be finalised. Awaiting confirmation on development plans from the Housing Association.
232 Newtownards Rd	No current development plans. Limited development potential due to size.	Any future development plans and timescales will be determined with community consultation.
155-157 Newtownards Rd, 2 Tower St	No current development plans. Currently a designated 'meanwhile use' site as a Community Garden. Limited development potential due to size.	Any future development plans and timescales will be determined with community consultation.
269-283 Albertbridge Rd	No current specific development plans. Currently acquiring additional property to complete site assembly to then be followed by a development brief competition.	2 to 3 years.

**Ms Armstrong** asked the Minister for Communities for an update on the options being considered in conjunction with the Department of Education to address holiday hunger over the summer, when direct payments stop at the end of the school term. (AQW 4948/17-22)

**Ms Ní Chuilín:** I welcome and support Minister Weir's proposals to extend Direct Payments over the summer months and to continue with the equally important targeted element of support through the Eat Well, Live Well Programme delivered through the Youth Service. My Department's Emergency Response Programme has acted as a wraparound to Free School Meals and ensured vulnerable families have been supported throughout.

I remain committed to providing this wrap around support to families through localised provision of services and the Department will work closely with Education colleagues to ensure that the work that we are doing to support families who are at risk of food poverty is aligned and complementary to the Direct Payment Scheme and the Youth Service offer.

My Department's food box scheme in its current form will come to an end on 26th June but the service will continue for those shielding until the end of July. We are however acutely aware of the ongoing needs of the most vulnerable in our society and of the need to ensure they have access to alternative sources of help.

For those not shielding there are a range of additional ways available by which they can get help to access food. The department in conjunction with its community partners will signpost people to other ways in which they can access food including:

- Priority online shopping deliveries for those shielding with the large supermarkets.
- Delivery services from a range of local shops.
- Local volunteers to assist with delivering shopping
- Local support through voluntary and community sector organisations/food charities.

An additional investment of more than £875,000 in other forms of food support will be made by the Department for people who are seeking help with food as we transition from the emergency to recovery phase of the pandemic. To help people progress from the current emergency interventions the Department will support Fareshare to deliver an increased supply of food to community food providers. Whilst we recognise that food may be at the forefront of need, the transition from an emergency response includes support and advice on wider issues and the strong network of local services will be vitally important.

**Mr Stewart** asked the Minister for Communities what consideration has been given to providing an additional carer's COVID-19 payment in recognition of the extra care unpaid carers are providing in lockdown. (AQW 4952/17-22)

**Ms Ní Chuilín:** I recognise and value the vital contribution made by carers in supporting some of the most vulnerable in society. There is no doubt that the dedication shown by many carers is of immense value to the wider community as well as to those people for whom they are caring.

Unpaid carers are able to access financial support from my Department through Carer's Allowance and through income-related benefits with their associated additional elements for caring.

It is important to clarify that the primary purpose of Carer's Allowance, the main social security benefit for unpaid carers, is to provide a measure of financial support for people who give up the opportunity of full-time employment in order to provide

regular and substantial care for a severely disabled person. It is not, and was never intended to be, a carer's wage or a payment for the services of caring. It is also not intended to replace lost or forgone earnings in their entirety.

The response to COVID-19 by my Department has focused primarily on those who can be easily identified as most in need, such as those on lower incomes who claim income-related benefits like Universal Credit. Additional measures can be quickly and effectively operationalised in these benefits and have more of a wide-ranging impact in terms of providing additional financial support to those who need it most, including low income carers, during this global crisis.

For example, carers on Universal Credit can benefit from the extra £1040 a year that has recently been brought forward to the standard allowance in response to COVID-19. This approach means that the focus has been on extra support to carers on the lowest incomes.

In addition, unpaid carers may, depending on their circumstances, be eligible to access the range of other emergency financial support that the Department for Communities is providing during the COVID-19 pandemic, including Discretionary Support.

In direct response to the coronavirus pandemic my Department also introduced temporary measures in Carer's Allowance to help unpaid carers through the current emergency, including, waiving restrictions on breaks in care and ensuring 'emotional' support is counted towards the care threshold in the benefit.

Carer's Allowance interacts with various other social security benefits in a complex manner. For example, Carer's Allowance is taken fully into account as income in means-tested benefits and is taxable. This would make any additional payment potentially difficult to administer and could mean that carers on a low income and in receipt of a means-tested benefit would not gain fully from any increase or additional payment. Whereas by increasing the rate of an income-related benefit, such as Universal Credit, means that all recipients, including carers, are able to benefit fully from the increase, and consequential access to any passported benefits or advantages would not be negatively impacted.

These are however extraordinary times and the response to the coronavirus outbreak by this Department and the Executive continues to evolve.

**Mr Allister** asked the Minister for Communities how much her Department has spent on producing material in Irish, in each of the last three years.

**(AQW 5010/17-22)**

**Ms Ní Chuilín:** In the last three years, the Department has spent the following on Irish-language materials:

- 2017 - £8,162
- 2018 - £5,643
- 2019 - £14,638

**Mr Durkan** asked the Minister for Communities to detail the number of new build social homes built in each of the last five years.

**(AQW 5082/17-22)**

**Ms Ní Chuilín:** During the period between 2015/16-2019/20 there were 7,411 new social housing completions.

The table provided at Appendix 1 outlines the total new social housing completions during the period 2015/16 – 2019/20, broken down by Scheme Type.

Please note that full descriptions of all Scheme Types can be found at <https://www.communities-ni.gov.uk/scheme-types>.

**Appendix 1: Total new social housing completions during the period 2015/16 – 2019/20, broken down by Scheme Type**

Year	New Build	Off-the-Shelf	Existing Satisfactory Purchase	Rehabilitation/ Re-improvement	Total social housing completions (units)
2015/16	822	160	104	123	1,209
2016/17	955	202	136	94	1,387
2017/18	1,146	159	129	73	1,507
2018/19	1,259	225	170	28	1,682
2019/20	1,088	181	114	243	1,626
5-Year Totals	5,270	927	653	561	7,411



**Mr Allister** asked the Minister for Communities what are the objective criteria by which the £20m COVID-19 funding for councils was allocated.

**(AQW 5089/17-22)**

**Ms Ní Chuilín:** My Department undertook an analysis of the figures provided by each council which highlighted their projected total financial loss and additional COVID-19 related costs that would be incurred during the period mid-March to June 2020.

These figures were tested against the equivalent for the corresponding period for 2019 and have been signed off by individual Council Chief Executives.

This provided a basis for redistribution that was consistent with the original bid for support approved by the Executive in that it looked to assist councils with income lost and additional costs incurred as a result of COVID-19.

This funding will help assist councils with their cash flow and support them in the delivery of the vital services they are providing to the community at this time, furthermore it will also help ensure that Councils are ready to play their key role in our post-pandemic recovery and limit the financial impact on ratepayers going forward.

## Department of Education

**Mr M Bradley** asked the Minister of Education to outline the delays in his Department surrendering their interests in the site of the former St Anthony's Primary School, Magilligan, allowing the sale of the property to proceed.

**(AQW 4745/17-22)**

**Mr Weir (The Minister of Education):** My Department was advised that the property was agreed for sale at the end of September 2019, it was only then that we became aware that the School Meals Allowance (SMA) lease had not been surrendered. The surrender of SMA lease is the responsibility of the Education Authority (EA).

I can advise that EA Solicitors have confirmed the deed of Surrender sealed by the EA was forwarded to Kelly and Corr Solicitors, who are representing St. Canice's Educational Trust, on 26 November 2019 on the solicitors undertaking to register the deed of Surrender.

**Mr Beattie** asked the Minister of Education what his plans are for the return of schools if the R rate is zero by September.

**(AQW 4951/17-22)**

**Mr Weir:** The Department of Education's plans for reopening schools will always be guided by the prevailing scientific evidence base. All guidance prepared by my Department on the safe reopening of schools will be reviewed regularly and updated as appropriate. This will also take into account advice from the Public Health Agency, Chief Medical Officer and Chief Scientific Advisor.

**Mr Allen** asked the Minister of Education to detail (i) the status of extended provision funding for youth clubs; (ii) the number of youth clubs in receipt of extended provision funding (iii) the funding period of each; and (iv) the total extended provision budget for 2020/21.

**(AQW 4974/17-22)**

**Mr Weir:**

- (i) The Education Authority Youth Service Extended Provision Funding Scheme closed on the 31 March, 2020.
- (ii) In 2019/20 there were 39 voluntary youth clubs who received extended provision funding.
- (iii) The funding period for each youth club was 12 months, running from April – March each year.
- (iv) There is no budget for 2020/21 for the extended provision scheme due to its closure on 31 March, 2020. The new funding scheme, due to implementation in April 2021 will take into account assessed need for extended provision in a local area. In the interim, where there is evidence of an assessed need, funding is provided to meet the need.

**Mr McHugh** asked the Minister of Education what support his Department is giving to ensure schools are fully prepared for reopening following the closure due to COVID-19.

**(AQW 4983/17-22)**

**Mr Weir:** The Department has established the Education Restart Programme, which, working alongside a wide range of stakeholders, will put in place detailed measures and guidance which will enable a safe reopening of schools.

New School Day Guidance relating to practical arrangements for re-opening schools was published on 19 June 2020. The guidance will be supplemented by a suite of further documentation, including guidance on issues such transport, catering, risk assessments and HR management.

Furthermore, my Department has collated, developed and disseminated a wide range of resources for school leaders and teachers to support continuity of learning. Recent examples include operational guidance on Moving to Blended Learning, Feedback and Assessment, Transition and Pupil Engagement.

My Department has also produced system level Guidance for Schools on Supporting Remote Learning and Guidance for Schools on Curriculum Planning for 2020/21. These documents provide information that support a blended approach to learning whereby schools can combine classroom based teaching and learning methods within school, with a range of remote learning in order to deliver the Northern Ireland curriculum.

**Mr Carroll** asked the Minister of Education what engagement he will have with trade unions around the reopening of schools. (AQW 4994/17-22)

**Mr Weir:** The Department has arrangements in place to ensure the views expressed by teaching and non-teaching staff representatives are fully considered.

A subgroup of Teachers Negotiating Committee has been established to discuss matters that may impact on teachers' terms and conditions, associated with the reopening of schools, and as schools adjust to arrangements in the new term.

The Education Authority is also engaging with the non-teaching unions via the relevant negotiating structures.

The Department is well aware it cannot deliver the Restart Programme without the support and confidence of the education workforce. To this end, the Department will continue to work alongside stakeholders to ensure a safe and effective re-opening of schools for the benefit of our children and young people.

**Mr Robinson** asked the Minister of Education what consideration has his Department given to school bus travel in terms of (i) social distancing; and (ii) the provision and wearing of face masks on school buses. (AQW 5060/17-22)

**Mr Weir:** My officials are working with colleagues in the Department for Infrastructure and the Education Authority to explore how home to school transport can be safely delivered within the current social distancing restrictions. While social distancing measures are in place on vehicles providing home to school transport, it is clear that this will significantly reduce capacity and therefore it is highly unlikely that all currently eligible pupils would be able to access home to school transport as pre-COVID. My Department is urgently examining a range of options to seek to minimise the disruption that this would cause.

In relation the wearing of face coverings, guidance from the Department for Infrastructure on this issue will be adhered to in the delivery of all home to home to school transport.

**Mrs Cameron** asked the Minister of Education whether his Department has been able to make any steps towards introducing mandatory autism training for the existing teaching workforce, following the motion agreed by the Assembly on 3 February 2020. (AQW 5086/17-22)

**Mr Weir:** Since the debate on 3 February, my officials have engaged with the Education Authority, Middletown Centre for Autism and Autism NI to discuss views on how best to take this matter forward.

Based on those discussions, officials are currently finalising proposals for my consideration.

Given the uncertainty surrounding the public health situation, most training has been moved online for the foreseeable future.

**Ms Mullan** asked the Minister of Education to provide an update on the number of teachers who have qualified at the Autism Teacher Training School in Armagh. (AQW 5096/17-22)

**Mr Weir:** This is interpreted as referring to Middletown Centre for Autism

Period	Education Professionals attending training
1/4/19 - 31/3/20	4070
From December 2007 – 31/3/20	33,974

**Ms Mullan** asked the Minister of Education to detail the number of teachers who have completed their specialist autism training and are currently employed in the educational sector. (AQW 5097/17-22)

**Mr Weir:** Principals of schools have the responsibility for the professional development of their staff and for collecting and collating the records and data for individual staff members.

However, the Education Authority have confirmed, that in the 2018-19 school year, 4023 school staff accessed specialist training in autism from the EA Autism Advisory and Intervention Service yearly training programme.

**Ms Anderson** asked the Minister of Education, in relation to the £12 million package put in place for emergency childcare provision, and reports from childcare providers that the criteria of this scheme is too restrictive, whether the criteria of the scheme will be broadened so childcare facilities, like Rainbow Child and Family Centre in Bracken Park, Derry, can be adequately financially supported, given that all children can access childcare from 29 June.

**(AQW 5101/17-22)**

**Mr Weir:** Minister Swann and I announced a support package for the childcare sector on 9 April. There are four elements within the overall package of measures: support for childminders, the approved home childcare scheme, childcare settings which are open; and a sustainability measure for childcare settings which have closed. £12m was allocated for three months until the end of June.

The Scheme was developed to reflect the diversity of the sector and ensure equitable distribution of the limited budget available.

Officials engaged with key stakeholders, including Early Years Organisation (EYO), PlayBoard NI, Northern Ireland Childminding Association (NICMA) and Employers for Childcare on the scheme parameters and the implementation process.

The amounts actually paid out under the childcare scheme are determined by the volume and nature of the applications that are submitted by the sector and by the assessment of eligible costs. Applications are still being processed and payments will continue to be paid as quickly as possible.

We are not in a position to make changes to the criteria or parameters of the current scheme, ending on 30 June. I have, however, asked my officials to develop a further childcare recovery scheme, subject to funding being made available from the Executive for this purpose. The new scheme is being designed to be as streamlined as possible for applicants, to incentivise childcare facilities to re-open.

A Department of Education and Department of Health led Childcare Reference Group has been established and there continues to be ongoing engagement with the group to inform decision-making in relation to issues facing the sector as part of wider recovery planning.

**Mr Givan** asked the Minister of Education what provisions have been made to ensure that children with statement of Special Educational Needs will be accommodated in the reopening of schools.

**(AQW 5113/17-22)**

**Mr Weir:** As part of the Restart Programme, a Vulnerable Children and Special Educational Needs Services Project has been established with the primary objective of ensuring that services delivered to those children with Special Educational Needs (SEN) are re-instated in a safe and effective manner when schools return to operation.

Our aim is to support a phased and safe transition back to full-time educational provision for children and young people with SEN, including those attending mainstream settings, special settings, Education Other Than at School (EOTAS) settings, and those receiving education at hospital school.

**Mr McGlone** asked the Minister of Education how his Department intends to implement social distancing guidance in relation to Education Authority and private transport arrangements for children with Special Educational Needs who attend specialist units in mainstream schools, including pupils with (i) ASD, MLD, ADHD conditions; (ii) behavioural difficulties; and (iii) a complex range of medical needs who are entitled to transport to and from school.

**(AQW 5124/17-22)**

**Mr Weir:** The Education Authority is examining these complex issues and will be publishing operational guidance in due course. This guidance will detail its operational plans for how it will provide home to school transport to eligible pupils, including all those with special educational needs.

While social distancing measures are in place on vehicles providing home to school transport, capacity will be significantly reduced. While the EA is trying to maximise the number of pupils who will be able to be safely transported, with any form of social distancing in place, it is unlikely that all eligible pupils will be able to be provided with a seat on a vehicle. My Department is examining a range of options to seek to minimise the disruption that this would cause.

**Mr McGlone** asked the Minister of Education how his Department intends to implement social distancing guidance in Autism Spectrum Disorder units and learning support units, where many of the issues can only be addressed by safe handling by adults employed in these units.

**(AQW 5125/17-22)**

**Mr Weir:** All educational settings will adhere to Public Health Authority (PHA) guidance on social distancing. Autism Specific Classes are usually small (8 pupils) and this is an enabling factor in relation to social distancing.

On 4 June, the Department issued guidance to support safe working in educational settings. Safe handling policies and procedures will apply for particular pupils using individual management plans to take account of varying risks regarding Covid-19 within a school day.

**Mr McGlone** asked the Minister of Education, given the current recommendation for social distancing, how he plans to address the need for pupils in ASD units to receive personal and intimate care throughout the school day.

**(AQW 5126/17-22)**

**Mr Weir:** All educational settings will adhere to Public Health Authority (PHA) guidance on social distancing. Autism Specific Classes are usually small (8 pupils) and this is an enabling factor in relation to social distancing.

Adults will work with children directly by way of supporting learning, managing behaviour and intimate care where this is required using Personal Protective Equipment (PPE) as appropriate. On 4 June, the Department issued guidance to support safe working in educational settings. Safe handling policies and procedures will apply for particular pupils using individual management plans to take account of varying risks regarding Covid-19 within a school day.

**Mr Easton** asked the Minister of Education to detail the current level of bullying reported across all schools for the 2018/19 academic year.

**(AQW 5159/17-22)**

**Mr Weir:** This information is not held by the Department.

**Mrs Cameron** asked the Minister of Education for a breakdown of all schools selected for the School Enhancement Programme since it began including (i) the original date on which each individual school was announced as part of the scheme; and (ii) what stage of design, construction or completion each school is at as of June 2020.

**(AQW 5170/17-22)**

**Mr Weir:** I have arranged to have the information requested placed in the Assembly Library.

**Mrs Cameron** asked the Minister of Education for a breakdown of all schools selected for the Major Capital Works Programme since it began including (i) the original date on which each individual school was announced as part of the scheme; and (ii) what stage of design, construction or completion each school is at as of June 2020.

**(AQW 5171/17-22)**

**Mr Weir:** The table below provides a breakdown of all schools selected for the Major Capital Works Programme since 2012 to 2020.

Date of Announcement	School Name	Current Status
June 2020	Holy Trinity PS, Enniskillen	Not yet initiated
	St Catherine's PS, Strabane	Not yet initiated
	St Mary's PS, Craigavon	Not yet initiated
	All Saints College, Belfast	Not yet initiated
	Blessed Trinity College, Belfast	Not yet initiated
	St Louis GS, Kilkeel	Not yet initiated
	St Conor's College, Coleraine	Not yet initiated
	St Patrick's College, Maghera	Not yet initiated
	Tandragee Junior HS	Not yet initiated
March 2016	St Vincent de Paul PS, Belfast	In design
	St Columban's PS, Kilkeel	Scoping/Feasibility
	Islandmagee PS	In design
	Gaelscoil Aodha Rua, Dungannon	Scoping/Feasibility
	St Peter's PS, Dungannon	In design
	Gaelscoil Eanna, Newtownabbey	In design
	Crawfordsburn PS	In design
	Seaview PS, Belfast	Scoping/Feasibility
	St Malachy's PS, Armagh	Scoping/Feasibility
	King's Park PS, Lurgan	Scoping/Feasibility

<b>Date of Announcement</b>	<b>School Name</b>	<b>Current Status</b>
June 2014	Woodburn PS, Carrickfergus	Complete
	Methodist College, Belfast	On site
	Scoil an Droichid, Belfast	Scoping/Feasibility
	Gaelscoil na gCrann, Omagh	Complete
	Holy Evangelists' PS, Belfast	On site
	Breda Academy, Belfast	On hold
	Lismore Comprehensive, Craigavon	Out to tender
	St Joseph's HS, Crossmaglen	On site
	Dunclug HS, Ballymena	In design
	Iveagh PS, Newry	Scoping/Feasibility
	Cullybackey College, Ballymena	Scoping/Feasibility
	Abbey Community College, Newtownabbey	In design
	St Killian's College, Ballymena	In design
	Roe Valley Integrated PS, Limavady	Integrated Supply Team appointed
January 2013	Parkhall Integrated College, Antrim	Complete
	St Bronagh's PS, Rostrevor	Complete
	Strabane Academy	On site
	St Patrick's Academy, Dungannon	Complete
	Devenish College, Enniskillen	On site
	Gaelscoil Uí Neill, Coalisland	In design
	Down HS, Downpatrick	In design
	St Ronan's College, Lurgan	In design
	Our Lady of Fatima PS, Londonderry	In design
	Mary Queen of Peace PS, Ballymena	In design
	Gaelscoil Uí Dhochartaigh, Strabane	In design
	St Joseph's & St James' PS, Poyntzpass	Scoping/Feasibility
	Holy Trinity College, Cookstown	In design
	Edendork PS, Dungannon	In design
	Enniskillen Royal GS	Scoping/Feasibility
	Elmgrove PS, Belfast	Tender documents under review for contractor appointment
	Glenwood PS, Belfast	In design
	Braidside Integrated PS, Ballymena	On site
	Portadown Integrated PS	Scoping/Feasibility
	June 2012	Bunscoil Bheann Mhadagain, Belfast
Tannaghmore PS, Craigavon		Complete
St Joseph's Convent PS, Newry		Complete
Dromore Central PS		Complete
Castletower Special School, Ballymena		Complete
St Mary's PS, Banbridge		Complete

Date of Announcement	School Name	Current Status
	St Teresa's PS, Lurgan	Complete
	Colaiste Feirste, Belfast	Complete
	Rossmar Special School, Limavady	On site
	Enniskillen Model PS	On site
	Ardnashee School & College, Londonderry	In Design
	St Clare's Abbey PS, Newry	Complete

**Mr Allister** asked the Minister of Education to publish (i) a breakdown of the number of schools from each sector which applied for support from the Major Capital Works Programme, the outcome of which was announced on 23 June 2020; and (ii) the number from each sector which were successful.

**(AQW 5179/17-22)**

**Mr Weir:** A total of eighty-nine eligible applications were lodged by the closing date.

- (i) The breakdown of schools from each sector was as follows:
- Thirty-three applications were lodged in respect of Controlled schools;
  - Five applications were lodged in respect of Irish medium schools;
  - Six applications were lodged in respect of Integrated schools;
  - Thirteen applications were lodged in respect of Voluntary Grammar schools; and
  - Thirty-two applications were lodged in respect of Catholic maintained schools.
- (ii) The number of successful schools from each sector is as follows:
- One Controlled school;
  - One Voluntary Grammar school; and
  - Seven Catholic maintained schools.

**Mr Frew** asked the Minister of Education whether his Department has any intention to support specific projects that are designed to prevent Adverse Childhood Experiences.

**(AQW 5182/17-22)**

**Mr Weir:** The impact of traumatic experiences which happen in children's lives is one of the most important issues facing society today. Adverse childhood experiences (ACE) are not new, however, the knowledge and evidence from more recent studies has increased awareness and reaffirmed the importance of early-life experiences for health and well-being throughout the life course.

Over the past year staff from both my Department and the Education Authority have taken part in the Early Intervention Transformation Programme (EITP) funded trauma informed practice and ACE professional development programme, and an awareness of ACE underpins many aspects of the work of my department.

Strategically, it is included in the Children and Young People's Strategy, which I will be bringing to the Executive in due course. I have also ensured that prevention and intervention in relation to ACE informs the services provided by my Department and the Education Authority which impact on all aspects of children's lives. Prevention of ACE should not be viewed as a specific intervention considered in isolation, but as part of a wide range of policies, programmes and services ensuring a trauma informed culture across government. The Education Authority (EA) works in partnership with schools and other agencies to help to mitigate the negative impacts of ACE where they occur and ensure ongoing development of an adversity and trauma-informed workforce. Services such as the Vulnerable Persons Relocation Scheme for refugees and asylum seekers and the Child Protection Support Service are examples where it is used. The EA Critical Incident Response Team plays a vital role in supporting children and staff following an unexpected incident or sequence of events which cause trauma within a school community. Support for children experiencing ACE is also an important part in the EA Children Looked-After Education project, the Whole School Approach to Nurturing work, the Behavioural Support Unit and the 31 nurture groups across the country.

The Attach Programme (TAP) project is a multidisciplinary Department of Education led interagency relationship-based approach, designed to specifically support the team around the child recovering from trauma of which adverse childhood experiences would be a key component. This approach provides school staff with the opportunity to build their knowledge of trauma and attachment, what that looks like within the school setting, and how it can be best supported using strategies that are recommended from world-leading experts.

The Education and Training Inspectorate took part in the EITP professional development programme and are in the process of planning an evaluation of Trauma Informed Practice across all phases of education, which will likely take place in the

2020-21 academic year. They will be producing a report on the practice along with a range of case studies to illustrate how organisations are becoming trauma informed.

**Mr McGrath** asked the Minister of Education when will he bring forward legislation to address cyberbullying.  
(AQW 5219/17-22)

**Mr Weir:** Cyber-bullying cannot be addressed by my Department alone.

The Addressing Bullying in Schools (NI) Act 2016 requires schools to record incidents of bullying, their motivation and their outcome including those which take place through electronic communication.

While I am unable to confirm an exact date for implementation of the Act, I am considering this in the context of the impact of the Covid-19 pandemic and the Education Restart Programme on schools and their pupils.

I will make an announcement in due course.

**Mr McGrath** asked the Minister of Education what measures his Department is taking to ensure the end of racial bullying in our schools.  
(AQW 5220/17-22)

**Mr Weir:** My Department funds the Northern Ireland Anti-Bullying Forum (NIABF), which brings together 25 statutory and non-statutory organisations to reduce bullying and create a safer environment for children and young people.

As part of Anti-Bullying Week 2018, "Time to Stand", a short film on tackling bullying and racism was shown in a special screening to schools from Urban Village areas at the Odyssey Cinema Belfast.

More recently, NIABF organised the Young People's Forum event which took place on 7 February 2020 in Parliament Buildings, during which 15 to 19 year olds took part in committee sessions, chaired by MLAs. One of the committees focused specifically on tackling bullying motivated by race, faith or culture.

The Addressing Bullying in Schools (NI) Act 2016 requires schools to record incidents of bullying, their motivation and their outcome including racial bullying.

I will announce a commencement date in due course.

**Mr McGrath** asked the Minister of Education how much money has been spent on addressing racial bullying in schools in the last ten years; broken down by area.  
(AQW 5221/17-22)

**Mr Weir:** My Department does not collect information on how much is spent in schools to address bullying, including racial bullying.

**Ms McLaughlin** asked the Minister of Education to publish a list of all post-primary schools where less than 50% of their Year 12 pupils achieved five GCSEs at grade A\* to C, including English and Maths, for the academic year 2018/19.  
(AQW 5235/17-22)

**Mr Weir:** The Summary of Annual Examination Results (SAER) produces analyses based on Year 12 pupils deemed eligible for inclusion in the data collection. For the 2018/19 academic year, schools where less than 50% of these pupils achieved five or more GCSEs at grades A\* to C (including equivalents) including GCSE English and GCSE maths, are listed below.

School Reference Number	School Name
1210014	Ashfield Girls' High School
1210015	Ashfield Boys' High School
1210021	Belfast Model School For Girls
1230104	Mercy College Belfast
1230182	De La Salle College
1230321	Blessed Trinity College
1260269	Hazelwood College
2230131	St Joseph's Boys' School
2260276	Oakgrove Integrated College
3210035	Magherafelt High School
3210038	Larne High School

School Reference Number	School Name
3210133	Ballymoney High School
3210134	Ballyclare Secondary School
3210172	Cullybackey College
3210222	Dunluce School
3210300	Coleraine College
3210313	Abbey Community College
3210323	Carrickfergus Academy
3230084	St Patrick's College
3230203	Edmund Rice College
3250149	Crumlin Integrated College
3250207	Parkhall Integrated College
3260290	North Coast Integrated College
4210012	Movilla High School
4210029	The High School Ballynahinch
4210046	Glastry College
4210201	Laurelhill Community College
4210262	Dundonald High School
4210296	Bangor Academy and 6th Form College
4210316	Breda Academy
4230102	St Colmcille's High School
4230223	St Colm's High School
4230224	De La Salle High School
4250072	Fort Hill College
5210047	Banbridge High School
5210121	City Armagh High School
5210231	Drumglass High School
5210282	Craigavon Senior High School
5230293	St Patrick's College
5250216	Brownlow Int College

**Source:** Summary of Annual Examination Results – 2018/19

**Ms McLaughlin** asked the Minister of Education (i) whether the findings of the National Audit Office's inquiry report - Entitlement to free early education and childcare, will apply to Northern Ireland; and (ii) whether he accepts that comprehensive affordable childcare is an essential ingredient for a successful and productive economy and for members of society to reach their potential.

**(AQW 5236/17-22)**

**Mr Weir:** The National Audit Office's inquiry report, Entitlement to free early education and childcare evaluates how well the Department for Education in England, working with others, has implemented its early years policies to date.

In considering what an extended early education and childcare offer might look like here, my officials have considered the findings of this report, in addition to other reports and research on the impact, benefits and challenges of implementing a funded childcare offer. Officials also regularly engage with colleagues in other jurisdictions to learn from their experiences in taking forward an early education and childcare offer.

A commitment in the 'New Decade New Approach' agreement commits the Executive to publish a Childcare Strategy and identify resources to deliver extended, affordable and high quality provision of early education and care initiatives for families with children aged 3-4.



The availability of affordable, accessible childcare, responsive to the needs of children and families is a key objective of the Ten Year Executive Childcare Strategy. I fully accept that high quality and affordable childcare can help support parents stay and progress in work – and, for some, childcare is fundamental to access further training and development which can help improve employment prospects. In addition, and equally important, for children high quality childcare provision can help support their physical, cognitive, social and emotional development.

This is the context in which the Executive will be asked to consider the Ten Year Childcare Strategy and make difficult decisions around the substantial additional funding commitment which will be required to deliver it.

**Mr Lyttle** asked the Minister of Education what will be put in place to assist children with Special Educational Needs and vulnerable children over the 2020 summer holidays in terms of supervised education placements in special schools or via summer schemes.

**(AQW 5297/17-22)**

**Mr Weir:** The Education Authority's (EA) Special School summer schemes for 2020 will proceed but not in the usual format. The EA is working in partnership with Special Schools to provide ideas and activities online for pupils during the summer period and also tailored school-based summer schemes. To date, 17 of the 21 schools which normally offer a scheme are making some form of provision and have confirmed dates for the summer period. Provision will be a mixture of morning school based activities supplemented by afternoon online provision. Each school's provision is for their pupils for whom they hold health care plans and have trained staff.

In addition, Sure Start services are available to all children (aged 0-3) and families within catchment areas. This support has continued during the COVID-19 pandemic and will continue throughout 2020/21 including the summer months.

During COVID-19 the 38 Sure Start projects are delivering services by alternative means, prioritising to the most vulnerable children and their families.

The Pathway Fund includes support for children (aged 0-4) with special educational needs, complex needs and their parents/carers. Many of the Pathway Fund projects will operate over the summer months, having identified alternative means to meet the needs of the families within their local community.

**Ms Hunter** asked the Minister of Education to detail (i) how many schools have received sexual consent education via the Nexus NI Education Projects in the East Derry constituency; and (ii) how he plans to improve education around sexual consent and sexual abuse in our curriculum.

**(AQW 5328/17-22)**

**Mr Weir:** The Department does not endorse or recommend any external resource or programme for use by schools and therefore does not hold information on individual programmes which may be delivered. Schools can determine which resources or programmes they wish to use to support their delivery of the curriculum. I understand that Nexus has been working with partner organisations to deliver free Relationships and Sexuality Education Programmes across Northern Ireland to training agencies, youth clubs and regional colleges.

I recognise the importance of delivering appropriate and informed teaching in the area of Relationship and Sexuality Education (RSE) and my Department has provided earmarked funding to the Council for Curriculum, Examinations and Assessment (CCEA) to support the production of RSE resources and guidance materials, particularly on a range of sensitive topics including sexual consent and sexual abuse. In June 2019, CCEA launched its online RSE Hub to facilitate access to these resources. This approach enhances the teaching of RSE by providing teachers with resources and support to increase their competence and confidence in this area. Further funding in 2020/21 will enable additional resources to be developed and added to the Hub. A Curricular Progression Framework has been developed which clearly sets out for schools key issues to be considered at each Key Stage. It is of course a matter for schools to decide which, if any, of these resources they use to inform the development and delivery of an RSE programme.

**Ms Anderson** asked the Minister of Education for his assessment of the difficulties faced by schools operating in mobile accommodation in relation to social distancing.

**(AQO 496/17-22)**

**Mr Weir:** My strategic objective is to achieve maximum face-to-face teaching time for all pupils at the earliest opportunity.

I have set out that there will be a minimum 40% face-to-face teaching time within primary schools and a minimum 50% face-to-face teaching time within post-primary schools with the balance provided through blended learning

Whilst the aim is to get as many pupils back to classroom teaching as quickly as possible in September 2020, I am well aware that every school is different, every classroom is different.

Therefore, there will be variances in how schools approach the return to school. Some schools will be able to safely bring back all pupils immediately, whilst others will need to follow the guidance on minimum class time and implement blended learning.

The challenges of social distancing are particularly acute within education settings. This will be particularly problematic in smaller classrooms, in mobile accommodation and with our younger pupils who may not understand the need for physical distancing.

By reducing the social distancing requirement from 2m to 1m, a significantly higher number of children would be able to be accommodated within classrooms at the same time. This should allow the majority of schools to split classes into no more than 2 groups, or in some cases a single group. This would not have been possible with 2m distancing.

**Mr Beattie** asked the Minister of Education to outline (i) the capital work plans for Portadown College; (ii) whether the college is in line for major investment towards a rebuild; and (iii) the timeframe for this investment.

**(AQW 5340/17-22)**

**Mr Weir:**

- (i) There are no major capital works planned for Portadown College at this time.
- (ii) The Education Authority submitted an application under the latest major capital works call in respect of Portadown College. The application passed the initial Gateway criteria, however did not feature on the announced list of successful projects, as it did not score as highly in the assessment process as the six post primary schools which were announced.
- (iii) Whilst the school did not feature on the latest major capital works announcement of 23 June 2020, it is likely that a further call for major capital projects will be made before the end of the year. The Education Authority may wish to consider lodging a new application in respect of Portadown College under the next call for projects.

**Ms Mullan** asked the Minister of Education to provide the current list of schools who have applied for major capital works.

**(AQW 5399/17-22)**

**Mr Weir:** All eligible applications lodged under the latest major works call, which closed on 31 October 2019, are listed below.

#### **Voluntary Grammar Schools**

Belfast Royal Academy	142-0028
Methodist College, Belfast	142-0022
St Columb's College, Londonderry	242-0054
Lumen Christi College, Londonderry	242-0287
Ballymena Academy	342-0011
Belfast High School, Newtownabbey	342-0077
Loreto College, Coleraine	342-0034
Sullivan Upper School, Holywood	442-0044
Wallace High School, Lisburn	442-0051
Friends' School, Lisburn	442-0050
St Louis Grammar School, Kilkeel	542-0045
The Royal School, Armagh	542-0263
Our Lady's Grammar School, Newry	542-0060

#### **CCMS Primary Schools**

Holy Child PS, Belfast	103-6576
Holy Family PS, Omagh	203-6674
Holy Trinity PS, Enniskillen	203-6632
St Catherine's PS, Strabane	203-6703
St Colmcille's, Omagh	203-2737
St Conor's PS, Omagh	203-6116
St John's PS, Dungiven	203-6187
St Mary's PS, Strabane	203-6696
St Michael's PS, Strabane	203-6712

Holy Family PS, Magherafelt	303-6562
New Row PS, Magherafelt	303-2109
St Comgall's PS, Antrim	303-0832
St Patrick's & St Joseph's PS, Garvagh	303-2285
Clonalig PS, Newry	503-1088
Lissan PS, Cookstown	503-2262
St Joseph's PS, Newry	503-1188
St Joseph's PS, Dungannon	503-6033
St Mary's PS, Dungannon	503-2735
St Mary's PS, Craigavon	503-6006
St Patrick's PS, Newry	503-1697

**CCMS Post Primary Schools**

All Saints College, Belfast	123-0324
Blessed Trinity College, Belfast	123-0321
Mercy College, Belfast	123-0104
St Joseph's College, Belfast	123-0275
St Louise's College, Belfast	123-0053
Edmund Rice College, Newtownabbey	323-0203
St Conor's College, Coleraine	323-0318
St Patrick's College, Maghera	323-0234
St Puis X College, Magherafelt	323-0168
St Catherine's College, Armagh	523-0218
St Ciaran's College, Dungannon	523-0152
St Paul's HS, Newry	523-0157

**Irish Medium Schools**

Bunscoil Bheanna Boirche, Castlewellan	404-6648
Bunscoil an Iúir, Newry	504-6597
Gaelscoil Éadain Mhóir, Londonderry	204-6646
Gaelscoil Léim an Mhadaidh, Limavady	204-6689
Gaelscoil Eoghain, Cookstown	504-6699

**Grant Maintained Integrated Schools**

Spires IPS, Magherafelt	306-6613
Cedar IPS, Crossgar	406-6588
Lough View IPS, Belfast	406-6579
Oakwood View IPS, Belfast	406-6611
Malone IC, Belfast	126-0294
Sperrin IC, Magherafelt	326-0303

**Controlled Primary Schools**

Carr's Glen PS, Belfast	101-0282
Cliftonville IPS, Belfast	105-6483

Strandtown PS, Belfast	101-0252
Stranmillis PS, Belfast	101-0324
Irvinestown PS, Enniskillen	201-6151
Strabane Controlled PS, Strabane	201-2708
Ashgrove PS, Newtownabbey	301-6244
Macosquin PS, Coleraine	301-3700
Hazelbank PS, Ballymena	301-6444
Straidbilly PS, Ballymoney	301-0804
The Diamond PS, Ballymena	301-0826
Whiteabbey PS, Newtownabbey	301-0846
Ballywalter PS, Newtownards	401-1655
Cairnshill PS, Belfast	401-3024
Killinchy PS, Newtownards	401-6396
Knockmore PS, Lisburn	401-3334
Magheraberry PS, Craigavon	401-6417
Millisle PS, Newtownards	401-1681
Portavogie PS, Newtownards	401-1507
Carrick PS, Lurgan	501-1127

#### Controlled Post Primary Schools

Ashfield Boys' HS, Belfast	121-0015
Limavady GS, Limavady	241-0048
Ballyclare HS, Ballyclare	341-0008
Cambridge House GS, Ballymena	341-0297
Carrickfergus Academy, Carrickfergus	321-0323
Carrickfergus GS, Carrickfergus	341-0098
Antrim GS, Antrim	341-0209
Ballyclare SS, Ballyclare	321-0134
Clounagh Junior HS, Portadown	521-0043
Lurgan Junior HS, Lurgan	521-0271
Portadown College, Portadown	541-0067
Dromore HS, Dromore	521-0064
Tandragee Junior HS, Tandragee	521-0143

Applications received which were not eligible for consideration are listed below.

#### Applications lodged after the closing date

Victoria College, Belfast	142-0264
St Patrick's Grammar School, Armagh	542-0268

#### Application received from a Nursery School

Ballymena Nursery School	311-6034
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## Department of Finance

**Ms S Bradley** asked the Minister of Finance why almost £60 million of the £95 million ring-fenced Transport Package is being held centrally by his Department; and for a breakdown of how and when this funding will be distributed.

**(AQW 4832/17-22)**

**Mr Murphy (The Minister of Finance):** As I announced to the Assembly on Tuesday 30 June 2020, the Executive has agreed to allocate a further £20m to address Translink's lost income, as well as £10m for other transport lost income. This follows previous allocations which the Executive has agreed of £30m for lost income, primarily for Translink, £3.3m for airports, and £2.2m for ferry operators.

The remaining £29.5m is being held centrally so that the Executive can allocate it in line with the developing needs of the broad transport sector.

**Mrs D Kelly** asked the Minister of Finance to detail the financial support measures available to taxi operators and the taxi industry.

**(AQW 4852/17-22)**

**Mr Murphy:** There are a number of financial support measures which are available to businesses and individuals across a range of industries including the taxi industry. For operators with premises this includes the rates holiday which applies to the end of July, and those with customer service premises may be eligible for this to be extended until the end of March 2021. The Department for the Economy has also been offering a number of schemes which may be applicable to taxi operators including the Coronavirus £10,000 Small Business Support Grant and the NI Micro Business Hardship Fund. In addition, for employees there is HMRC's Coronavirus Job Retention Scheme, and for those who are self-employed there is the Self-Employed Income Support Scheme.

No bids were submitted by either DfI or DfE in the June Monitoring and COVID Reprioritisation exercises for support for the taxi industry, and until such times as a proposal is submitted it is not possible to consider an allocation of funding for a specific scheme for the taxi industry.

**Dr Aiken** asked the Minister of Finance, pursuant to AQW 4588/17-22, to provide detail of this answer broken down by Department and grade.

**(AQW 4944/17-22)**

**Mr Murphy:** The breakdown by Department is set out in the table below. The information cannot be broken down further by grade as we do not hold this information.

Department	% Working at Home
DAERA	74.3
DE	92.2
DFC	21.9
DFE	91.8
DfI	46.6
DOF	84.2
DOH	72.3
DOJ	44.2
TEO	81.6
PPS	no data available
NICS Overall	52.3

**Note** - above excludes NI Prison Service and staff on career breaks or secondments

**Mr Muir** asked the Minister of Finance when, and by whom, the current Civil Service Email Retention Policy was approved.  
**(AQW 5017/17-22)**

**Mr Murphy:** The NICS undertook a major programme of work in 2007 to implement an electronic records management system, known as TRIM. The current email retention policy was introduced as part of that work. The policy was approved by the Programme Board and endorsed for implementation by each Accounting Officer and Departmental Board.

**Mr Storey** asked the Minister of Finance to detail the ten towns in Northern Ireland with the highest rate of vacant non-domestic properties.

**(AQW 5059/17-22)**

**Mr Murphy:** Drawing on information in the Department for Communities town centre database for 17 May 2020, the ten towns with the highest rate of vacant non-domestic properties are given in the table below.

Town	Occupied Properties	Vacant Properties	Total	Vacancy Rate %
Belfast	3,733	1841	5,574	33.0
Randalstown	84	39	123	31.7
Coalisland	100	40	140	28.6
Dromore	85	32	117	27.4
Larne	303	101	404	25.0
Strabane	277	92	369	24.9
Coleraine	524	173	697	24.8
Bangor	529	168	697	24.1
Kilkeel	151	47	198	23.7
Cookstown	314	96	410	23.4

**Mr Beattie** asked the Minister of Finance, pursuant to question AQW 4682/17-22, if an individual is subsequently absent from work due to mental health issues brought about by the COVID-19 pandemic, whether they will be subject to a written warning and final warning under the Inefficiency Absence policy; and whether they will receive the 20 day interim letter outlining this procedure.

**(AQW 5076/17-22)**

**Mr Murphy:** Where medical evidence is provided by an individual confirming a period of sickness absence, due to mental health issues, is connected to COVID-19 then Employee Relations case managers will discount that period of absence for the purposes of considering written or final written warnings.

Additionally, in these circumstances any member of staff who is absent from work for 20 days or more will not be issued a letter from NICSHR.

**Mr O'Toole** asked the Minister of Finance whether any Barnett Consequentials generated through higher education spending in England will be allocated to universities in Northern Ireland.

**(AQW 5200/17-22)**

**Mr Murphy:** Barnett Consequentials do not have to be used for the purpose which gave rise to the consequential. The Executive will consider any request for funding in light of competing priorities and overall level of funding available at that time.

**Mr Beggs** asked the Minister of Finance, following concerns relayed by the Department of Infrastructure's Accounting Officer to his Department, what certainty has been provided to the directors of Translink on funding during the current year to allow them to plan and manage public transport and meet their responsibility under company law.

**(AQW 5207/17-22)**

**Mr Murphy:** As I announced to the Assembly on Tuesday 30 June 2020, the Executive has now allocated a total of £50m to address Translink's lost income as result of COVID-19. This is on top of the recurrent £20m which the Executive allocated in its 2020-21 Budget to address Translink's underlying deficit. A further £29.5m of the funding set aside by the Executive is being held centrally so that the Executive can allocate it in line with the developing needs of the broad transport sector.

As the Department for Infrastructure is the sponsor department for Translink, any engagement with the organisation's directors is a matter for the Department for Infrastructure.

**Mr Allister** asked the Minister of Finance, pursuant to AQW 4701/17-22, how the funding and expenditure by North/South bodies complied with the requirements of Schedule 1, Annex 2, Part 7, Paragraph 2 of the North/South Cooperation (Implementation Bodies) (Northern Ireland) Order 1999.

**(AQW 5223/17-22)**

**Mr Murphy:** Schedule 1, Annex 2, Part 7 Paragraph 2 of the North/South Cooperation (Implementation Bodies) (Northern Ireland) Order 1999 (The Order) sets out the Financial Arrangements for the North South (N/S) Implementation Bodies.

Specifically, paragraph 2.1 states “The Northern South Ministerial Council (NSMC) will, with the approval of the Finance Ministers make recommendations as to the amounts of such grants.”

In addition Part II of The Order, for each Body, states that the relevant department “may make grants to the Body ..... Such grants shall be of such amounts and be made on such terms and conditions as that departments may, with the approval of the Department of Finance (DOF), determine.”

Therefore NSMC/Ministerial approval is a procedural requirement and the absence of that approval made the grants irregular, but not unlawful. The power statutory to approve the amounts of the grants, and the associated terms and conditions, is in fact conferred on the DOF, proceeding without the approval of DOF would have rendered the grants unlawful.

Therefore contingency arrangements were put in place to enable DOF Officials to approve such payments during the period 2017-2020.

The rest of paragraph 2 sets out the financial arrangements of the sponsor departments and the Implementation Bodies themselves. Any clarification on compliance should be addressed to the relevant department.

**Mr Givan** asked the Minister of Finance what protections are in place for a father’s name to continue to be placed on a child’s birth certificate.

**(AQW 5330/17-22)**

**Mr Murphy:** As prescribed in the Births and Deaths Registration (Northern Ireland) Order 1976, either the father or mother may register the birth of their child if they are married. This will enable a standard birth registration to be carried out which will include the details of both parents. Married parents are both responsible in law for their children and therefore have parental responsibility.

Unmarried mothers automatically have parental responsibility but the same does not apply to an unmarried father. Where the parents are not married to each other, the father is not under any obligation to give information concerning the birth and the registrar cannot enter the father’s details unless both parents attend to jointly make this request. If the father cannot attend and both parents are in agreement, he may still be named on the certificate through completion of a statutory declaration, a parental responsibility agreement or a relevant court order. A joint registration will give parental responsibility to the father.

## Department of Health

**Mr Allister** asked the Minister of Health to publish the daily ‘R’ figure for each day from 1 April 2020 to the date of answer.

**(AQW 4417/17-22)**

**Mr Swann (The Minister of Health):** The estimated reproduction number, R has been published by the Department of Health on a weekly basis from 4 June 2020 as the consensus view of the Northern Ireland Covid-19 modelling group.

Set out in the table below are the estimates of R, including those for previous weeks.

Weeks commencing	R Estimate
30 March	2.3-3.3
6 April	1.4-1.7
13 April	0.8-1.1
20 April	0.7-0.9
27 April	0.8-1.0
4 May	0.8-1.0
11 May	0.6-0.9
18 May	0.7-1.0
25 May	0.8-1.0
1 June	0.7-0.9
8 June	0.5-0.9
15 June	0.6-0.9
22 June	0.6-0.9

The uncertainty in respect of the estimates of R means that it is appropriate to publish a weekly range rather than a specific figure or daily estimate for Northern Ireland.

**Mr K Buchanan** asked the Minister of Health to detail the delays caused by the COVID-19 pandemic to the (i) initial prognosis appointments; (ii) follow-up appointments; and (iii) on-going support, care and treatments for patients suspected of having, or who have been diagnosed with, breast cancer.

**(AQW 4494/17-22)**

**Mr Swann:**

- (i) During the pandemic surge, red flag breast cancer clinics continued with a reduced throughput due to COVID-19 infection control measures. Patients were prioritised for breast surgery based on risk benefit in accordance with national guidelines.
- (ii) Results and follow-up breast cancer clinics proceeded as normal virtually or via telephone and face to face when appropriate.
- (iii) Breast cancer surgery continued during the surge making use of both HSC and independent sector facilities. Patients were prioritised for surgery based on risk benefit in accordance with national guidelines; a small number of surgeries were deferred, but patients were offered alternative systemic anticancer treatment or radiotherapy treatments. Systemic anticancer treatment and radiotherapy treatment have continued to be delivered throughout the surge in line with national guidance and based on an assessment of individual risk / benefit.

**Mr K Buchanan** asked the Minister of Health to detail the delays caused as a result of the COVID-19 pandemic to the (i) initial prognosis appointments; (ii) follow-up appointments; and (iii) on-going support, care and treatments for patients suspected of, or diagnosed with, having bowel cancer.

**(AQW 4495/17-22)**

**Mr Swann:**

- (i) During the pandemic surge all suspected bowel cancer 'red flag' symptoms patients were triaged and the majority of patients referred were assessed virtually or by telephone.
- (ii) Results and follow-up clinics proceeded as normal virtually or via telephone and face to face when appropriate.
- (iii) Colorectal surgery continued as far as possible making use of both HSC and independent sector facilities. Patients were prioritised for surgery based on risk benefit in accordance with national guidelines; a small number of surgeries were deferred, but patients were offered alternative systemic anticancer treatment or radiotherapy treatments. Systemic anticancer treatment and radiotherapy treatment have continued to be delivered throughout the surge in line with national guidance and based on an assessment of individual risk / benefit.

**Mr Dickson** asked the Minister of Health what action he has taken to restore cancer services.

**(AQW 4500/17-22)**

**Mr Swann:** I can confirm Health and Social Care (HSC) Trusts have been tasked with developing service rebuilding plans for all HSC services. Actions are also underway to ensure the rapid and safe stepping up of both diagnosis and treatment of cancer patients in clinically safe environments.

I am also acutely aware of the severe impact that COVID-19 has had on the totality of cancer services. That is why I have informed officials that the resumption of screening, diagnosis and treatment of cancer patients in clinically safe environments is a high priority and should proceed as quickly as possible. Priority will be given to people at highest risk and to clearing any backlog of patients in the cancer pathway. I can assure you that every HSC Trust in Northern Ireland is developing plans and working hard to make that resumption a reality.

The Department's "Rebuilding HSC Services Strategic Framework" was published on 9 June 2020, and is available at <https://www.health-ni.gov.uk/publications/rebuilding-hsc-services>

Rebuilding services gives us an opportunity to transform our system for the better and for the real benefit of cancer patients and all those who need our services.

**Mr Gildernew** asked the Minister of Health for an update on his plans to reduce COVID-19-related restrictions on hospital visitation and hospital appointments.

**(AQW 4810/17-22)**

**Mr Swann:** The reduction of visitors to hospitals was a key strategic component of managing the pandemic and it was taken to protect patients, their families and health and social care workers by reducing the risk of infection.

Following publication of the Northern Ireland Executive five-step approach to relaxing lockdown restrictions, my Department is in the process of reviewing the COVID-19 visiting guidance. We will share the revised guidance as soon as possible, with our intention being to publish by the end of June.

**Mr Carroll** asked the Minister of Health what guidance is in place for employers as workers with diabetes return to work.

**(AQW 4820/17-22)**



**Mr Swann:** People living with diabetes are part of a wider vulnerable group which is comprised broadly of those who require the flu vaccine for an underlying condition as well as those over seventy regardless of medical condition. This group is advised to stringently socially distance and it is recognised that they are at higher risk of severe illness from coronavirus. They are advised to stay at home as much as possible and, if they do go out, take particular care to minimise contact with others outside their household.

Employers are required to protect the safety and health of everyone in the workplace. The Department for the Economy has published guidance on making workplaces safer during the current coronavirus crisis. The Covid-19 'Working Through This Together' guide sets out principles and practical steps for employers and employees to keep themselves and their workplaces safe, including requirements for carrying out risk assessments. It also highlights the steps to be followed if employers and employees are concerned about safety.

<https://www.nibusinessinfo.co.uk/sites/default/files/Covid-19-Working-Through-This-Together.pdf>

Information and advice for employers and employees on Covid-19 and workplace safety in different business settings can be found at <https://www.nibusinessinfo.co.uk/node/23544>

Employers should implement procedures that are reasonably practicable to protect all their employees and members of the public. Safety advice for employers and employees can also be accessed on the Health and Safety Executive website at [www.hseni.gov.uk](http://www.hseni.gov.uk)

Where any employee has concerns about their health and safety in the workplace they should discuss their particular circumstances with their employer who would be best placed to advise on appropriate measures for their role and the workplace at this time, including, for example, if there might be scope to re-design their job, working pattern or location, or reduce contact with others.

**Mr Carroll** asked the Minister of Health whether employers have to carry out risk assessments when staff with diabetes are returning to work.

**(AQW 4821/17-22)**

**Mr Swann:** People living with diabetes are part of a wider vulnerable group which is comprised broadly of those who require the flu vaccine for an underlying condition as well as those over seventy regardless of medical condition. This group is advised to stringently socially distance and it is recognised that they are at higher risk of severe illness from coronavirus. They are advised to stay at home as much as possible and, if they do go out, take particular care to minimise contact with others outside their household.

Employers are required to protect the safety and health of everyone in the workplace. The Department for the Economy has published guidance on making workplaces safer during the current coronavirus crisis. The Covid-19 'Working Through This Together' guide sets out principles and practical steps for employers and employees to keep themselves and their workplaces safe, including requirements for carrying out risk assessments. It also highlights the steps to be followed if employers and employees are concerned about safety.

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Where any employee has concerns about their health and safety in the workplace they should discuss their particular circumstances with their employer who would be best placed to advise on appropriate measures for their role and the workplace at this time, including, for example, if there might be scope to re-design their job, working pattern or location, or reduce contact with others.

**Mr O'Dowd** asked the Minister of Health when the dermatology unit at Craigavon Area Hospital will reopen in permanent accommodation.

**(AQW 4887/17-22)**

**Mr Swann:** You will be aware that on 9 June 2020 I published the Strategic Framework for Rebuilding Health and Social Care Services, along with Phase 1 (June 2020) rebuilding plans for each of the six Health and Social Care (HSC) Trusts. The Strategic Framework will underpin the development of incremental service plans by Trusts, including for the provision of urgent and emergency care.

The key aim will be to incrementally increase Health and Social Care (HSC) service capacity as quickly as possible across all programmes of care, including emergency care, within the prevailing COVID-19 conditions. Subsequent phases will see these service activity plans and targets updated in three monthly cycles. The Southern HSC Trust has given an assurance that the Emergency Department, currently located in the Dermatology Unit at Craigavon Area Hospital, will move back to Daisy Hill Hospital by 30 September 2020. The Dermatology Unit will then reopen in its previous permanent accommodation at Craigavon Hospital.

**Ms S Bradley** asked the Minister of Health (i) how many people were advised to shield by their GP or hospital specialist; (ii) how many of these people subsequently received an extension on the advice to shield from the Chief Medical Officer; and (iii) to explain any disparity that may exist between the two figures.

**(AQW 4946/17-22)**

**Mr Swann:** In Northern Ireland, approximately 95,000 patients were advised by letter to shield as their medical condition means that they are at greater risk of severe complications should they catch COVID-19.

These letters along, with a second letter from the Chief Medical Officer providing updated guidance, were issued to patients by their GP, or hospital specialist.

If a patient who is in receipt of a shielding letter has not received further correspondence advising them of an extension to the advice to shield, they should contact their GP or hospital specialist for advice.

**Mr Frew** asked the Minister of Health what consideration was given to the Adult Safeguarding Policy, particularly around risk assessment for individuals and the retaining of information possibly required for criminal investigation, when the Chief Medical Officer directed the Regulation and Quality Improvement Authority to reduce care facility inspections and cease others; and what alternative has been activated to ensure risk assessments are appropriately undertaken around appropriate care and protection.

**(AQW 4969/17-22)**

**Mr Swann:** On 20 March 2020, in line with my Department's direction RQIA reduced the frequency of its statutory inspection programme to minimise the risk of health and social care professionals and other visitors spreading infection in care settings. During this time RQIA continued to regulate services, responding to specific risks and concerns, conducting inspections and taking enforcement as necessary.

Adult Safeguarding referrals can be made by care home staff or HSC staff including RQIA inspectors. Concerns can be raised by families, visitors or residents with either the care home, the Trust or RQIA in the first instance. Care facilities and the organisations who run them have Adult Safeguarding Champions and/or Appointed Officers who can advise care home staff about appropriate responses to concerns. During Covid, adult safeguarding arrangements have remained in place and whenever a concern has been raised, the Trust will have carried out a professional assessment about the nature of the concern, the risks associated with it and the most appropriate response including the potential need for PSNI involvement and preservation of evidence.

While reducing footfall to care homes during the pandemic has been an important infection control measure, there are a range of external HSC professionals that continue to have a presence within these services as part of their existing role. My Department, working with colleagues in the RQIA and PHA, has developed an aide memoire to assist those HSC professionals who do have to visit nursing and residential care homes during the COVID19 pandemic to think about and reflect on their observations and experiences, and to act as an additional protective layer for people living in nursing and residential care homes

**Mr McHugh** asked the Minister of Health how many children and adults in each Health and Social Care Trust are currently on waiting lists for autism referrals.

**(AQW 4980/17-22)**

**Mr Swann:** The numbers of children and adults waiting for an autism assessment in each HSC Trust are provided in the tables below:

**Table 1. Children's Autism Assessment Waiting List**

Trust	Number waiting for assessment at end March 2020*
Belfast	1236
Northern	1234
South Eastern	94
Southern	146
Western	891

**Source:** Monthly Children's Autism Waiting Times Return from Health Trusts

\* End March 2020 is the latest month for which data is held from all five Trusts.

**Table 2. Adult Autism Assessment Waiting List**

Trust	Number waiting for assessment at end February 2020**
Belfast	393
Northern	146

Trust	Number waiting for assessment at end February 2020**
South Eastern	182
Southern	161
Western	115

**Source:** Monthly Adult Autism Return from Health Trusts

\*\* End February 2020 is the latest month for which data is held from all five Trusts.

**Mr Sheehan** asked the Minister of Health whether he will commit to publishing, in full, the review of urgent and emergency care. (AQW 4997/17-22)

**Mr Swann:** I intend to publish the Review's report in full this summer.

**Mr Gildernew** asked the Minister of Health for an update on the Rapid Learning Initiative into COVID-19-related deaths in care homes, including the (i) terms of reference; (ii) membership of the group; and (iii) expected timeframe for reporting. (AQW 5012/17-22)

**Mr Swann:** The Chief Nursing Officer for Northern Ireland has established a Task and Finish Group, whose membership will work in partnership to undertake a Rapid Learning Initiative into the transmission of Covid19 into and within Care Homes.

The Group has established four Subgroups to examine key areas within Care Homes. The Group and the four Subgroups each meet weekly and work is ongoing to gather the underpinning data to support the Initiative.

Information about the work of the Rapid Learning Initiative, including the Terms of Reference for the Task and Finish Group and its membership, are available on the Department's website.

The aim is to have the report with the Chief Nursing Offer for her consideration by 17th July 2020.

**Miss Woods** asked the Minister of Health whether his Department will publish trends of individuals testing positive for COVID-19, broken down by local government district. (AQW 5016/17-22)

**Mr Swann:** My Department publishes a COVID-19 Dashboard (<https://www.health-ni.gov.uk/articles/covid-19-daily-dashboard-updates>) which includes information on individuals with laboratory completed tests for the SARS-COV-2 virus, which causes COVID-19. The information described by the COVID-19 Dashboard includes details of numbers of people testing positive and is broken down by Local Government District.

Since the 25 June 2020, my Department has also commenced reporting of the change in positive laboratory completed tests by Local Government District. The figures presented in the COVID-19 Dashboard now reveal the change in the numbers of people testing positive in the last 7 days, and also in the last 14 days, broken down by Local Government District.

**Ms Flynn** asked the Minister of Health to outline any guidance or restrictions for physiotherapists in the provision of services. (AQW 5020/17-22)

**Mr Swann:** Physiotherapists are statutory regulated health professionals and are registered with the Health and Care Professions Council (HCPC).

The HCPC requires physiotherapists to maintain their fitness to practice in order to keep up their registration.

Physiotherapists demonstrate their professionalism by working within a defined regulatory framework of personal and professional standards adhering to a moral, ethical and professional code of practice.

There are no restrictions for Health and Social Care (HSC) physiotherapists working in Northern Ireland. Although during the pandemic there has been a need to review existing care pathways and factor in the impacts of Covid-19 on them and adjust accordingly.

Independent physiotherapists although not HSC professionals are governed by the same regulatory conditions. Unlike HSC physiotherapists this group of professionals have been closed during the pandemic as they are not on the list of essential workers as defined in the Health Protection (Coronavirus Restriction) Regulations (Northern Ireland) 2020.

**Ms Flynn** asked the Minister of Health to outline the substance of his Department's meetings and other interactions with the Transformation Advisory Board, as they developed plans to rebuild Health and Social Care services. (AQW 5021/17-22)

**Mr Swann:** I was scheduled to meet with members of the Transformation Advisory Board on 7 April. Unfortunately, this meeting was postponed in light of the COVID-19 pandemic.

Following publication of the HSC Rebuilding Strategic Framework, an engagement exercise was carried out on the principles to be adopted in the rebuild process, which was attended by union representatives, including Unison, of which TAB member, Mr John Patrick Clayton, is a member.

The HSC Rebuilding Strategic Framework makes clear, that advice from experts working in health and social care fields will be obtained to inform the rebuilding of HSC services, as required; and that rebuilding proposals must be developed using co-production principles.

Director of Transformation within the Department, Ciara Dolan, has since provided an update on the Transformation programme to Mr Clayton, during which he made reference to the need for clarity on the role of TAB moving forward, in the context of the new Strategic Framework and Management Board.

**Ms Flynn** asked the Minister of Health whether scheduled free dental appointments will still stand after COVID-19 restrictions are lifted.

**(AQW 5022/17-22)**

**Mr Swann:** Exemptions to dental charges are outlined in the Dental Charges Regulations (Northern Ireland) 1989 (as amended) and the Travelling Expenses and Remission of Charge Regulations (Northern Ireland) 2004 (as amended).

The exemption status of a patient is determined at the time that the Health Service Dental Claim form is signed for acceptance of treatment. The exemption status remains for the course of treatment even if the individual's qualification for the exemption changes.

**Ms Flynn** asked the Minister of Health for update into each business case that is being developed to promote walking strategies and physical exercise.

**(AQW 5023/17-22)**

**Mr Swann:** "A Fitter Future for All", the obesity prevention strategy for Northern Ireland, seeks to promote greater participation in all forms of physical activity, including walking and cycling, as physical activity plays a key role in improving population health and well-being. In support of "A Fitter Future for All", the Public Health Agency (PHA) commissions a suite of programmes to increase participation in physical activity.

There are no specific business cases on walking strategies and physical activity being developed by the PHA or the Department of Health at present. However, during 19/20 the PHA and Sport NI funded the development of an Economic Appraisal with a view to creating a single co-ordinated and better resourced led-walking programme in Northern Ireland, the "Walking for All" programme. It is anticipated that the programme will operate across Northern Ireland and supersede both Walking for Health and Walking in Your Community (developed by Outdoor Recreation NI) but enabling the activity of these programmes to continue. A key aspiration of the proposed programme is that all areas of NI are served by a regular led walk.

**Mr Carroll** asked the Minister of Health what reasons were given for the resignation of the Non-Executive directors from the Regulation and Quality Improvement Authority.

**(AQW 5030/17-22)**

**Mr Swann:** I announced, on Tuesday 23 June 2020, that an independent review into the RQIA board resignations is to be carried out.

It would not be appropriate, at this time, for me to comment in any detail on the reasons given for the resignations until the independent review has completed.

**Mr Allister** asked the Minister of Health when visits by birth parents to see children currently in the care of foster parents will resume.

**(AQW 5051/17-22)**

**Mr Swann:** In line with the commitments within the five Health and Social Care Trusts' Rebuilding Plans Phase 1 published in June 2020, Trusts are actively reviewing all looked after children's cases, including those in foster care, to risk assess where face to face contact can take place safely in line with public health advice.

To support this process, a regional risk assessment tool for direct face to face contact for looked after children has been agreed by the Health and Social Care Board and the Health and Social Care Trusts. The assessment is completed by each child's social worker prior to any decision to progress direct face to face contact.

Where risk assessments have been completed which have concluded that face to face contact can take place safely, arrangements for resumption of such contact are being put in place with some face to face contact with birth families having now recommenced.

**Ms Kimmins** asked the Minister of Health when orthopaedic surgeries will resume in the Southern Health and Social Care Trust.

**(AQW 5064/17-22)**

**Mr Swann:** You will be aware that on 9 June 2020 I published the Strategic Framework for Rebuilding Health and Social Care Services, along with Phase 1 (June 2020) rebuilding plans for each of the six Health and Social Care (HSC) Trusts. The Strategic Framework will underpin the development of incremental service plans by Trusts, including for the provision of orthopaedic surgery.

The key aim will be to incrementally increase HSC service capacity as quickly as possible across all programmes of care, within the prevailing COVID-19 conditions. Subsequent phases will see these service activity plans and targets updated in three monthly cycles.

The Southern HSC Trust has confirmed that it intends to commence orthopaedic day surgeries from week commencing 6 July 2020. In relation to more complex orthopaedic surgeries requiring hospital admission, there is no confirmed start date as yet.

**Ms Hunter** asked the Minister of Health (i) for an update on the implementation of the Protect Life 2 strategy; and (ii) to detail the (a) current funding allocations; and (b) the projected funding allocations over each of the next three years.

**(AQW 5066/17-22)**

**Mr Swann:**

- (i) An overview on the current work that has been delivered under the Protect Life 2 Strategy is available on the Department of Health website at:  
<https://www.health-ni.gov.uk/sites/default/files/publications/health/actionplanataglace-may2020.pdf>
- (ii) (a) £9.46m is currently invested annually by the Department of Health through the Public Health Agency to implement Protect Life 2. In addition, transformation funding of £190.5k has been allocated to the Multi Agency Triage Team and £649k to Towards Zero Suicide programme to help reduce suicides within Adult Mental Health Services.
- (b) as the budgets for future years have not been determined the funding allocations for those years are not currently available.

**Mr McGrath** asked the Minister of Health for an update on the development and implementation of regulations pursuant to the passing of the Health and Social Care (Control of Data Processing) Act (Northern Ireland) 2016.

**(AQW 5087/17-22)**

**Mr Swann:** Work had resumed on the preparation of Regulations on the Secondary Use of Patient Identifiable Information after the Assembly returned in January. However this work had to be temporarily suspended when staff were diverted to other work in support of the Department's Covid-19 response. Work will resume in July.

**Mr Allister** asked the Minister of Health, pursuant to AQW 4654/17-22, of the 6,473 people who attended the COVID-19 Centres, how many were (i) found to be in need of no further attention; and (ii) referred to hospital.

**(AQW 5090/17-22)**

**Mr Swann:** All patients who attend COVID-19 centres have first been triaged as having COVID symptoms, and requiring further assessment by a GP. The reason for their referral may be due to concerns around COVID-19, or another medical condition which requires further investigation.

Of the 6,473 patients referred to in AQW 4654/17-22, 73.69% (4,770) patients were able to be given advice on self-management at home following assessment.

In the case of 2.35% (158) patients, an ambulance was called to transport the patient to hospital, while 15.42% (1040) patients were referred to secondary care.

**Mr Easton** asked the Minister of Health how much revenue each Health and Social Care Trust raised from car parking charges in 2019/20.

**(AQW 5106/17-22)**

**Mr Swann:** The table below provides the level of revenue generated from car parking charges in each Health and Social Care Trust.

Health and Social Care Trust	Revenue Generated (£'m)
Belfast	3.2
Northern	1.2
South Eastern	2.1
Southern	0.7
Western	0.7

**Mr Easton** asked the Minister of Health how many nursing vacancies there are in the health service.  
(AQW 5108/17-22)

**Mr Swann:** Information on nursing vacancies actively being recruited to in Health and Social Care is published on a quarterly basis at the following link: <https://www.health-ni.gov.uk/articles/staff-vacancies>

**Mr T Buchanan** asked the Minister of Health to outline the guidelines for hospital and care home visits by family members; and whether these guidelines are consistent across Health and Social Care Trusts.  
(AQW 5114/17-22)

**Mr Swann:** On 30 June 2020, my Department published updated guidance which applies from 6 July 2020 for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response.

The guidance is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

This revised guidance will continue in force while the surge level and the Northern Ireland Executive five step approach permits, with approved visiting guidance aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time.

**Mr T Buchanan** asked the Minister of Health when hospital and care home visitation for family members will resume.  
(AQW 5115/17-22)

**Mr Swann:** In line with the five-step approach to relaxing lockdown restrictions by the Northern Ireland Executive on 12 May 2020, my Department undertook a review of the impact of hospital visitors on disease transmission.

This has resulted in the publication, on 30 June 2020, of updated guidance for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. It is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

This guidance applies from 6 July 2020 and will continue in force as the surge level and the Northern Ireland Executive five step approach permits, with approved visiting guidance aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time.

**Ms Bradshaw** asked the Minister of Health what scientific evidence he has sought concerning the potential health risks of allowing people to continue to enter Northern Ireland with no checks, given that rates of transmission here are much lower than in the rest of the UK.  
(AQW 5129/17-22)

**Mr Swann:** Scientific evidence has been provided which indicates that when the overall level of community transmission is low, the health risks of importing cases from countries with a higher risk of transmission are greater. It is important to weigh these risks against social, economic and other considerations when determining policy.

**Ms Bradshaw** asked the Minister of Health when the scientific evidence demonstrating the public health considerations which led to the abandonment of contact tracing in Northern Ireland on 12 March 2020 will be published.  
(AQW 5130/17-22)

**Mr Swann:** In line with the rest of the UK, the PHA were conducting rigorous contact tracing for all cases of COVID-19 until the 12th March 2020.

On the 12th March, the UK moved from the containment phase to the delay phase. The focus of our efforts then shifted from individual contact tracing to wider measures, including advising all of the public what to do if they had symptoms, prevention of spread, and social distancing.

The rationale underpinning the change in approach from the containment to the delay phase was based on sound public health principles as it recognised that there was widespread community transmission of the SARS-CoV-2 virus. The application of rigorous social distancing measures effectively superseded contact tracing during this 'delay' phase of our pandemic response.

Scientific evidence in relation to the early stages of the epidemic is contained within the papers of SAGE which are available via <https://www.gov.uk/government/groups/scientific-advisory-group-for-emergencies-sage-coronavirus-covid-19-response>

**Ms Bradshaw** asked the Minister of Health what services will exist for male and female victims of domestic abuse across Health and Social Care during the (i) 2020/21; and (ii) 2021/22 financial years.  
(AQW 5132/17-22)

**Mr Swann:** A range of services are provided for male and female victims of domestic abuse across Health and Social Care, for example: Multi-Agency Risk Assessment Conferencing for high risk victims; routine enquiry across all maternity services; a range of children's services for those that need health and social care support and protection; and SLA's with Women's Aid

groups providing emergency accommodation and outreach to children and their families. The Health and Social Care Board has also commissioned the Men's Advisory Project and Nexus NI to provide counselling services.

The Department is piloting the 'Identification and Referral to Improve Safety' advocacy programme in GP Practices across East Belfast and Newry/Down over 2020/21. The Department also part funds the freephone 24 hour Domestic and Sexual Abuse Helpline.

The budget for 2021/22 has not yet been set and the Department is therefore unable to confirm what services will be supported in 2021/22 at this time.

**Mr Allister** asked the Minister of Health when family members will be permitted to visit loved ones in care homes again. (AQW 5134/17-22)

**Mr Swann:** In line with the five-step approach to relaxing lockdown restrictions by the Northern Ireland Executive on 12 May 2020, my Department undertook a review of the impact of visitors to patients across all care settings on disease transmission.

This has resulted in the publication, on 30 June 2020, of updated guidance for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. It is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

This guidance applies from 6 July 2020 and will continue in force as the surge level and the Northern Ireland Executive five step approach permits, with approved visiting guidance aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time.

**Mr Carroll** asked the Minister of Health, given the disparity in interpretation of flexibility around Direct Payments throughout the COVID-19 crisis between Health and Social Care Trusts and also within Trusts, to specify the flexibilities families can expect.

(AQW 5162/17-22)

**Mr Swann:** Further guidance for HSC Trusts and individuals in receipt of Direct Payments during the COVID-19 pandemic is currently under consideration and will include specific guidance to help ensure a consistent approach across the Health and Social Care Trusts in respect of flexibility around the use of Direct Payments.

**Mr Gildernew** asked the Minister of Health to list the concerns raised with his Department by the Regulation and Quality Improvement Authority board and Executive team in the months leading up to the board's mass resignation, including the date and format of the correspondence.

(AQW 5186/17-22)

**Mr Swann:** I announced, on Tuesday 23 June 2020, that an independent review into the RQIA board resignations is to be carried out.

It would not be appropriate, at this time, for me to comment any further until the independent review has completed.

**Ms McLaughlin** asked the Minister of Health when counselling and mental health services, including Child and Adolescent Mental Health Services, sexual abuse support services and other face to face support, will reopen to provide routine support. (AQW 5197/17-22)

**Mr Swann:** In general mental health services have continued during COVID-19. Everyone that requires mental health services should have been provided with services.

Due to the risks associated with COVID-19 some services were provided in different format. For example, much counselling moved from face to face meetings, to using technology, such as phone calls and video conferencing.

In some circumstances it was determined that the risk of COVID-19 was so great that to continue treatment would create unacceptable risks. In these cases service provisions were delayed, until a time they can be provided safely. However, there has been no blanket stopping of mental health services, and these decisions have been taken on a case by case basis.

Sexual abuse support services have also continued during COVID-19. The Rowan Sexual Assault Referral Centre continues to be operational for all regional referrals 24/7 and Nexus NI continues to deliver their sexual violence counselling service offering telephone and online counselling to their clients.

In terms of face to face counselling, each provider needs to make their own risk assessment based on premises, nature of business and clientele. Guidance on practices during COVID-19 is available from the UK Government, Labour Relations Agency, NI Direct, my Department, and the Public Health Agency websites.

**Mr Sheehan** asked the Minister of Health why the acting Chief Dental Officer is not a member or participant on the Health Management Board.

(AQW 5215/17-22)

**Mr Swann:** The Chief Dental Officer is represented on the Management Board through the Chief Medical Officer. The Chief Dental Officer will provide advice to the Chief Medical Officer to ensure that the dentist profession is fully represented. Furthermore, the Chief Dental Officer will attend the Management Board as necessary.

**Ms Kimmins** asked the Minister of Health whether he will consider the immediate reinstatement of smear tests for women.  
(AQW 5229/17-22)

**Mr Swann:** Routine cervical cancer screening was amongst those screening programmes paused from mid-March in order to reduce the risk of Covid-19 infection to participants and staff, and to redirect healthcare and laboratory resources to the pandemic response. Smear tests continued to be offered during this period, for non-routine cervical screening, such as repeat tests requested by colposcopy or the laboratory.

I can advise that a phased, prioritised restoration of cervical screening has commenced. The first cohort of women have been issued with invitation letters and invitations for other priority groups will follow with routine recall invitations commencing in August. Inevitably, the pace of rebuilding will be influenced by the progress of the pandemic. The need to maintain social distancing in clinical settings; implementation of enhanced infection control measures and the continued requirement for personal protective equipment will present challenges for the restoration of services to pre-COVID levels.

**Mr O'Toole** asked the Minister of Health (i) what date family visits to care homes will resum; and (ii) whether testing of both residents and visitors will enable this to happen sooner.

(AQW 5238/17-22)

**Mr Swann:**

- i On 30 June 2020, my Department published updated guidance which applies from 6 July 2020 for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. This revised guidance will continue in force while the surge level and the Northern Ireland Executive five step approach permits, with approved visiting guidance aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time.  
It is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.
- ii. There are no plans at present to introduce testing with a view to facilitating visiting in any setting. The newly introduced guidance does not require any testing to be undertaken as part of the process of facilitating visits.

**Ms Flynn** asked the Minister of Health whether he will appoint the Chief Dental Officer on to the new Management Board for Rebuilding Health and Social Care Services.

(AQW 5242/17-22)

**Mr Swann:** The Chief Dental Officer is represented on the Management Board through the Chief Medical Officer. The Chief Dental Officer will provide advice to the Chief Medical Officer to ensure that the dentist profession is fully represented. Furthermore, the Chief Dental Officer will attend the Management Board as necessary.

**Ms Flynn** asked the Minister of Health (i) to explain the rational for dissolving the Belfast Protect Life Implementation Group; (ii) what assurances he can give that local grassroots organisations will not be excluded under any new arrangement; and (iii) what dialogue took place with the local Belfast Suicide Prevention Groups to notify them of these changes.

(AQW 5244/17-22)

**Mr Swann:**

- (i) Belfast is not the only area to review its Protect Life Implementation Group (PLIG) infrastructure. A review has been ongoing in all Trust areas following the release of new Terms of Reference for PLIGs and the establishment of a new Regional Protect Life Implementation Structure. A recent workshop clearly highlighted that current structures set up to co-ordinate action on suicide prevention and mental health in the Belfast area could be improved. It also recommended that an independent process be put in place to ensure representation reflected current structures across the City, as the existing representation pre-dated current structures.
- (ii) It is important that local structures are cognisant of the need to ensure representation from a range of non-statutory organisations who have experience and expertise in helping to address the underlying determinants of suicide and self-harm in our communities. The planned open and transparent process will ensure that all grassroots organisations have an opportunity to contribute towards reducing the suicide rate in Northern Ireland.
- (iii) The intention to enter into an open, fair and democratic membership process has been openly communicated by PHA since August 2019 at Belfast PLIG meetings, community planning meetings, public Local Commissioning Group meetings, cross sectoral meetings in the city and at recent Regional PLIG meetings. The issue was also discussed at two workshops between the statutory and non-statutory sector in August 2019 and November 2019.

**Mr Gildernew** asked the Minister of Health how many people have received a shielding letter, to include estimates if available.  
(AQW 5272/17-22)



**Mr Swann:** In Northern Ireland, approximately 95,000 patients received a shielding letter from their GP or hospital clinician.

**Mr McGrath** asked the Minister of Health whether he will urgently review the content and implementation his Department's drugs and alcohol strategy.

**(AQW 5347/17-22)**

**Mr Swann:** A review of the Executive's current cross-sectoral substance misuse strategy, the New Strategic Direction for Alcohol and Drugs Phase 2, is available on the Department of Health's website at: <https://www.health-ni.gov.uk/publications/alcohol-and-drug-misuse-strategy-and-reports>

As reflected in "New Decade, New Approach", my Department has begun the development of a new substance misuse strategy. Building on a pre-consultation process, a group has been brought together to co-produce the development of this new strategy and I plan to ensure it is designed with input from all key stakeholders, including service users. This will ensure that we improve services and take innovative and effective action to reduce alcohol and drug related harm. A formal consultation on the new strategy will be brought forward in due course.

## Department for Infrastructure

**Mr Boylan** asked the Minister for Infrastructure how funding for Strategic Road Improvement schemes will be allocated.

**(AQW 4768/17-22)**

**Ms Mallon (The Minister for Infrastructure):** I am keen to improve connectivity, achieve regional balance in investment and to look more strategically beyond the current financial year, to help stimulate our green recovery. I have therefore approved budgets for the continuation of works on all the flagship projects, including the A5 Western Transport Corridor where I am awaiting the Public Inquiry Inspector's Report and the A6.

I have also set aside funds that will enable the continued development of schemes such as the A1 Junctions Phase 2, the A24 Ballynahinch By-Pass, the A4 Enniskillen Southern By-Pass, Newry Southern Relief Road, the A29 Cookstown By-Pass, the A2 Buncrana Road and the A32 at Cornamuck. Each scheme is at a different stage and I have asked my officials to bring forward plans to advance them in the short and longer term. I hope to be in a position in the coming weeks and months to provide further updates on the progress being made.

**Miss McIlveen** asked the Minister for Infrastructure, pursuant to AQW 4446/17-22, how the Driver and Vehicle Agency will deal with the backlog of driving tests that were already in the system pre-COVID-19, alongside the anticipated volume of new applications for appointments.

**(AQW 4787/17-22)**

**Ms Mallon:** As outlined in my answer to AQW 4446/17-22, the Driver and Vehicle Agency (DVA) suspended all practical driving tests from 20 March until 22 June 2020 as it is not possible to deliver them safely and adhere to current Public Health Agency advice and guidance on social distancing.

The DVA holds a list of essential workers whom they will contact when practical driving tests resume to prioritise their booking. For all other customers they will need to re-book their test when the service is reinstated. While the DVA will endeavour to facilitate appointments at the earliest opportunity, it is likely that initial waiting times for driving tests will be longer than usual when the service resumes.

**Ms Bunting** asked the Minister for Infrastructure what engagement she has had with representatives of the taxi industry to discuss (i) the impact of COVID-19; and (ii) the difficulties they faced prior to the onset of the pandemic.

**(AQW 4801/17-22)**

**Ms Mallon:** The Department's remit in relation to taxis is regulatory, and a priority for me during the current public health emergency has been to facilitate the necessary rapid two way communication with the industry on regulatory issues that need to be addressed. My officials and I have been in regular and ongoing contact with the industry, including with individual drivers and operators, augmented by open letters to the industry. Today I also met with a number of taxi drivers at Stormont to discuss the impact of Covid19. I have already put in place a number of regulatory measures to support the taxi industry during this crisis. This includes a 6 month taxi vehicle licence extension, automatically and free of charge, to vehicles whose previous licence expired between 10th March 2020 and 9th October 2020. Driver CPC training providers are also now authorised to delivery taxi periodic training remotely, via online video platforms. This enables drivers to continue to undertake some training online during the lockdown. With regards to medicals required for the renewal of a taxi driver's licence, the BMA and GPs have agreed to prioritise the processing of medical forms for those key workers who need them to renew their licences. In addition, and with effect from 26th May 2020, taxi drivers who do not have a medical condition to declare will have their taxi driver's licence renewed without a medical report. In addition I have also been raising the financial and safe work practices concerns of taxi drivers which fall outside of my vires with the responsible Ministers.

I met with representatives from the taxi industry prior to the outbreak of COVID-19 to discuss the difficulties faced by the industry. I understand there are a number of areas of the current taxi regime that continue to generate both interest

and concern amongst stakeholders. I intend to consider the issues in greater detail and will continue to engage with representatives from the industry when it is safe to do so to help inform my decisions.

**Ms Bunting** asked the Minister for Infrastructure what actions she will take to protect the future of the taxi industry as an essential service.

**(AQW 4802/17-22)**

**Ms Mallon:** I recognise the important role that the taxi industry plays, both to transport networks and also to communities by providing a valuable and essential service every day to people and businesses in our cities, towns and rural communities.

In my role as regulator of the taxi industry I have put a number of regulatory solutions in place to allow taxi drivers to continue to operate during these challenging times including the extension of their vehicle and driving licences.

I continue to actively push for financial and wider support for the industry with Executive Colleagues. As regulator, my Department holds information on taxi drivers and I have offered to provide that data to help shape any future financial support scheme that would support those drivers and other sole traders who haven't been assisted by the schemes presently on offer.

I will continue to facilitate the necessary rapid two way communication with the industry on regulatory issues that need to be addressed and my officials and I will continue to have regular contact with the industry, individual drivers and operators, to discuss their concerns.

**Dr Archibald** asked the Minister for Infrastructure, if the Ballykelly bypass is included in the Strategic Road Improvement schemes, whether she has allocated funds to develop it.

**(AQW 4805/17-22)**

**Ms Mallon:** My Department is currently developing proposals for a new Regional Strategic Transport Network Transport Plan (RSTNTP) which will set out the priorities for future development of the main road and rail networks.

I will consider proposals for improvements to the A2 and A37 from Coleraine to Derry, including the Ballykelly Bypass, as part of this process.

This Plan is still in development, but once I have identified my preferred options and priorities, a draft document setting these out will be issued for public consultation.

**Dr Archibald** asked the Minister for Infrastructure whether she intends to order a public inquiry on the planning application by Dalradian Gold for an underground mine and other infrastructure in the Sperrins.

**(AQW 4806/17-22)**

**Ms Mallon:** The Dalradian Gold mine proposal is complex and has generated significant interest. Before a final decision is made I have announced that this application will be subject to a Public Inquiry (PI). I will only call a PI when I am satisfied that all necessary detail and consultee responses have been provided to allow for robust scrutiny of the application in a public forum.

**Mr Beggs** asked the Minister for Infrastructure to detail how many repairs are outstanding for (i) streetlighting; and (ii) potholes, broken down by Assembly constituency.

**(AQW 4825/17-22)**

**Ms Mallon:** My Department does not maintain records by constituency. However, the following table provides, by council area, details of the number of street lighting outages and carriageway, hard shoulder and layby surface defects (which includes potholes, cracking, depressions etc.) that have been recorded since 1st April 2020, which, as at 18th June 2020, do not yet have a completion date recorded against them:

**Outstanding Repairs 1 Apr – 18 Jun 2020**

Council Areas	Surface Defects	Street Lighting Outages
Antrim and Newtownabbey	344	73
Ards and North Down	191	230
Armagh City, Banbridge and Craigavon	833	45
Belfast	605	74
Causeway Coast and Glens	960	297
Derry City and Strabane	754	129
Fermanagh and Omagh	1339	67
Lisburn and Castlereagh	493	69

Council Areas	Surface Defects	Street Lighting Outages
Mid and East Antrim	401	109
Mid Ulster	1302	37
Newry, Mourne and Down	579	179

It is important to note that there can be a time lag between a repair being carried out and the associated records being updated in the Department's maintenance management system particularly in the current circumstances with many staff working from home. As a result, the figure supplied for the number of outstanding defects may reduce as records are updated.

**Mr Frew** asked the Minister for Infrastructure to outline what planning, targets or dates have been agreed and set for the commencement of MOT and PSV tests.

**(AQW 4864/17-22)**

**Ms Mallon:** On 24 March 2020, in the interest of public safety and to tackle the spread of Covid-19, I suspended all vehicle testing at Driver & Vehicle Agency (DVA) test centres until 22 June 2020.

I know the current suspension of vehicle tests is causing inconvenience and concerns for some of our customers. I can assure you that I have been keeping the position under review with the aim of reintroducing vehicle testing as soon as it is safe to do so, taking account of guidance on social distancing and in line with the NI Executive's Pathway to Recovery. On 1 June 2020, following consultation with staff and Trade Unions, the Driver and Vehicle Agency (DVA) safely reinstated a limited number of specialist tests for those vehicles that deliver essential services. This was to ensure that supply chains and the health service continue to be supported during this time of significant challenge.

On 22 June, I announced a timetable for the reinstatement of further vehicle testing services, initially prioritising those vehicles that cannot avail of an exemption, such as first time taxis and buses, vehicles whose MOT certificates have expired by more than 12 months, which includes SORNed vehicles and those sold by car dealerships. As restrictions ease, and the DVA's capacity to test vehicles increases, more services will be reinstated until such times as normal business resumes.

Before any vehicle testing services are reinstated they will be fully risk assessed in consultation with staff and Trade Unions, to ensure the safety of staff and customers during the testing process.

**Mr McHugh** asked the Minister for Infrastructure to detail (i) when driving instructors will be able to resume work; and (ii) what measures they will be asked to adhere to in order to ensure both their own and their customers' safety in relation to COVID-19.

**(AQW 4871/17-22)**

**Ms Mallon:** The Executive Office has confirmed that the Regulations do not currently prevent driving lessons from taking place, if it is safe to do so for both instructors and their customers.

Given that driving instructors work in a higher risk environment, it is crucial that public health advice is followed by them to keep them and their customers safe. The ADI National Joint Council has published guidance for driving instructors and it is advised that this is reviewed to help them prepare safely: <https://www.adinjc.org.uk/training-resources/>.

The DVA plans to reinstate some driver testing services in July for those licence categories, where testing can be done safely in line with current PHA advice and guidance on social distancing requirements. This includes motorbike driver testing, planned from 6 July and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach drivers, planned from 20 July. Driver theory tests are also being reintroduced from 6 July, with safe social distancing in place.

The department is working to safely restore practical driving tests for cars as quickly as possible with the priority of keeping staff and customers safe and the DVA will continue to be guided by PHA advice in this regard. No date for resumption has yet been set by the department. This does not need to be referred to the Executive but must be in line with PHA guidance.

The DVA continues to work as quickly as possible to find a way forward that will keep customers and staff safe.

**Mr Harvey** asked the Minister for Infrastructure, given the easing of restrictions around COVID-19, for an update on progress on MOT exemption for vehicles of historical interest.

**(AQW 4872/17-22)**

**Ms Mallon:** I am aware that this exemption was introduced in Great Britain in 2018 which has led to a difference as to how Vehicles of Historic Interest (VHIs) are treated in GB and NI.

I am also aware that following requests to align Northern Ireland legislation with that in GB, from both elected representatives and members of the public my Department ran a public consultation exercise in 2019 seeking views as to whether this exemption should be introduced here. Officials have prepared an analysis of responses for my consideration to assist me in taking a final decision on the way forward which I hope to do shortly.

**Miss Woods** asked the Minister for Infrastructure to detail (i) how the £2 million announced by her Department to roll out 20mph zones across schools in Northern Ireland will be spent; and (ii) whether her Department has considered implementing the 'School Streets' scheme.

**(AQW 4874/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate this commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division, and these will be based on scores calculated using the assessment framework contained within the Department's current road safety at schools policy document.

I have asked my officials to explore options for a 'School Street' scheme in Northern Ireland and to liaise with the Department of Education and Sustrans.

**Miss Woods** asked the Minister for Infrastructure what chemicals are used by contractors hired by her Department to spray weeds.

**(AQW 4875/17-22)**

**Ms Mallon:** I can confirm that my Department has contracts in place for the necessary control of weeds to ensure road safety, prevent structural damage to pavements and to fulfil the duties imposed on the Department under relevant environmental legislation with respect to the need to control the spread of particular species of weeds.

Spraying of highway surfaces / edges is carried out by trained personnel in accordance with advice from manufacturers and the Department of Agriculture, Environment & Rural Affairs using the minimum treatment necessary to achieve the required results.

Chemical control of weeds is generally carried out on kerbed and paved areas by external contractors using herbicide products suitable for use on hard surfaces and listed on the Pesticides Register of UK Authorised Products, which can be viewed on the Health and Safety Executive website. I understand that all of the products currently used by external contractors on hard surfaces are glyphosate or flazasulfuron based.

I am advised also that selective treatment of invasive species is carried out using products containing glyphosate; clopyralid; triclopyr; aminopyralid; flazasulfuron; 2,4-D; dicamba; MCPA; and mecoprop-P.

**Miss McIlveen** asked the Minister for Infrastructure for an update on (i) the installation of new vehicle lifts; (ii) the MOT centres where this work is still to be carried out; and (iii) an estimated date for completion.

**(AQW 4889/17-22)**

**Ms Mallon:** The replacement programme is progressing well with 10 MOT centres to date having new lifts installed. The installation of new lifts at Armagh, Omagh and Enniskillen MOT centres is scheduled for completion by 4 July.

I handed over Belfast and Newtownards MOT centres to the Belfast and South Eastern HSC Trusts respectively to be repurposed for use as COVID-19 test facilities. New lifts will be installed at these sites as soon as they are returned to DVA.

**Mr Durkan** asked the Minister for Infrastructure for her assessment of when construction on the A2 Buncrana Road dualling upgrade project might commence.

**(AQW 4900/17-22)**

**Ms Mallon:** On 10 June 2020, I announced my intention to progress a number of strategic infrastructure schemes and flagship projects, as part of a plan to aid economic recovery and community transformation. The associated funding package will allow my officials to push forward on the development of these important schemes, including the A2 Buncrana road.

I would hope to be in a position to provide further information at a further date.

**Mr Newton** asked the Minister for Infrastructure for an update on her proposals regarding (i) investment in greenways; and (ii) investment in the Comber Greenway.

**(AQW 4915/17-22)**

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through this transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported. I am still considering the basis upon which funding may be allocated for greenway infrastructure but it is important that schemes will deliver on our Programme for Government outcomes. I will make a further announcement shortly.

**Ms Bailey** asked the Minister for Infrastructure, in light of worsening climate change predictions expected in the forthcoming sixth assessment (AR6) by the Intergovernmental Panel on Climate Change, whether she will review approvals for the proposed Belfast Harbour Estate fossil gas power plant.

**(AQW 4920/17-22)**

**Ms Mallon:** I understand that the power plant referred to is that approved by the Department in April 2019 at Airport Road West in the Belfast Harbour Estate (Planning Reference LA04/2017/0878/F). While I remain committed to reducing emissions and tackling the climate emergency, I do not intend to review the decision on the power plant at the Harbour Estate which has been determined in accordance with prevailing planning and Government policy.

There is a need to develop the energy infrastructure in Northern Ireland, strengthen the grid, increase flexibility to accommodate more renewable energy, and reduce CO2 emissions from the energy industry. In all of these respects, the development of the proposed power plant in Belfast can make a contribution and is a lower carbon alternative to coal fired generation.

**Mr Muir** asked the Minister for Infrastructure for her assessment of the need for Northern Ireland to have a regional infrastructure panel, similar to the Infrastructure Commission for Scotland, to provide independent, informed advice on infrastructure and to create a long-term infrastructure strategy.

**(AQW 4924/17-22)**

**Ms Mallon:** Modern and sustainable infrastructure is a key building block of prosperity for any society. It is essential if we are to grow our economy, address regional imbalance, and support a thriving region where people want to live, work and invest. Investing in our infrastructure is also going to be an important element of economic recovery in the months ahead.

Given the timescales involved in delivering many infrastructure schemes and the investment needed to build and then maintain our infrastructure, I believe that a more strategic approach to how we plan, deliver and maintain our infrastructure is badly needed. One year budgets, for example, make little sense when looking at plans that should be designed to meet the needs of people here for decades.

I have therefore been following the approach taken in Scotland with interest and I am engaging with a range of stakeholders to identify options going forward.

**Mr Muir** asked the Minister for Infrastructure whether the forthcoming review of the implementation of the Planning Act (Northern Ireland) 2011 will consider whether responsibility for regionally significant and called-in planning applications should be transferred from her Department to an independent body, similar to An Bord Pleanála in the Republic of Ireland.

**(AQW 4925/17-22)**

**Ms Mallon:** I am currently considering the terms of the review of the implementation of the Act, which I intend to take to the Committee for Infrastructure shortly.

**Mr Muir** asked the Minister for Infrastructure to outline planned improvements in (i) pedestrian; and (ii) cycle access for the area surrounding the new Ulster University Belfast Campus.

**(AQW 4926/17-22)**

**Ms Mallon:** You will be aware I announced the creation of a Walking and Cycling Champion in my Department with responsibility for taking forward work to deliver safe routes that give people the freedom and confidence to walk and cycle as part of their everyday routine. This is an important way to achieve higher levels of sustainable transport and fewer car journeys.

I am fully committed to working with partners in the Executive including the Minister for Communities to look at opportunities to provide better walking and cycling facilities around the Ulster University Belfast Campus and better walking and cycling infrastructure to make good connections to it from across Belfast city centre.

The area round the new Ulster University Belfast Campus is part of the Department for Communities Belfast Streets Ahead Phase 3 project. As part of the design proposals for this scheme, improved pedestrian crossings on York Street and Frederick Street are proposed. In addition, new cycle stands on Frederick Street are planned along with shared cycle lanes along York Street and Royal Avenue. Funding for the construction phase of the project has not yet been confirmed. However, the Department for Communities is working with the Department for Infrastructure and Belfast City Council to explore how improvements for pedestrians and cyclists can be achieved ahead of the Phase 3 project.

**Mr Easton** asked the Minister for Infrastructure (i) what the asking price was for the sale of Portavoe Reservoir; and (ii) whether that price has been met.

**(AQW 4933/17-22)**

**Ms Mallon:** Northern Ireland Water (NI Water) has advised me that, as the land was not put on the open market there was no "asking price". The Reservoir was sold in accordance with a High Court ruling requiring NI Water to offer the land at Portavoe Reservoir to successors in title of the landowners from whom it was acquired. NI Water instructed Land and Property Services within the Department of Finance to value the land and enter into negotiations on their behalf with the sole

agent acting for the purchasers. Agreement was reached on the sale price for each plot of land and the plots were sold at the agreed price.

**Mr Easton** asked the Minister for Infrastructure to detail (i) how many valuations there were for the sale of Portavoe Reservoir; and (ii) what these valuations were.

**(AQW 4934/17-22)**

**Ms Mallon:** Northern Ireland Water (NI Water) has advised me that as the sale of Portavoe Reservoir was in accordance with a Court Order requiring the reservoir to be offered to the successors in title to the landowners from which the land was acquired, they instructed Land and Property Services (LPS), within the Department of Finance, to value the land and to enter into negotiations with the sole agent acting for the purchasers.

LPS and the agent reached agreement on a sale price for each of the six plots and the plots were sold at the agreed price. NI Water has also advised that the purchase price for each of the plots would be deemed "commercial in confidence" until such time as the registration process in Land Registry for the transactions is completed and the information will become publically available at that stage. The timescale for registration of the sale is a matter for the solicitors acting on behalf of the purchasers and Land Registry.

**Mr Boylan** asked the Minister for Infrastructure to detail the funding levels for NI Water this financial year.

**(AQW 4935/17-22)**

**Ms Mallon:** I can advise that for 2020/21, I have provided NI Water with a Capital DEL budget of £150m, which meets the company's full capital bid. However, due to severe budget constraints within my Department, I have only been able to allocate £105m in Resource DEL. This falls far short of requirements, with NI Water reporting pressures of £31.6m as a direct result of Covid-19 alone. These pressures mainly arise from the loss of non domestic income due to the closure of businesses and also increased costs and PPE. In addition, there are further unfunded pressures and costs relating to preparing for the end of the EU Transition period. I have therefore bid for a further £36.9m in June Monitoring to meet the current estimated Resource shortfall.

**Mr Givan** asked the Minister for Infrastructure what measures are being taken to support driving instructors to allow them to resume work.

**(AQW 4936/17-22)**

**Ms Mallon:** The Executive Office has confirmed that the Regulations do not currently prevent driving lessons from taking place, if it is safe to do so for both instructors and their customers.

Given that driving instructors work in a higher risk environment, it is crucial that public health advice is followed by them to keep them and their customers safe. The ADI National Joint Council has published guidance for driving instructors and it is advised that this is reviewed to help them prepare safely: <https://www.adinjc.org.uk/training-resources/>.

The DVA plans to reinstate some driver testing services in July for those licence categories, where testing can be done safely in line with current PHA advice and guidance on social distancing requirements. This includes motorbike driver testing, planned from 6 July and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach drivers, planned from 20 July. Driver theory tests are also being reintroduced from 6 July, with safe social distancing in place.

The department is working to safely restore practical driving tests for cars as quickly as possible with the priority of keeping staff and customers safe and the DVA will continue to be guided by PHA advice in this regard. No date for resumption has yet been set by the department. This does not need to be referred to the Executive but must be in line with PHA guidance.

The DVA continues to work as quickly as possible to find a way forward that will keep customers and staff safe.

**Mr Givan** asked the Minister for Infrastructure what minimum distance from residential property is applied for hard rock quarrying and blasting.

**(AQW 4937/17-22)**

**Ms Mallon:** Safety and amenity of residents is a planning policy consideration in proposed developments involving blasting in quarries. The separation distance required will be a matter of judgement in each case and will depend on a number of factors including the nature of operations, intervening topography and the layout/design of neighbouring housing development. Prevailing guidance in Northern Ireland states that the minimum separation distance between residential property (any occupied dwelling which is not part of the quarry operations) and blasting should be 100 metres.

**Mr Dunne** asked the Minister for Infrastructure for an update on the development of a new greenway along the route of the North Down Coastal Path from Kinnegar to Donaghadee.

**(AQW 4939/17-22)**

**Ms Mallon:** The proposal to develop a greenway along the North Down Coastal Path is being taken forward by Ards and North Down Borough Council. It is not the responsibility of my Department. The Member may wish to seek further information from the Chief Executive of the Council.

However, I can assure the Member that I believe greenways have the potential to improve people's lives and connect communities and I want to work collaboratively with Ministers, Councils and other stakeholders to develop these assets. In my recent announcement of £20 million for blue / green infrastructure, I signalled my intention to invest in this kind of project and I look forward to working in partnership to do so.

I am still considering the basis upon which funding may be allocated to greenway infrastructure but I would encourage Councils to continue to undertake the important preparatory work so that they will be in a position to construct their schemes as soon as possible.

**Mr Beggs** asked the Minister for Infrastructure, in relation to the York Street Interchange project, to detail (i) when the Courts ruled against her Department forcing the procurement contract to be set aside; (ii) the date of the unsuccessful appeal; (iii) when the procurement process will reopen; and (iv) when construction work is scheduled to commence.  
**(AQW 4943/17-22)**

**Ms Mallon:** The court case challenging the intention to award the contract for York Street Interchange was heard over 13 days between 6 February and 12 March 2018, with the Court issuing its ruling against the Department on 8 August 2018.

The Department's appeal case was heard on 19 March 2019 and the subsequent Court ruling against the Department was made on 6 September 2019.

Development work on the York Street Interchange scheme is substantially complete. Officials are currently finalising options for a new procurement strategy. The Member will know from responses to oral questions in the Assembly that I have stated my commitment to York Street Interchange.

**Mr Allister** asked the Minister for Infrastructure how much her Department has spent on producing material in Irish, in each of the last three years.  
**(AQW 4964/17-22)**

**Ms Mallon:** My Department supports the European Charter for Regional or Minority Languages (ECRML) commitments which protect and promote regional and minority languages including Irish.

Officials promote the Irish Language by helping customers conduct their business in Irish, and also offer an Irish translation of Departmental documents on request.

My Department's Irish Language Policy provides officials with guidance on how to translate documents and handle verbal and written communications in Irish.

The following table represents expenditure on producing materials in Irish in the last three full years.

	2017	2018	2019
Translations	£135.00	£479.73	£3,225.45

To date, no costs have been incurred in 2020.

**Mr Newton** asked the Minister for Infrastructure (i) for an update on progress regarding the replacement Sydenham pumping station; (ii) to detail the level of investment; and (iii) to outline the development schedule.  
**(AQW 4977/17-22)**

**Ms Mallon:** I have been advised by Northern Ireland Water that outline design work and progression of the project business case for the replacement of Sydenham Wastewater Pumping Station is ongoing. The results of detailed geotechnical investigations completed in March 2020 at the proposed site will be used to inform the design of the new pumping station and establish the optimum construction method. Agreement has also been reached in principle with the Department for Infrastructure and Belfast City Council on the preferred location of the replacement facility.

The current estimate for the investment needed to replace the pumping station is around £32m. This project has been included in NI Water's Living With Water Programme budget proposal, which was submitted to the NI Utility Regulator in January 2020 as part of the overall PC21 Business Plan for the six year 2021 – 2026 period.

The outline development schedule is as follows:

- Completion of outline design, planning and other approvals Summer 2021
- Completion of construction contract procurement and award of contract Autumn 2022
- Construction start (following contractor's design development period) Spring 2023
- Completion of construction, testing and commissioning Autumn 2025

However, these dates are dependent on funding being available to deliver the project.

**Mr Boylan** asked the Minister for Infrastructure how her Department has explored helping drivers, such as those in the taxi sector, who currently cannot benefit from extensions due to their first time PSV vehicles.

**(AQW 4991/17-22)**

**Ms Mallon:** On 22 June, I announced a timetable for the planned reinstatement of further vehicle testing services, initially prioritising those vehicles that cannot avail of an exemption, such as first time taxis and buses, vehicles not registered in Northern Ireland and due a test and vehicles whose MOT certificates have expired by more than 12 months, which includes SORN'ed vehicles and those sold by car dealerships. As restrictions ease, and the DVA's capacity to test vehicles increases, more services will be reinstated until such times as normal business resumes.

Before any vehicle testing services are reinstated they will be fully risk assessed to ensure the processes comply with all public health and safety guidance and in consultation with staff and Trade Unions, to ensure the safety of staff and customers during the testing process.

**Mr Beggs** asked the Minister for Infrastructure what direction she has given to her officials within the Department regarding the York Street Interchange project.

**(AQW 4995/17-22)**

**Ms Mallon:** I am committed to the progression of the York Street Interchange project and ensuring that it is fit for purpose. I am actively considering how it sits with my wider priorities as my department moves to the next steps.

**Mr Durkan** asked the Minister for Infrastructure when the proposed reduction in speed limit to 40mph on Maydown Road will come into effect.

**(AQW 5007/17-22)**

**Ms Mallon:** The notification to introduce the 40mph speed limit on the Maydown Road was advertised in January 2020. There were no objections to the proposed speed reduction. The restriction extends from a point just off Maydown Roundabout for a distance of 560 metres northwards along the Maydown Road.

It is hoped that the reduced speed limit will be introduced together with a new cycle path along the Maydown Road and a crossing facility near to its junction with Templetown Park. These works are planned for later this year.

**Miss McIlveen** asked the Minister for Infrastructure when her Department will commence the resurfacing of the A23 Ballygowan Road from the roundabout with the A21 through Ballygowan village.

**(AQW 5045/17-22)**

**Ms Mallon:** My Department's budget allocation for resurfacing in 2020/21 has now been finalised and Divisions are currently determining the extent of works programmes that can be delivered.

At this stage I am unable to confirm a precise timescale for resurfacing on the A23 Belfast Road, Ballygowan, however, it is expected that works will commence later in the current financial year.

## Department of Justice

**Miss Woods** asked the Minister of Justice to detail (i) how many letters offering different of types of hearings have been sent from the Appeals Service to appellants awaiting Social Security tribunals since March 2020; (ii) how many people have opted for paper-based hearings from March 2020 to the present; (iii) how the numbers of people opting for paper-based hearings since March 2020 compares to the previous two years; and (iv) how many paper-based hearings have been heard since March 2020.

**(AQW 4984/17-22)**

**Mrs Long (The Minister of Justice):** Since 18 March 2020, (i) the Appeals Service has issued 3500 letters offering a number of hearing type options; (ii) 565 appellants have opted for paper-based hearings from 16 March to 20 June 2020; (iii) The table below sets out the comparative figures for paper based hearings (iv) there has not yet been any paper-based hearings since March 2020 but listing is underway.

Specific Period	The number of appellants who opted for Paper based hearings
16 March to 20 June 2020	565
16 March to 20 June 2019	225
16 March to 20 June 2018	423

**Mr Allister** asked the Minister of Justice how much her Department has spent on producing material in Irish, in each of the last three years.

**(AQW 5009/17-22)**



**Mrs Long:** The Department of Justice and its Agencies has had no expenditure on producing materials in Irish over the three financial years from 2017-18 to 2019-20.

**Mr McHugh** asked the Minister of Justice what steps are being taken to facilitate more face-to-face oral hearings to ensure access to justice at this time.

**(AQW 5014/17-22)**

**Mrs Long:** At present a range of urgent matters are being progressed by way of a court hearing (the form of which will be determined by the judge) which if so determined may be in person. This includes cases involving the immediate liberty, health, safety and wellbeing of individuals.

In keeping with the Northern Ireland Executive's plans for recovery, the Northern Ireland Courts and Tribunals Service is working on a phased recovery from the critical business model implemented as a response to the Covid-19 pandemic and subsequent PHA advice.

Officials in the Northern Ireland Courts and Tribunals Service are currently working through a series of Covid-19 Risk Assessments to open additional venues and maximise use of the court estate ensuring that they comply with PHA guidelines on managing the risk of Covid-19 and are safe for staff, judiciary and court and tribunal users. This includes developing options to support the delivery of a physically distanced jury trial.

**Mr Storey** asked the Minister of Justice whether her Department has taken any steps in response to the High Court judgement in the case of R (Miller) v The College of Policing & The Chief Constable of Humberside [2020] EWHC 225 (Admin).

**(AQW 5055/17-22)**

**Mrs Long:** The use of Hate Crime Operational Guidance is an operational matter for the Chief Constable.

Judge Desmond Marrinan is currently undertaking an independent Review of Hate Crime Legislation in Northern Ireland, on behalf of my Department. He is currently analysing responses to his public consultation, which ran from January to April 2020, public outreach events and stakeholder meetings.

As part of the Review, Judge Marrinan is considering issues of stirring up hatred and online hate crimes. His consultation included specific questions on freedom of expression in relation to stirring up hatred and the use of offences in the Malicious Communications Act 1988 which are relevant to this Judicial Review and is a reserved matter.

I expect to receive Judge Marrinan's final report at the end of November 2020.

Any recommendations relating to devolved matters, that require new legislation or amendments to current legislation, will be considered further and steps to bring forward legislative changes will be scheduled into the Departments' legislation programme in due course.

**Ms Dillon** asked the Minister of Justice to provide detailed information about the Emergency Response Community Safety sub-group, including (i) when the Emergency Response Community Safety sub-group was set up; (ii) the terms of reference of the sub-group; (iii) what meetings the sub-group has had to date; and (iv) the composition and membership of the sub-group.

**(AQW 5245/17-22)**

**Mrs Long:** The Community Safety Response Group is a multi-agency partnership sub-group of the Community Safety Board which was established in April 2020 to provide a responsive, adaptable and, where appropriate, placed based approach to community safety issues, to support a more strategic response to shared community safety issues.

The Response Group brings together relevant partners to address emerging community safety issues where the response requires a multi-agency approach, and is time critical, in order to provide an immediate and collaborative response. This is a responsive group with no standing membership, where relevant partners will be brought together as required. To date, it has had one meeting on 20 May 2020 in relation to planned interventions and support for young people over the summer. Attendees included PSNI, Youth Justice Agency, Department for Communities, Education Authority, The Executive Office, NI Housing Executive and Department of Justice.

The Terms of Reference for the Group are set out in Annex A.

**Annex A**

### **Community Safety Response Group**

#### **Terms of Reference**

The role of the group is to:

- Consider and immediately act upon operational community safety concern(s) as they arise, based on analysis or information either from the Community Safety Board members, or in response to emerging issues as identified through the data dashboard;
- Agree parameters of the collective response to allow for solution based collaborative working, including timescales, membership and any resource needed;

- Ensure a two way communication flow between the group and the Community Safety Board and to either feedback to the next scheduled Community Safety Board meeting after the Response Group has met, or seek to convene an earlier Community Safety Board meeting if this is considered more appropriate; and
- Agree messaging on the immediate community safety concern which should be agreed and issue via the most appropriate body.

### Reporting Structure

- 2 The Chair of the particular meeting will feed back directly to members of the Community Safety Board either at the next available scheduled meeting or seek to convene an earlier Community Safety Board meeting if appropriate.

### Membership

- 3 This is a responsive group with no standing membership, where relevant partners will be brought together as required. This may be either on an issue, or place-based basis.
- 4 An appropriate Chair will be chosen prior to each meeting, with an understanding that meetings may be chaired by different organisations depending on the issue.
- 5 Whilst there is no standing membership, it is anticipated that the group will likely require regular input from senior operational representatives from the following organisations:
- PSNI
  - Northern Ireland Housing Executive
  - Youth Justice Agency
  - Education Authority
- 6 Other organisations, statutory bodies and NICS Departments shall be invited to contribute subject to the community safety concern being addressed.

### Meetings

- 7 An initial meeting will be arranged by the Community Safety Board secretariat as soon as practicable upon a request being received for the group to be stood up.
- 8 A meeting of the group may be requested via the Secretariat by any member of the Community Safety Board to discuss an emerging concern; a locality based issue and/or a funding requirement related to community safety.
- 9 It is anticipated that the group will be stood down as each emerging community safety issue is addressed.
10. Secretariat will be provided by the Community Safety Division, Department of Justice.

**Ms Dillon** asked the Minister of Justice what actions are being taken to tackle organised crime gangs and gang-related violence following the fatal shooting in West Belfast on 27 June 2020.

**(AQW 5337/17-22)**

**Mrs Long:** The detail of a live PSNI investigation is a matter for the Chief Constable and not for me as Minister of Justice. Whilst speculation is rife, the police have made no statement as to motive and for anyone to do so prematurely could prejudice future investigations.

With respect to the ongoing work of the Department to address the harm caused by organised crime gangs, including paramilitary groups, this is being taken forward in the context of the programme of work that the Executive is undertaking to create a safe community where we respect the law and each other.

Within my Department, this includes the work of the Organised Crime Task Force and the co-ordination of the Executive's Action Plan to Tackle Paramilitary Activity, Criminality, and Organised Crime.

The Organised Crime Task Force provides a strategic response to organised crime threats, facilitating the sharing of information, and supporting the development of operational partnerships, as effectively evidenced by the recent joint drugs operation between the National Crime Agency and the PSNI.

I have prioritised the full implementation of the Criminal Finances Act 2017 in Northern Ireland, and will soon be consulting on legislative proposals for new offences to tackle organised crime.

The Executive Action Plan to Tackle Paramilitary Activity, Criminality, and Organised Crime is co-ordinated within my Department. This takes a holistic approach to implementing a range of commitments aimed at preventing people from becoming vulnerable to paramilitary influence, providing support to enable transition away from paramilitary structures, building confidence in the justice system, and implementing new powers and strategies to deal with paramilitary activity. It is anticipated that the next phase of the Executive Action Plan will include a renewed focus on cross departmental work to support those at risk.

## Department for the Economy

**Mr Dickson** asked the Minister for the Economy whether she will consider using the new Sustainable Development Index (SDI), as outlined by Jason Hickel, as a tool for Northern Ireland to annually monitor its current ecological situation, and thus seek to emulate best practice globally.

**(AQW 3504/17-22)**

**Mrs Dodds (The Minister for the Economy):** Following the COVID-19 pandemic, my department has published 'Rebuilding a Stronger Economy' which provides a medium term plan for economic recovery moving towards a more competitive, inclusive and greener economy.

In the longer term, my Department will also lead on the development of an Economic strategy which will support a new Programme for Government. The principles of sustainable development will be a vital component of the strategy and the economic interventions detailed within it. Sustainable Development is an objective of the Northern Ireland Executive and requires a collective effort on behalf of Executive departments and their agencies. The SDI is a measure that is available and may in due course prove useful in measuring progress against wider ecological goals.

**Ms McLaughlin** asked the Minister for the Economy for her assessment of the impact on the finances of universities of (i) COVID-19; and (ii) Brexit, given the loss of overseas students following both.

**(AQW 3559/17-22)**

**Mrs Dodds:**

- (i) The impact of a pandemic virus is an ever changing situation and it would not be appropriate to make any comment on the financial implications of such a global event at this juncture. The Department will continue to work closely with the universities to assess all of the impacts of COVID-19 and to put in place mitigating measures as appropriate.
- (ii) It is clear that students coming from the EU and beyond make a significant financial contribution to Northern Ireland's universities, as an important source of revenue from fee income and related on-campus spend. Beyond the direct financial contribution of international students to the universities, they also make an important contribution to the wider region's economy and society.

An examination of the enrolment figures at Northern Ireland's Higher Education Institutions (HEIs) outlined in the table below shows that, since the UK voted to leave the EU (i.e. academic years 2016-17 onwards): the number of 'Other EU students' (i.e. EU students excluding Republic of Ireland students) has increased in comparison to pre-vote levels, while the proportion of these students as a percentage of the overall student population has remained stable; and both the number and proportion of 'Non-EU' students has increased year on year in comparison to pre-vote levels.

**Enrolments at Northern Ireland HEIs by Domicile 2015/16 – 2018/19**  
(Source – Higher Education Statistics Agency)

Academic Year	Domicile			
	Other EU	Other EU %	Non-EU	Non-EU %
2015/16	375	0.7%	2,585	4.7%
2016/17	385	0.7%	2,815	5.2%
2017/18	445	0.8%	3,200	5.9%
2018/19	420	0.7%	3,510	6.3%

On this basis, it is not anticipated that there will be an adverse impact on enrolments of (and therefore associated fee income from) international students at local universities following the UK's exit from the EU.

Furthermore, the Northern Ireland HEIs have international strategies in place which focus on increasing their intake of international students (particularly non-EU) over the next number of years, so that the Northern Ireland continues to be an attractive location for international students to study.

**Mr Allister** asked the Minister for the Economy (i) to provide further explanation of recent departmental references to the Renewable Heat Incentive Scheme costing the NI block grant £33.8m; and (ii) to clarify whether this relates to the expenditure being irregular and how that figure relates to the information provided in response to AQW 1330/17-22.

**(AQW 3990/17-22)**

**Mrs Dodds:**

- (i) As at 31 March 2019 costs to the NI block grant arising from the Renewable Heat Incentive (RHI) Scheme amounted to £33.8m relating to spend greater than the annual AME allocation in each of the three financial years 2015-16 (£4.7m), 2016-17 (£26.9m) and 2017-18 (£2.2m).

- (ii) Information provided to AQW 1330/17-22 regarding irregular spend amounting to £46.7m relates to lack of approvals for a specific cohort of 788 installations on the non-domestic RHI scheme. Any spend can be deemed irregular and is not limited to the NI block grant.

**Mr McGlone** asked the Minister for the Economy how many site inspections of food processing plants have been carried out by the Health and Safety Executive in the last four weeks.  
(AQW 4123/17-22)

**Mrs Dodds:** Between the 17th of April and the 15th of May HSENI inspectors carried out 10 unannounced inspections targeting large food processing plants.

**Mr Robinson** asked the Minister for the Economy whether any consideration has been given to the establishment of a veterinary degree course at Ulster University's Coleraine Campus.  
(AQW 4210/17-22)

**Mrs Dodds:** While my Department provides funding and sets the strategic direction for the higher education sector, Ulster University is an autonomous institution and as such is responsible for its own decisions regarding the subjects it teaches. The establishment of a veterinary school at Coleraine campus is a matter for Ulster University to consider and decide upon.

**Ms McLaughlin** asked the Minister for the Economy to detail (i) which of the financial support schemes taxi drivers and operators can access; and (ii) any plans to support those drivers who haven't been able to access financial support to date.  
(AQW 4428/17-22)

**Mrs Dodds:** Schedules 1 and 3 to the Budget Act 2020 allocate funding to the Department for Infrastructure for "transport licensing, enforcement and regulation", as well as "support for transport services including grants in respect of rail and road passenger services including fare concessions". Taxis are clearly regarded as "transport services".

The Executive and UK Government has introduced an unprecedented number of interventions and packages of financial support to help those who have been affected by the consequences of Covid-19.

I understand that over 30 taxi firms which met the eligibility criteria of the funding schemes managed by my Department were able to access the business support grants available in Northern Ireland.

Taxi operators would also benefit from the business rates holiday, with no business rates being charged for the period of April to July 2020. Operators can also apply for the Coronavirus Job Retention Scheme which will cover 80% of furloughed workers' wage costs up to £2,500 per employee per month. You will be aware that some 211,000 employees from Northern Ireland are benefitting from this scheme.

For self-employed taxi drivers, support is available through the Coronavirus Self-Employment Income Support Scheme (SEISS). This provides a taxable grant to be paid to the self-employed who have suffered a loss of income, worth 80% of their profits up to a cap of £2,500 per month. I am aware that some 69,000 self-employed people from Northern Ireland have accessed the scheme.

Further information regarding SEISS is available at <https://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme>.

Self-employed taxi drivers can also avail of other UK-wide schemes such as the Income Tax Deferral which has deferred Income Tax payments from July 2020 to January 2021. HMRC also operate a Time to Pay service which can provide more time for any missed tax payments. Alternatively, taxi drivers, or other workers within the industry, can apply for Universal Credit if they are out of work. Further information is available at <https://www.nidirect.gov.uk/campaigns/universal-credit>.

My Department is aware there are many businesses and individuals who have not been able to access support through the local schemes. I will work with my Executive colleagues to identify measures to support to the economy during this difficult time.

**Mr Boylan** asked the Minister for the Economy whether she will include representatives of the taxi sector as part of the working group in the Tourism Recovery Group.  
(AQW 4466/17-22)

**Mrs Dodds:** I have established a Tourism Recovery Taskforce consisting of a Steering Group which I chair, and a Working Group chaired by John McGrillen, Chief Executive of Tourism NI, to lead the planning and preparation for the recovery of the tourism industry, as we begin to emerge from COVID-19. The Working Group oversees ten work streams, one of which focuses on ground transport industries, and although these industries sit under the remit of the Department of Infrastructure, they can play an important part in supporting the tourism sector. A 'Task and Finish' Group has been formed to take forward this work stream, and is chaired by Karen Magill, CEO Bus & Coach Northern Ireland.

The Group will examine issues pertaining to ground transport services that impact on the tourism sector within Northern Ireland and will engage with representatives from a range of ground transport sectors, including bus and coach operators, chauffeur services, taxi and car hire companies as required.

**Mrs Cameron** asked the Minister for the Economy for an update on the arrangements and guidance for the safe reopening of (i) hair and beauty salons; and (ii) barbers.

**(AQW 4737/17-22)**

**Mrs Dodds:** I very much welcome the Executive's decision on Thursday 18 June 2020, to allow businesses that provide nail, beauty, hair, barber and tanning services, electrolysis and acupuncture to re-open from Monday 6 July. This move, like other recently announced relaxations in the worlds of retail, tourism and hospitality, is of course conditional upon the virus being contained.

The suggested timeframe will enable the reopening of businesses to be managed, mitigations to be planned, compliance to be encouraged and preparations to be made.

Not only will the reopening of this sector provide it with some much needed financial stability, it will also be a move towards increasing a sense of normality which can dramatically improve general wellbeing.

Guidance on making workplaces safer prepared by the NI Engagement Forum –'Covid-19: Working Through This Together' – is available on [nibusinessinfo.co.uk](https://nibusinessinfo.co.uk). This is available for all businesses and employers to consult and consider the principles of how to work safely. It is up to each individual business which is allowed to operate to decide if and how these principles can be applied to their specific work and their working environment.

**Ms McLaughlin** asked the Minister for the Economy to detail (i) the membership of the Northern Ireland Economic Advisory Group; (ii) the date of appointment of each member; (iii) the criteria for membership; and (iv) the process of selection.

**(AQW 4764/17-22)**

**Mrs Dodds:** The membership of the Economic Advisory Group (EAG) was announced on 17 June 2020. Details on the group's membership can be found at <https://www.economy-ni.gov.uk/news/economy-minister-announces-economic-advisory-group-members-and-publishes-detailed-recovery-plan>

Members were invited to join EAG in June 2020. The Chair and some other members were already part of a previous make-up of the group and have been asked to continue in their role in the reconstituted panel.

Members were appointed on the basis of their knowledge, experience and expertise, and will advise me as I formulate my longer term Economic Strategy and identify trends and opportunities for Northern Ireland as the new global economy emerges from Covid-19.

The EAG is an advisory group and as such members are there as a source of advice to the Minister. These are not paid roles and are not appointments to public bodies.

**Ms McLaughlin** asked the Minister for the Economy to detail the terms of reference of the Economic Advisory Group for Northern Ireland.

**(AQW 4815/17-22)**

**Mrs Dodds:** The Economic Advisory Group (EAG) are actively considering a draft terms of reference alongside their forward work programme. I expect this to be agreed shortly and will happily share this once it has been agreed by the EAG members. It will also be made publicly available on the EAG website.

**Mr O'Dowd** asked the Minister for the Economy, pursuant to AQW 4501/17-22, (i) whether she reallocated any money to the Micro Business Hardship Fund during the June monitoring round; and (ii) whether she made any bids to the Minister for Finance during the June monitoring round for additional money for the hardship fund.

**(AQW 4888/17-22)**

**Mrs Dodds:** No additional funding was required for the Hardship Fund from either my Department or the Department of Finance as part of the June monitoring process as sufficient funding was available to meet the number of applicants.

**Mr Allister** asked the Minister for the Economy how much her Department has spent on producing material in Irish, in each of the last three years.

**(AQW 4963/17-22)**

**Mrs Dodds:** A payment for Careers Posters: £13.52 was paid to Global Connects in August 2019 for Irish translation services.

**Mr Beggs** asked the Minister for the Economy what assessment has been made of the costs to the haulage industry and the economy from delays and for administering any proposed documentation required for goods moving between Great Britain and Northern Ireland, and vice versa.

**(AQW 5117/17-22)**

**Mrs Dodds:** There is still significant uncertainty around the processes that will be required for goods being transported from GB to NI, not least the definition of 'at risk' goods. Until these decisions are made, my Department is unable to conduct a full assessment of the additional costs and administration procedures the haulage industry may face.

I continue to press UK Government at every opportunity on the need to protect our businesses' ability to trade with GB, and avoid additional costs to businesses.

**Ms Bailey** asked the Minister for the Economy for an update on the progress being made by the UK Government's Cross-Ministerial Research Taskforce Working Group.

**(AQW 5143/17-22)**

**Mrs Dodds:** The UK Government's Cross-Ministerial Research Taskforce Working Group was established with the aim of sustaining the university research base and its capability to contribute effectively to UK society and economy in the recovery and beyond. This is an opportunity for Ministerial colleagues across the UK, as well as other stakeholders, to share information and intelligence about issues facing universities, and to advise on appropriate support.

BEIS has now announced the outline of the resulting package of stabilisation funding, which can be found at <https://www.gov.uk/government/news/government-to-protect-uk-research-jobs-with-major-support-package>.

Taskforce meetings are continuing to help shape the detail of this package.

**Ms Bailey** asked the Minister for the Economy whether she has held any discussions with universities as to their role in upskilling citizens to support the economy post-COVID-19.

**(AQW 5145/17-22)**

**Mrs Dodds:** Over the last number of months I have had extensive engagement with all of the local universities in relation to a wide range of issues including their role in assisting with the economic recovery.

- As part of our initial response my Department partnered with the Open University and other providers to offer training course in digital skills, cybersecurity and leadership. Approximately 30,000 learners have accessed these courses to date.
- This initial provision has been supplemented with a range of accredited short-term skills courses. Five of these on-line courses are delivered by Ulster University, and two through Queen's University.
- I have also had the opportunity to meet with the Open University to discuss a range of skills challenges facing Northern Ireland. I was very encouraged by the developing relationships between the Open University and the Further Education Colleges in relation to higher education. I consider this to be an important development to assist our economic recovery and in particular the need to address the current skills gap at levels 4 and 5.
- My Department will continue to work closely with our local universities to develop additional provision in order to support the economic recovery.

**Ms McLaughlin** asked the Minister for the Economy whether the indemnity over legal challenges to school teachers over examination grade assessments, announced by the Minister of Education and agreed with the Minister of Finance, also applies to lecturers working for further education colleges who are involved in examination assessments.

**(AQW 5195/17-22)**

**Mrs Dodds:** The Department of Education indemnity is to cover any potential legal costs in cases where schools, their teaching staff or leadership team face a legal challenge related to their role in the qualifications awarding processes for summer 2020. The indemnity arrangement does not cover lecturers working for further education colleges who are involved in examination assessments.

My Department is currently considering whether similar arrangements are appropriate in relation to the extraordinary awarding arrangements for vocational qualifications this summer.

**Mr McNulty** asked the Minister for the Economy in relation to the NI Micro-business Hardship Fund, to detail (i) the total number of applications received; (ii) the number of successful applications; (iii) the number of unsuccessful applications; (iv) the number of applications yet to be determined; and (v) whether she is confident she has enough finance to pay the remaining claims.

**(AQW 5213/17-22)**

**Mrs Dodds:** There were 4,958 application made to the Hardship Fund. To date 2,366 applications have been approved and have been paid or are being processed for payment. To date, 405 applications have been rejected. Every effort is being made to process the remaining payments as quickly as possible. I can confirm that funding is available to pay all successful applications.

**Ms McLaughlin** asked the Minister for the Economy how she intends to respond to the recommendations of Climate Assembly UK, COVID-19, recovery and the path to net zero, for the economic recovery to be based on achieving the decarbonisation of our economy and a net zero carbon economy.

**(AQW 5232/17-22)**

**Mrs Dodds:** I recently published my medium term economic recovery plan, 'Rebuilding a Stronger Economy' which focuses on taking action to rebuild a more competitive, inclusive and greener economy. Clean energy is included as a priority sector within this.

In the longer term, my Department will lead on the development of new Economic and Energy Strategies which will support the Programme for Government.

The Economic Strategy will seek to provide long term steps to meet the objectives of becoming a more competitive, regionally balanced and greener economy that works for everyone. To achieve the kind of economy that we want to see, we will need to address existing challenges in areas such as low pay, skills and regional imbalance. The principles of developing sustainable, green growth will be a vital component of the Strategy and the economic interventions detailed in it.

The Energy Strategy will put in place a range of policies that can be used as a stimulus to grow a greener economy, particularly for new innovations and technologies that can create local jobs and generate export opportunities. These will help us to take advantage of the substantial economic recovery opportunity in decarbonising energy as part of growing the green economy across Northern Ireland.

Growing this sector is a vital part of responding to climate change and building a better environment for the people of NI.

**Mr Wells** asked the Minister for the Economy how much was paid in the form of subsidies to the owners of wind farms and individual turbines in each of the last three financial years.  
**(AQW 5293/17-22)**

**Mrs Dodds:** Nothing in the form of subsidies has been paid to owners of wind farms or individual turbines in the last three financial years.

**Dr Archibald** asked the Minister for the Economy what work she has undertaken with the Minister of Agriculture, Environment and Rural Affairs, and the wider Executive, to match economic recovery targets with scientific and IPCC-determined emissions reductions targets.

**(AQW 5310/17-22)**

**Mrs Dodds:** My Department has been working closely with the Department of Agriculture, Environment and Rural Affairs (DAERA) to ensure our priorities are aligned. This includes inputting to DAERA's Green Growth strategy and delivery framework, which will be launched early next year. This consists of a range of programmes to contribute to a resilient economy and a healthy environment and will identify opportunities to drive growth through our response to the climate crisis.

DAERA is also a key partner in developing a new Energy Strategy, which will put in place policies to decarbonise the energy used by our economy and society more broadly. Part of this work will involve developing an energy transition model, which will allow us to run scenarios to test the impact of energy policies on carbon emissions from businesses and industry.

The Executive has not set any economic recovery targets at this stage.





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# Northern Ireland Assembly

Friday 10 July 2020

## Written Answers to Questions

### The Executive Office

**Mr Allister** asked the First Minister and deputy First Minister, in light of the comments of Junior Minister Declan Kearney at the Committee for the Executive Office on 13 May, what is the position of the Executive Office on the establishment of border control posts at Belfast, Warrenpoint and Larne.  
(AQW 4124/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill (The First Minister and deputy First Minister):** The UK Government published a Command paper on the 20th May setting out its approach to the implementation of the Protocol. The approach to fulfilling the requirements for the movement of agri-food goods is set out in Paragraphs 33-35 of that paper. The Executive has agreed to work with the UK Government to ensure that checks are simplified and minimised as far as possible.

**Mr McGrath** asked the First Minister and deputy First Minister whether their Department will commit to the development of a refugee integration strategy.  
(AQW 5218/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Work to develop a draft Refugee Integration Strategy is currently underway. This will draw on the excellent work, knowledge and experience that has been gained from successfully resettling a significant number of people under the Syrian Vulnerable Persons Resettlement Scheme (SVPRS).

A two day innovation lab, on the long term integration of all asylum seekers and refugees, was held with key stakeholders in March of this year. We are considering the report containing the information and outcomes of that event to inform the final draft strategy which we hope to consult on later this year.

**Mr O'Toole** asked the First Minister and deputy First Minister, given that they share the same stage of the Coronavirus recovery plan with hairdressers and barbers, why tattoo parlours have not been given an indicative date of when they can resume business.  
(AQW 5237/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** At its meeting on 25 June, the Executive announced a range of indicative relaxations, which included the resumption of further close contact services such as tattoo parlours, from 6 July.

**Ms Armstrong** asked the First Minister and deputy First Minister, given that action is due to happen annually, and the previous group was set up in May 2019, when the 2020 membership of the Racial Equality Subgroup will be published.  
(AQW 5292/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The Subgroup appointed its new chair at its meeting on 1st July 2020 and will review its full membership at its meeting in September 2020. Following this any revised membership will be published.

**Mr T Buchanan** asked the First Minister and deputy First Minister whether COVID-19 social distancing restrictions apply equally to Executive Ministers as they do to members of the public, or are they exempt from these restrictions.  
(AQW 5373/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The relevant regulations and guidance apply to everyone in the jurisdiction.

**Mr Allister** asked the First Minister and deputy First Minister whether the £2.5 million bid for victims, subsequently allocated in the June Monitoring round, was exclusively for administration in respect of the delayed Victims' Pension Scheme.  
(AQW 5397/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Security of funding of the Scheme has not yet been confirmed. The additional £2.5M which the Executive agreed to release is to advance necessary preparatory work for the Scheme. There is a shared

view that Westminster has an obligation and must deliver on its responsibility to support funding for this Scheme and efforts are continuing to resolve this issue as swiftly as possible.

## Department of Agriculture, Environment and Rural Affairs

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs, in light of media reports regarding COVID-19 outbreaks in meatplants, what interactions he has had with companies operating in the industry in Northern Ireland to prevent similar events taking place here.

**(AQW 5274/17-22)**

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** Thank you for your question in relation to recent media reports of COVID-19 outbreaks in meat plants and interactions my Department have had with companies operating in this sector to prevent similar events occurring here.

Firstly, I would like to assure you, that, I share and appreciate your concerns around recent media reports regarding COVID-19 outbreaks in the meat processing sector.

In response to, and from the outset of this crisis, my officials have facilitated regular (often daily) meetings between the relevant representative industry bodies, individual food business operators (FBOs), Food Standards Agency Northern Ireland (FSANI), Health and Safety Executive Northern Ireland (HSENI) and the Public Health Agency (PHA). The principal objective of these meetings and associated communications is to ensure that industry are familiar with and implementing the latest PHA guidance which is primarily aimed at ensuring a safe and hygienic working environment for all personnel and minimising the risk of COVID-19 transmission in the workplace.

These fora have proved hugely beneficial, providing attendees with the opportunity to engage with PHA, HSENI and other relevant officials on a range of COVID-19 related control issues including:

- Development of site specific risk assessments
- Risk mitigation measures and control strategies
- Communication strategies and plans
- Testing protocols and access to testing
- Contact Tracing
- Outbreak management plans

Please be assured that my officials will continue to monitor the situation and keep me apprised of any new developments.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs, in relation to workers for whom English is not their first language, what supportive measures his Department is introducing to ensure good communication on COVID-19 prevention in agri-food workplaces.

**(AQW 5275/17-22)**

**Mr Poots:** Thank you for your question regarding Departmental support measures in relation to Agri – Food sector workers for whom English is not their first language to ensure good communication on COVID-19 prevention within the workplace.

Firstly, I would like to thank you for recognising the contribution that workers of all backgrounds are making to the agri-food industry and the challenges they face at this difficult time.

In response to, and from the outset of this crisis, my Department has engaged with the relevant industry bodies, individual Food Business Operators (FBOs), Health and Safety Executive NI (HSENI) and the Public Health Agency (PHA) through a series of regular meetings. The principal objective of these meetings and associated communications is to ensure that the industry as a whole, and individual FBOs in particular, are familiar with and implementing the latest PHA guidance which is primarily aimed at ensuring a safe working environment for all personnel and minimising the risk of COVID-19 transmission in the workplace.

Recognising and acknowledging the diverse nature of the workforce, a significant proportion for whom English is not their first language, officials from HSENI & PHA have repeatedly emphasised to FBOs the importance of clear and concise communication, both verbal and non-verbal, in all required languages to enable and ensure adherence to all public health guidance.

These fora also provide attendees with the opportunity to engage with officials regarding the measures to be taken to ensure the safety of all staff during the pandemic and obtain any clarification required around effective communication channels and strategies. In addition, HSENI, as the enforcement authority have strategically rolled out a series of unannounced inspections across the meat processing sector to verify compliance with all relevant public health guidance.

**Ms Bailey** asked the Minister of Agriculture, Environment and Rural Affairs to outline (i) the process to select a Northern Ireland member to sit on the board of the Office for Environmental Protection (OEP); (ii) how an OEP in Northern Ireland will

be funded; (iii) whether the OEP will have an office based in Northern Ireland along with staff and resources to ensure its successful running.

**(AQW 5356/17-22)**

**Mr Poots:**

- (i) The detailed process to select the Northern Ireland member for the Office for Environmental Protection has not been confirmed yet but the provisions of the Environment Bill state that (s)he would be appointed for a fixed term of no more than 5 years by DAERA after consultation with the Defra Secretary of State and the OEP Chair. The appointee is required to have experience of Northern Ireland environmental law, environmental science in Northern Ireland, or environmental regulation in Northern Ireland;
- (ii) Again, precise details of funding arrangements are not yet confirmed but it would be for the Defra Secretary of State and DAERA to fund the OEP sufficiently to carry out its functions. This funding will be in the form of grant-in-aid to reinforce the independence of the OEP and allowance is also made for additional in-year financial assistance to be provided;
- (iii) Operational details, such as where OEP offices will be located, have not yet been determined.

DAERA officials will continue to discuss potential arrangements with Defra in the coming months and these discussions will be informed by internal and external stakeholder views – for example, through responses to the discussion document on plans, principles and governance that will issue later this year.

**Mr McGrath** asked the Minister of Agriculture, Environment and Rural Affairs what work has been undertaken by his Department's racial equality champion in the last five years.

**(AQW 5391/17-22)**

**Mr Poots:** DAERA is fully committed to the Racial Equality Strategy 2015-2025 which was launched in December 2015.

The Racial Equality Champion as part of the wider Diversity work within the Department communicates with all staff, non-departmental public bodies and service providers to raise awareness on the Racial Equality Strategy, the Department's commitment to it and the responsibility of all staff to promote inclusion and diversity. This is accomplished in a number of ways.

The Racial Equality Champion is a member of the Equality and Diversity Steering Group (EDSG), which is chaired by the DAERA Permanent Secretary, and he co-chairs the Equality and Diversity Working Group. A new dedicated resource has been secured for diversity issues and they help to form part of the Equality, Diversity and Public Appointments Branch. Some of the main objectives met by the diversity officer and the Racial Equality Champion is the annual Calendar of Events and a draft Diversity and Inclusion Action Plan which is in the final stages of being approved and implemented.

## Department for Communities

**Mr Givan** asked the Minister for Communities what plans her Department has in place to enable communities to commemorate the centenary of Northern Ireland.

**(AQW 1060/17-22)**

**Ms Hargey (The Minister for Communities):** The Department currently provides funding to the 11 local councils for the Community Festivals Fund. Councils provide match funding to this and administer the scheme on our behalf. Community organisations can apply to this fund based on eligibility criteria.

**Mr Stewart** asked the Minister for Communities what consideration has been given to introducing vesting powers to local government or her Department for derelict buildings in areas in need of regeneration.

**(AQW 1573/17-22)**

**Ms Hargey:** My Department exercises statutory powers, mostly contained in Part VII of the Planning (NI) Order 1991, in the assembly and vesting of lands for the purpose of comprehensive development schemes and projects. Councils, however, are not authorised by statutory provision to acquire land for development schemes.

My predecessor, the then Minister for Communities, Paul Givan MLA, made an Oral Statement to the Assembly on 22 November 2016 announcing that he did not intend to pursue the transfer of statutory powers for Urban Regeneration and Community Development to district councils. Without such powers, councils are not in a position to seek vesting orders to enable regeneration schemes to be undertaken.

I continue to keep options under review

**Mr McCrossan** asked the Minister for Communities to detail the departmental supported projects in Strabane for young adults with learning disabilities.

**(AQW 1576/17-22)**

**Ms Hargey:** My Department is fully committed to supporting people with disabilities, and does this through a wide range of projects and initiatives.

My Department supports vulnerable people, including young adults with learning disabilities, through the Supporting People Programme which helps people live more independently. There is one service that provides support for young adults with learning disabilities in Strabane.

Accommodation Services	Units	Unit Rate	Contract Value	Age Group
Apex Housing Association, Iona House, Strabane	12	343.28	214,206.72	18+

My Department supports projects which assist people with disabilities towards employment and seven of these projects include Strabane within their catchment area. Four are specifically for people with learning disabilities – ‘Mencap – Employability 2’ offering specialist employment support; ‘Orchardville – Ignite 2’ which helps people secure voluntary or paid employment with ongoing in-work support; ‘Specialisterne (Recruit+)’ which supports economically inactive individuals who are on the Autistic Spectrum; and ‘Specialisterne (Recruit++)’ which supports autistic people to access employment and feel socially connected.

**Mr Allen** asked the Minister for Communities whether she or her departmental officials have had any discussions with the Gaelic Athletic Association (GAA) regarding the need for the GAA to increase their contribution to the Casement Park project. **(AQW 2060/17-22)**

**Ms Hargey:** My departmental officials are currently completing a review of the latest version of the UCGAA Full Business Case, which shows a potential increase in the project cost estimates from £77.5 million to circa £110 million. This could potentially leave a funding gap in the region of £33 million. Engagement with Department of Finance economists is ongoing to prepare for their review of the revised Casement Park FBC.

Discussions regarding the apportionment of any potential increased project costs, are ongoing with UCGAA.

**Mr Carroll** asked the Minister for Communities what the average waiting time is for a Personal Independence Payment appeal hearing after a request is made. **(AQW 2246/17-22)**

**Ms Hargey:** The average waiting time for a Personal Independent Payment appeal from receipt of appeal to final determination is 33.5 weeks. From receipt of a Personal Independence Payment appeal to first date of hearing takes on average 24.5 weeks.

**Mr Blair** asked the Minister for Communities whether she will review the use of courthouses for hosting benefit appeals, to mitigate the potential stress this places on claimants suffering from ill health and mental health issues. **(AQW 2313/17-22)**

**Ms Hargey:** The Minister of Justice and Minister Hargey were scheduled to meet to discuss a number of issues, including the use of court houses for benefit appeals, prior to the onset of the COVID-19 pandemic. However, due to the impact of COVID-19 it was necessary to postpone the planned meeting, but we are aiming to reschedule this meeting in the near future.

Before any venue is confirmed as suitable for a benefit appeal tribunal hearing, The Appeals Service (TAS) completes a health and safety risk assessment of the location and facilities to determine its suitability. These will be reviewed against current Public Health Agency (PHA) guidelines when oral hearings are reconvened.

The use of court houses has allowed TAS to arrange more tribunal sessions and subsequently has helped reduce delay to appellants in securing a hearing date. On occasions where availability causes difficulties other venues may be deemed suitable for consideration following a risk assessment on facilities.

**Mr Dunne** asked the Minister for Communities what provision is being made to meet the increasing demand for purpose-built dementia care housing units in the Ards and North Down Borough Council area. **(AQW 2411/17-22)**

**Ms Hargey:** The Supporting People programme currently grant funds 4 services within the South East HSCT area for Older People with Mental Health Problems / Dementia, 2 of which are in the Ards and North Down Borough Council area, with a total of 48 units of which 39 are currently utilised.

**Ms Bradshaw** asked the Minister for Communities whether she will review the Houses of Multiple Occupancy (HMO) legislation, based on the experiences of residents living in areas with high levels of HMOs, such as the Holylands area of South Belfast. **(AQW 2439/17-22)**

**Ms Hargey:** The Department will undertake an evaluation of the Houses in Multiple Occupation (HMO) legislation in 2021, 2 years after the commencement of the HMO licensing scheme. The evaluation will examine the impact the policy and legislation has on this area.

**Mr Robinson** asked the Minister for Communities why all residents in Alexander Road, Limavady have not had their gas installation completed; and to outline the reasons for the delay in some installations.  
(AQW 2465/17-22)

**Ms Hargey:** The Housing Executive have advised that the Limavady heating installation scheme currently on site required new gas meters to be installed by Firmus, the gas supplier in the area. The installation of the meters was expected to be carried out in February 2020 but had been delayed due to issues with Firmus' supply chain and then again because of the Covid-19 pandemic. .

A large proportion of the meters in Alexander Road have now been replaced with new models. This will allow the contractor H&A Mechanical to resume the installations within the coming weeks providing Government guidance on working in tenant's homes, with regard to social distancing and adequate hand, respiratory and environmental hygiene can be followed.

The Housing Executive will continue to monitor progress on this scheme.

**Mr Beattie** asked the Minister for Communities to outline the status of the community buildings grants that were established prior to the collapse of the Assembly in January 2017; and whether unsuccessful tranche 1 grants, that were informed they would be rolled over to tranche 2, will be given priority in any renewed scheme.

(AQW 2491/17-22)

**Ms Hargey:** The Community Halls Pilot Programme was launched in October 2016 and supported 89 projects. No additional funding was allocated to the Programme in subsequent years and, given the time that has now lapsed, the Programme is considered closed.

"New Decade, New Approach" includes a number of commitments made by the British Government including a commitment to provide funding to establish a Culture and Community fund. The British Government have an obligation to resource the commitments set out in the deal.

**Mr Allen** asked the Minister for Communities to detail the investment in Monkscoole House and Abbotscoole House in each of the last five years.

(AQW 2518/17-22)

**Ms Hargey:** The investment in Abbotscoole House and Monkscoole House in the last five years is as follows.

**Abbotscoole House**

2015/16 – Nil

2016/17 - £882,000 in a Health & Safety scheme

2017/18 - £5,350 in Electrical Inspections

2018/19 – Nil

2019/20 - £9,946 – Minor repairs

**Monkscoole House**

No planned investment in any of the five years.

**Mr Allen** asked the Minister for Communities to detail the tower blocks which have been recommended for demolition, broken down by constituency.

(AQW 2520/17-22)

**Ms Hargey:** The Tower Block Action Plan sets out the intention of the Housing Executive to decommission all of the tower blocks in its ownership. The Housing Executive have split these into short/medium term and long term groupings with regard to the time frame for doing so. The tables below detail the tower blocks scheduled to be demolished in the short term, the long term (which will require ongoing investment) and those blocks that are currently proposed for private sector sale, broken down by constituency.

It should be noted that all demolitions are subject to business cases being approved by the Department. Approval for the demolition of Monkscoole House has already been granted and the Housing Executive is now preparing a demolition scheme.

**Table 1: Tower blocks to be demolished in the short/medium term.**

Block	Parliamentary Constituency
Latharna House	East Antrim

<b>Block</b>	<b>Parliamentary Constituency</b>
Monkscoole House	Belfast North
Abbotscoole House	Belfast North
Ross House	Belfast North
Mount Vernon House	Belfast North
Oisin House	Belfast North
Finn House	Belfast North
Fianna House	Belfast North
Moylena House	Belfast South
Belvoir House	Belfast South
Breda House	Belfast South
Kilbroney House	Belfast East
Clarawood House	Belfast East
Coolmoyne House	Lagan Valley
Rathmoyne House	Lagan Valley
Ferndale House	Lagan Valley
Parkdale House	Lagan Valley
Riverdale House	Lagan Valley

**Table 2: Tower blocks to be demolished or otherwise disposed of in the long term with ongoing investment required.**

<b>Block</b>	<b>Parliamentary Constituency</b>
Divis Tower	Belfast West
Grainne House	Belfast North
Cuchulainn House	Belfast North
Maeve House	Belfast North
Eithne House	Belfast North
Carncoole House	Belfast north
Glencoole House	Belfast North
Carnet House	Belfast East
Whincroft House	Belfast East
Woodstock House	Belfast East
Willowbrook House	Belfast East
Moveen House	Belfast South

**Table 3: Tower blocks that are currently proposed for private sector sale.**

<b>Block</b>	<b>Parliamentary Constituency</b>
Magowan House	Upper Bann
Woodland House	Belfast North
Beechwood House	Belfast North

**Mr Allen** asked the Minister for Communities to detail the number of social and affordable homes built in the Rathcoole area in each of the last five years; and the new builds which are due to commence.

**(AQW 2521/17-22)**

**Ms Hargey:** The table below summarises the total new build social housing completions in the Rathcoole area between 2015/16 and 2019/20. The details are set out in table 1.

Year	Total Social Housing New Build Units Completed
2015/16	0
2016/17	30
2017/18	14
2018/19	43
2019/20	24
Total	111

A further 24 social housing units are currently under construction and 105 social housing units are programmed to start through the Social Housing Development Programme (SHDP) 2020/21 – 2022/23. The detail of these schemes are included in Table 2 below.

**Table 1: Rathcoole Social Housing New Build Completions 2015/16 – 2019/20 (111 units)**

Housing Association	Scheme Name	Need Group	Units	Start Year	Completion Year
Radius (then Helm)	Deerfin Park/Derrycoole Way (NIHE Transfer)	General Needs	21	2014/15	2016/17
Radius (then Helm)	Deerfin Park/Derrycoole Way (NIHE Transfer)	Active Elderly	8	2014/15	2016/17
Radius (then Helm)	Deerfin Park/Derrycoole Way (NIHE Transfer)	Wheelchair	1	2014/15	2016/17
Apex	Iniscarn Way (NIHE Transfer)	General Needs	4	2015/16	2017/18
Apex	Iniscarn Way (NIHE Transfer)	Wheelchair	2	2015/16	2017/18
Apex	Loughmoney Park (NIHE Transfer)	General Needs	8	2015/16	2017/18
Apex	Derrycoole Park (NIHE Transfer)	General Needs	24	2015/16	2018/19
Apex	Derrycoole Park (NIHE Transfer)	Wheelchair	1	2015/16	2018/19
Radius (then Helm)	Old Irish Highway (NIHE Transfer)	General Needs	18	2016/17	2018/19
Choice	Northern Trust Resettlement, Abbots Road	Mental Health	24	2015/16	2019/20

**Table 2: Rathcoole Social Housing Under construction (24 units) and Programmed to start (105 units)**

Housing Association	Scheme Name	Need Group	Units	Start Year	Completion Year
Apex	Rathmullan Drive (Under Construction)	Active Elderly	24	2017/18	2020/21
Apex	Newtownabbey High School (programmed to start)	General Needs	46	2021/22	2023/24
Apex	Newtownabbey High School (programmed to start)	Active Elderly	22	2021/22	2023/24
Apex	Newtownabbey High School (programmed to start)	Wheelchair	12	2021/22	2023/24

Housing Association	Scheme Name	Need Group	Units	Start Year	Completion Year
Connswater	Barna Square (Programmed to Start)	General Needs	25	2021/22	2023/24

Programmed schemes can be lost or slip to future programme years for a variety of reasons e.g. relating to delays in acquiring sites and/or failure to secure Planning Approval.

**Mr Butler** asked the Minister for Communities, in light of the recent court hearings involving the Charity Commission, whether she will publish her Department's internal review of the Charity Commission that was carried out in 2016.

**(AQW 2590/17-22)**

**Ms Hargey:** A "regular internal governance review" of the Charity Commission was announced by the then Minister in August 2016. The review was never finalised, or presented to the former Minister prior to the collapse of the Assembly in 2017.

The review did not consider the issue raised in the High Court or Court of Appeal, is out of date and no longer relevant to current issues or circumstances. I therefore have no plans to publish it.

**Mr Carroll** asked the Minister for Communities whether she can rule out the sale of public housing stock for her entire term in office.

**(AQW 2636/17-22)**

**Ms Hargey:** Currently, both the Housing Executive and Housing Associations are required by legislation to operate House Sales Schemes for eligible social tenants. The Housing (Amendment) Bill (Northern Ireland) 2020, passed by the Assembly on 30 June, will end the scheme for Housing Associations after a transition period of 2 years once the bill is granted Royal Assent. New primary legislation would be needed in order to change this for the Housing Executive.

New Decade, New Approach, has committed the Executive to tackling "the maintenance backlog for Housing Executive properties" and to enhanced investment in new social homes. In line with this, I am committed to realising two related objectives: maintaining our existing social homes for future generations of social tenants; increasing the rate at which we build new social homes.

**Mr McNulty** asked the Minister for Communities, pursuant to AQW 1222/17-22, whether each of the projects detailed in Section C Proposed New Build Housing in Newry and Armagh have a financial commitment from the Department.

**(AQW 2639/17-22)**

**Ms Hargey:** The Housing Executive manages the Social Housing Development Programme (SHDP) budget on behalf of the Department for Communities (DfC). The overall SHDP budget for the 2020/21 programme year is £127m. It is anticipated that, within this budget, there will be capacity to provide funding to enable starts in respect of the 377 units currently programmed to start before the end of March 2021 in the Newry & Armagh Parliamentary Constituency.

The SHDP budget for the 2021/22 and 2022/23 programme has yet to be confirmed by DfC.

Programmed schemes can be lost or slip to future programme years for a variety of reasons e.g. relating to delays in acquiring sites and/or failure to secure Planning Approval.

**Ms Kimmins** asked the Minister for Communities whether recipients of Universal Credit are liable to repay overpayments if the error causing the overpayment was made by the Department.

**(AQW 2699/17-22)**

**Ms Hargey:** My Department is obliged to consider the recoverability of all Universal Credit overpayments, irrespective of how the overpayment arose. However, we can and do apply discretion in respect of the issue of recoverability.

We advise all people with an overpayment to contact our Debt Management centre in the first instance. All cases are dealt with on their individual merits and there is no guarantee that any overpayment will be reduced or waived.

I am keen to make sure we deliver a service that is empathetic and protects the most vulnerable in our society. I can assure you that we will continue to review our approach here to make sure it meets that test.

**Mr Givan** asked the Minister for Communities how her Department is considering responding to paragraph 9(1) of the Parliamentary Assembly of the Council of Europe Resolution 2318 (2020) calling for the establishment of appropriate monitoring mechanisms to assess the implementation of anti-discrimination legislation, which covers prohibition of discrimination on grounds of religion or belief.

**(AQW 2710/17-22)**

**Ms Hargey:** Resolution 2318 (2020) on the matter of the protection of freedom of religion or belief in the workplace was debated by the Parliamentary Assembly of the Council of Europe on 29th January 2020. The Resolution and its impact is currently being considered by the Executive Office.



**Mr Carroll** asked the Minister for Communities, pursuant to AQW 1546/17-22, to detail the amount and categories of departmental expenditure incurred by the 7338 Personal Independence Payment appeals that were adjourned since 2017 due to requests for medical evidence.

**(AQW 2712/17-22)**

**Ms Hargey:** My Department does not hold a record of the expenditure incurred by the 7338 Personal Independence Payment appeals that were adjourned since 2017 due to requests for medical evidence.

**Mr Beattie** asked the Minister for Communities what plans her Department has for further social housing development schemes within the Upper Bann constituency, in each of the next four financial years; and what will be the location of these proposed social housing developments.

**(AQW 2904/17-22)**

**Ms Hargey:** The Social Housing Development Programme is a three-year rolling programme. I can only provide the details of developments for 2020/21 to 2022/23.

Within the Upper Bann Parliamentary Constituency I can advise that 3 social housing units have been completed to-date in 2020/21 details are attached at Table 1 below.

There are currently 52 social housing units under construction, details are attached at Table 2 below.

There are currently 37 social housing units programmed to start through the Social Housing Development Programme (SHDP) 2020/21 – 2022/23. The details are attached in Table 3 below.

**Table 1: Social housing completions to-date in 2020/21 (3 units)**

Housing Association	Scheme Name	Location	Type	Need Group	Units	Onsite Year	Completed Year
South Ulster	46/48/50 Fort Street	Banbridge	Rehabilitation	CAT1 Elderly	3	2019/20	2020/21

**Table 2: Social housing units under construction (52 units)**

Housing Association	Scheme Name	Location	Type	Need Group	Units	Onsite Year	Completed Year
Choice	39 Woodlands Manor	Portadown	Rehabilitation	General Needs	1	2019/20	2020/21
South Ulster	148 Garvaghy Road	Portadown	New Build	General Needs	10	2018/19	2020/21
South Ulster	148 Garvaghy Road	Portadown	New Build	Wheelchair	2	2018/19	2020/21
South Ulster	Kilwilkee Road	Lurgan	Design & Build	General Needs	14	2019/20	2021/22
South Ulster	Kilwilkee Road	Lurgan	Design & Build	Wheelchair	1	2019/20	2021/22
South Ulster	Sloanhill, Hill Street	Lurgan	Design & Build	General Needs	23	2019/20	2021/22
South Ulster	Sloanhill, Hill Street	Lurgan	Design & Build	Wheelchair	1	2019/20	2021/22

**Table 3: Programmed to start 2020/21 – 2022/23 (37 units)**

Housing Association	Scheme Name	Location	Type	Need Group	Units	Onsite Year	Completion Year
Ark	Derrytrasna Road	Derrytrasna	New Build	General Needs	12	2020/21	2021/22
Ark	Derrytrasna Road	Derrytrasna	New Build	Wheelchair	2	2020/21	2021/22

Housing Association	Scheme Name	Location	Type	Need Group	Units	Onsite Year	Completion Year
Choice	Drumellan (NIHE Transfer)	Craigavon	New Build	Wheelchair	5	2020/21	2021/22
Clanmil	186 Ballynamoney Road	Lurgan	Existing Satisfactory Purchase	General Needs	1	2020/21	2021/22
Clanmil	186 Ballynamoney Road	Lurgan	New Build	General Needs	2	2020/21	2021/22
Clanmil	45-51 William Street	Lurgan	Rehabilitation	General Needs	8	2020/21	2021/22
Habinteg	Oak Lodge, Phase 2	Banbridge	Off The Shelf	General Needs	7	2020/21	2020/21

Programmed schemes can be lost or slip to future programme years for a variety of reasons e.g. relating to delays in acquiring sites and/or failure to secure planning permission.

**Mr Durkan** asked the Minister for Communities whether she has reviewed the social housing allocations policy. (AQW 2912/17-22)

**Ms Hargey:** A consultation on 'A Fundamental Review of Social Housing Allocations' ran from September to December 2017.

Analysis of stakeholder feedback has been completed by my Departmental officials.

I will be considering the Review, options and next steps in the coming weeks. As we begin to recover from the impact of the COVID-19 pandemic, my Departmental officials will continue engagement with stakeholders on the important issues raised by the Review.

**Mr Allen** asked the Minister for Communities for a breakdown of the timeframe for tribunal appeals to be heard. (AQW 2927/17-22)

**Ms Hargey:** The following provides a breakdown of the stages of an Appeal being processed by the Appeals Service (TAS) up to initial listing for hearing including the timescale for each of the stages:

- On receipt of a valid appeal, within 3 working days, TAS will register and acknowledge the appeal;
- TAS then requests the relevant benefit office to lodge a submission within 8 weeks;
- On receipt of the submission, TAS issues a hearing type enquiry form to the appellant asking if they wish for an oral hearing or a hearing to be held on the papers and allows 2 weeks for the return of this information; and
- Once the hearing type enquiry form has been received the appeal will, within 3 working days, be made ready for hearing and the Appellant will then be offered an initial hearing date, approximately 11 weeks ahead.

When the Appellant is offered an initial date for hearing, it may then be subject to postponement or adjournment requests by the Appellant or at the direction of the panel. This can be due to the panel requiring further evidence from the Appellant or allowing for the Appellant to seek representation.

In light of the COVID-19 pandemic, oral hearings were suspended with effect from 18 March 2020. However, TAS has been working with the Office of the President of the Tribunals (OPAT) to re-commence limited hearings with effect from 6 July 2020.

**Mr Allen** asked the Minister for Communities how many negative Personal Independence Payment (PIP) claim decisions have been changed at (i) mandatory reconsideration; and (ii) appeal, since the introduction of PIP. (AQW 2928/17-22)

**Ms Hargey:** A Mandatory Reconsideration can be requested where Personal Independence Payment (PIP) has been refused or where the person disagrees with the amount they have been awarded. The IT system used to administer PIP captures the overall number of mandatory reconsiderations requested and changed, but cannot provide a breakdown of the number relating to a disallowance of PIP and those relating to the level of award of PIP.

The most recent PIP statistics, published on 27 May 2020, show that from the introduction of PIP on 20 June 2016 until 29 February 2020, 59,380 mandatory reconsideration decisions had been made, with 11,730 decisions changed. Virtually all decisions are changed because additional evidence is provided which was not available to the officer who made the initial decision.

An appeal can be lodged either against a refusal of PIP or the rate of benefit awarded. The management information records a successful appeal where a more advantageous outcome for the appellant has resulted. From 20 June 2016 to 9 March 2020 (latest available figures) the total number of successful PIP appeals is 8,209.

Decisions overturned at appeal are primarily because either additional evidence was presented at the Tribunal which was not available to the officer who made the decision, or that the Tribunal took a different view of the evidence available to the Department when the decision was made, with neither conclusion being unreasonable.

**Mr Allen** asked the Minister for Communities for a detailed breakdown of the projected £33M increase for the Casement Park development.

**(AQW 2930/17-22)**

**Ms Hargey:** The Casement Park Stadium is the final project of the Regional Stadia Programme with both the Kingspan Stadium (UBIRFU) and the Windsor Park Stadium (IFA) now delivering benefits in their operational phases.

The Department has been allocated £110m by the Executive to deliver the Regional Stadia Programme, which includes £62.5million towards the redevelopment of Casement Park. The Casement Park approved overall project budget remains £77.5million.

The UCGAA Full Business Case identifies project cost estimate increases in the region of £33million in the following cost categories:

- Construction inflation impact;
- Stadium redesign impact; and
- Project development costs related to repeated design stages.

The current project cost estimate will be subject to change, with the passage of time and/or the implementation of the agreed construction procurement strategy.

Advancement of plans to complete the Regional Stadia Programme including Casement Park is set out as a priority of the restored Executive within the "New Decade, New Approach" agreement and I am fully committed to delivering on this priority area.

**Mr Allen** asked the Minister for Communities to detail the funding provided for (i) social security advisory services; and (ii) social security tribunal representation, in each of the last five years.

**(AQW 3104/17-22)**

**Ms Hargey:** My Department provides core annual funding for the delivery of independent, community based advice services to over 230,000 citizens, which, together with local government funding, support around 360 frontline adviser roles.

- **Regional Infrastructure Support Programme** - £1m per annum
- **Community Support Programme** - £1.8m per annum which is then match funded by councils (currently circa £2.1m).

Year	Community Support Programme	Regional Infrastructure Support Programme
2015/16	£1,600,000	£1,300,000
2016/17	£1,600,000	£1,300,000
2017/18	£1,600,000	£1,300,000
2018/19	£1,800,000	£1,300,000
2019/20	£1,800,000	£1,000,000

In addition, funding from the Neighbourhood Renewal Fund is provided to advice organisations in Derry City & Strabane District Council, Causeway Coast and Glens and Belfast for advice services.

Year	Derry City & Strabane District Council	Causeway Coast and Glens District Council	Belfast City Council
20	£239,201	£18,140	£266,540
2016/17	£239,201	£18,140	£258,455
2017/18	£239,201	£18,140	£290,171
2018/19	£239,201	£18,140	£313,398
2019/20	£239,201	£18,140	£251,000

The Executive agreed funding of £8m over four years for these additional services as part of the Fresh Start Agreement (see table below).

Year	Additional Welfare Reform Funding
2015/16	
2016/17	£2,000,000
2017/18	£2,000,000
2018/19	£2,000,000
2019/20	£2,000,000

(ii) Social Security Tribunal Representation

As set out above, my Department provides core advice funding totalling £1.8m annually through the Community Support Programme. Councils then take full responsibility for the commissioning and management of front line advice services, including appeals representation, in each of their areas.

In 2019/20 the Department recognised that the implementation of welfare changes appeared to be leading to increases in appeals work in the advice sector. To help address this, a one off additional allocation of £320,000 from the Welfare Reform was released to allow organisations to cover the additional work.

In March 2020 my Department approved a financial package to continue funding additional independent advice services for three years, at a cost of £1.5m per annum and to allocate an additional £320,000 per annum for three years to fund additional appeals advice and representation.

**Mr Allen** asked the Minister for Communities, pursuant to AQW 1763/17-22, to outline each requested change; and the rationale for each change.

**(AQW 3105/17-22)**

**Ms Hargey:** The Executive agreed a package of payment flexibilities for Universal Credit here. My Department has requested changes to the Universal Credit IT system to facilitate these payment flexibilities. Changes requested to the Universal Credit system are detailed in the table below.

Nature of Change	Rationale for Change	Position
Twice monthly payments	To automate flexibility for twice monthly payments	Delivered
Direct payments to landlords	To automate the flexibility of paying landlords direct	Delivered
Split payments	To automate flexibility for split payments to people in a joint claim	In progress
Equality monitoring	To fulfil statutory duty under section 75	In progress

Timing of the changes still in progress, along with other refinement and enhancement activity, will now need to take account of additional priorities associated with urgent system work required to respond to and recover from the Covid – 19 emergency situation.

My Department has, and will continue to, work to ensure that any development of the UC system will meet the needs of people claiming UC in here.

**Mr Beggs** asked the Minister for Communities, further to her statement of 28 February 2020, to list the Small Pockets of Deprivation identified under neighbourhood renewal and the funding that was provided for each during the current financial year; and to detail the amount that has been protected for each area for the next two financial years.

**(AQW 3140/17-22)**

**Ms Hargey:** The Small Pockets of Deprivation areas including the funding allocated to each area for the 2019/2020 financial year are listed in the table below:

<b>Causeway Coast &amp; Glens</b>	
Ballymoney Cluster (Carnany, Castle, Glebeside)	£24,260.50
<b>Antrim &amp; Newtownabbey</b>	
Bawnmore, Newtownabbey	£14,130.30
<b>Belfast City Council</b>	
White City, Belfast	£7,956.00

<b>Causeway Coast &amp; Glens</b>	
Benmore, Finaghy	£23,268.00
<b>Mid &amp; East Antrim</b>	
Sunnylands/Greenisland, Carrickfergus	£37,980.00
Sunnylands, Carrickfergus	£22,053.00
Dixon Park, Larne	£12,419.25
<b>Ards &amp; North Down</b>	
Bowtown, Newtownards	£16,772.50
Glen, Newtownards	£24,246.00
Harbour, Bangor	£54,011.00
Rathgill, Bangor	£69,818.05
West Winds, Newtownards	£30,781.00
<b>Derry City &amp; Strabane</b>	
Strathfoyle, Derry	£64,304.40

Funding of the Small Pockets of Deprivation Programme will continue for the next two years at the same level and on the same terms as the 2019/2020 programme.

**Ms Armstrong** asked the Minister for Communities (i) what discussions there have been between departmental officials and the advice sector to ensure the Make the Call Service and the Independent Welfare Changes Helpline are working effectively in partnership; and (ii) how she will make sure there isn't a duplication in service and cost.

**(AQW 3267/17-22)**

**Ms Hargey:** The Welfare Changes Helpline is funded by the Department and delivered independently by the advice sector, with a very specific focus on offering independent information, advice and support relating to any of the ongoing changes to the social security system. Both are distinct but complementary services, evidenced by the fact that, on occasion, people have been signposted to Make the Call Wraparound by the Welfare Changes Helpline.

I am committed to closer working between departmental services and independent community advice organisations. Last year the Department commissioned an independent review which recommended that closer working between Make the Call and the Advice Sector in order to deliver the best quality advice and value for money.

This recommendation has been accepted and is being implemented.

**Ms Armstrong** asked the Minister for Communities what discussions she has had with the Secretary of State for Work and Pensions to discuss the gap in support for people moved from legacy benefits onto Universal Credit, given the welcomed 'run on' for people on Universal Credit who reach State Pension Age, as announced 5 March 2020.

**(AQW 3269/17-22)**

**Ms Hargey:** I have not yet had an opportunity for discussion. Since April 2018 all those in receipt of Housing Benefit whose Housing Benefit award was ended because of a new claim to Universal Credit have been awarded a two-week Transition to Universal Credit Housing Payment.

This transitional protection will be extended from July 2020 when people will receive an additional two weeks of Income Support, income-based Jobseeker's Allowance and income-related Employment and Support Allowance if they receive one of these benefits when moving to Universal Credit.

**Mr Durkan** asked the Minister for Communities (i) how many claimants lost their Severe Disability Premium (SDP) when they were migrated to Universal Credit; (ii) whether these claimants will be reimbursed for the loss of SDP; and (iii) when such repayments will take place.

**(AQW 3283/17-22)**

**Ms Hargey:** A gateway to prevent those people entitled to the Severe Disability Premium (SDP) as part of their legacy benefit from claiming Universal Credit has been in place since 16 January 2019. This gateway in effect prevented new claims for Universal Credit being made by people in receipt of the SDP.

Before the gateway was put in place, a number of people had a change in circumstances which meant that they moved to Universal Credit. To date, we have identified 488 such claims. To make sure these people are not financially disadvantaged,

arrangements are already in place to pay a Severe Disability Premium payment and over £1.3million has been paid to date. No arrears are outstanding in respect of these.

**Mr Hilditch** asked the Minister for Communities whether she will visit Carrick Rangers FC's Belfast Loughsore Arena and Larne FC's Inver Park to help inform her decisions relating to the Sub-Regional Stadia programme.

**(AQW 3326/17-22)**

**Ms Hargey:** I would be happy to meet as many local football teams as I can, where my diary and time permits.

**Ms Armstrong** asked the Minister for Communities for an update on her Department's Private Rented Sector in Northern Ireland - Proposals for Change paper; and what action she intends to take to implement its recommendations.

**(AQW 3426/17-22)**

**Ms Hargey:** Housing, and in particular the role and regulation of the Private Rented Sector, is one of my priorities. My Department's consultation exercise on proposals for change to the role and regulation of the private rented sector ended on 3 April 2017. The Department is currently carrying out a comprehensive review of the role and regulation of the private rented sector to ensure the regulatory framework and supporting policy improve standards for the benefit of both tenants and landlords. The areas being reviewed include:

- Supply
- Affordability
- Security of tenure
- Tenancy management
- Property standards
- Dispute resolution

I am currently considering how to take forward the recommendations in that review, and what other measures may be necessary.

**Mrs D Kelly** asked the Minister for Communities how many people in Upper Bann are on the waiting list for Disabled Facilities Grant; and for how long they have been on the list.

**(AQW 3444/17-22)**

**Ms Hargey:** In relation to Disabled Facilities Grants in the Upper Bann area as at 23 June 2020 there are:

- 300 referrals from Occupational Therapists;
- 77 formal applications (where the Housing Executive has received all necessary documents) of which 19 are considered major cases and 58 minor cases; and
- 90 further cases where properties have been inspected and the list of works / document request issued to the householder.

The figures detailed below are cases where full documentation has been received and the number of those cases which have been approved.

Major Cases		Minor Case	
19 cases		58 cases	
Approved	Work commenced	Approved	Work commenced
17	13	41	11
Average length of time to move from Application to Approval by calendar days			
106 calendar days		76 calendar days	
0-90 days	11 cases	0-90 days	28 cases
91-150 days	3 cases	91-150 days	5 cases
151+ days	3 cases	151+ days	8 cases

I hope this information is useful.

**Ms P Bradley** asked the Minister for Communities how many (i) temporary; and (ii) permanent allocations of residency have been made to each tower block in Rathcoole over the last five years.

**(AQW 3453/17-22)**

**Ms Hargey:** During the last five years there were 76 permanent allocations in the Rathcoole tower blocks. The figure of 76 permanent allocations includes 2 Direct Exchanges. During the period there were also 4 allocations of temporary accommodation.

Tower Block	Temporary allocations	Permanent allocations	Notes
Abbotscoole House	0	12	
Carncoole House	2	15	Includes 2 Direct Exchanges  Secure tenancies can be assigned by way of exchange (DIRECT EXCHANGE). This is a statutory right entitling a secure tenant to assign their tenancy rights to another secure tenant who will then in turn assign their tenancy rights. This right is subject to written consent from the Landlord.
Glencooles House	2	49	Includes the allocation of a large number of operational voids in 2015.  Operational voids are properties which are being kept vacant for operational reasons such as keeping a property vacant as it is included in an approved planned improvement scheme which would have required the tenant to decant to have the works completed or properties currently being used for decanting or being held vacant for future decanting.
Monkstown House	0	0	

**Mr Storey** asked the Minister for Communities to detail the staff complement and perceived religious background of the (i) languages branch; and (b) culture division of her Department.

(AQW 3543/17-22)

**Ms Hargrey:** Staffing Complement as of 11 February 2020.

Culture Division currently comprises three branches: Arts & Creativity Branch; Museums & Libraries Branch; and, Languages Branch.

The staffing complement for Culture Division is 38 staff. This equates to a full-time equivalent (FTE) of 35.54 staff when reduced hours working is factored.

The staffing complement for Languages Branch is 11 full-time posts.

Religious Background as of 1 January 2020. Data excludes Museums & Libraries Branch as restructuring of Culture Division was not reflected on HR Connect at 1 January 2020.

From NISRA

**Staff Employed in Department for Communities Culture Division and Languages Branch<sup>[1]</sup>**

<b>Department for Communities Culture Division</b>	
Community Background	Number of Staff <sup>[2]</sup>
Protestant	7
Catholic	18
<b>Total</b>	<b>25</b>
<b>Department for Communities Languages Branch</b>	
Community Background	Number of Staff <sup>[2]</sup>
Protestant	*
Catholic	#
<b>Total</b>	<b>8</b>

[1] Staff numbers as at 1st January 2020

[2] Recruitment agency and non-civil service staff on the Interchange scheme are excluded.

Excludes staff on secondment to other organisations or on career break.

\* Number of cases too small to publish (i.e. below 5).

Number has been suppressed to avoid disclosing another number that is too small to publish.

**Mr Beattie** asked the Minister for Communities when she will bring forward legislation on the Children's Funeral Fund NI, as noted in New Decade, New Approach.

**(AQW 3577/17-22)**

**Ms Hargey:** Officials within my Department continue to work on the development of a Child Funeral Fund including identifying if legislation is required.

As an interim measure steps have already been taken by councils to voluntarily waive certain fees as set by councils, to ease the burden on parents dealing with the expenditure of a burial or cremation of a child.

**Mr McGrath** asked the Minister for Communities what support her Department is providing to housing associations with regard to contingency planning and possible hospital admissions from sheltered housing associations as a result of COVID-19.

**(AQW 3595/17-22)**

**Ms Hargey:** The Housing Executive wrote to all provider organisations on 12 February 2020 to seek assurance that organisations and supported housing schemes, which are funded by Supporting People, have Business Continuity Plans in place for responding to infectious diseases, including Coronavirus, should an outbreak occur and that staff are acquainted with the corresponding Business Continuity Plans.

The Housing Executive again wrote to those organisations on 17 March 2020 to share Central Government guidance (Covid-19 Guidance for Domiciliary Care Providers and Covid-19 Guidance for Residential Care Providers) which contain advice covering Supported Living Schemes and floating (community) support.

In order to support SP funded services to continue to deliver services during the COVID-19 outbreak a Housing Executive SP Programme COVID-19 Contingency Plan was shared with all service providers on 24 March 2020. This was subsequently updated and shared on 17 April 2020 and on 24 June 2020. The purpose of this plan is to outline contingency arrangements to be taken to support SP funded services to deliver services during the COVID-19 outbreak and now includes areas where we can make steps towards 'Business as Usual'. The document also includes links to PHA, Central Government and H&SC guidance.

Contingency arrangements and escalation measures to support SP funded services was also shared with all SP service providers on 2 April 2020 through the Housing Executive Homeless Services COVID-19 Surge Plan and the Housing Executive will continue to share guidance with all service provider organisations.

Please also be advised the Housing Executive made bids to the Department for additional funding which will be made available to all SP provider organisations in respect of Covid19 related expenditure and associated loss of income. On 19 May 2020 Minister Hargey announced an additional £10m of Covid-19 funding for the SP Programme. The Housing Executive are progressing with criteria and mechanisms for this additional funding to be distributed to all SP service providers.

**Mr Givan** asked the Minister for Communities to detail how many prisoners are in receipt of Personal Independence Payments.

**(AQW 3638/17-22)**

**Ms Hargey:** As you will be aware, social security benefits fall within the remit of the Department for Communities and so your question AQW 3638 to the Minister for Justice has been transferred to my Department. As both questions relate to the same topic, they have been combined.

Personal Independence Payment (PIP) is not payable for a period during which a person is imprisoned or detained in legal custody. However if a person was entitled to PIP immediately before their imprisonment began then it will remain in payment for the first 28 days of that person's imprisonment. Maintaining payment of the benefit for 28 days in these circumstances allows for a continued but limited contribution towards any outstanding disability-related expenditure. The IT system used to administer PIP does not capture information on the number of people in receipt of PIP in these specific circumstances.

The payment of PIP ceases once someone has been detained for 28 days.

**Mr Givan** asked the Minister for Communities how many prisoners are in receipt of Personal Independence Payment.

**(AQW 3641/17-22)**

**Ms Hargey:** As you will be aware, social security benefits fall within the remit of the Department for Communities and so your question AQW 3638 to the Minister for Justice has been transferred to my Department. As both questions relate to the same topic, they have been combined.

Personal Independence Payment (PIP) is not payable for a period during which a person is imprisoned or detained in legal custody. However if a person was entitled to PIP immediately before their imprisonment began then it will remain in payment for the first 28 days of that person's imprisonment. Maintaining payment of the benefit for 28 days in these circumstances allows for a continued but limited contribution towards any outstanding disability-related expenditure. The IT system used to administer PIP does not capture information on the number of people in receipt of PIP in these specific circumstances.

The payment of PIP ceases once someone has been detained for 28 days.



**Mr McCann** asked the Minister for Communities whether she will share the outcome of her recent meeting with the community sector regarding her proposals for neighbourhood renewal.

**(AQW 3654/17-22)**

**Ms Hargey:** Minister Hargey was due to attend the People and Place Forum with community representatives from Neighbourhood Renewal Partnerships and Areas at Risk on the 18 March 2020. However, due to the ongoing Public Health issues relating to COVID-19, a number of withdrawals from the Forum were received.

Given that the success of these events is dependent upon the active participation of all representatives, it was decided to postpone the event in order to ensure that every Neighbourhood Renewal Partnership and Area at Risk representative get the opportunity to contribute to the Forum.

Minister Hargey was committed to this process and I can confirm that I share that commitment. I want to assure you that the event will be re-arranged at the earliest opportunity.

**Mr Givan** asked the Minister for Communities how many prisoners in Northern Ireland are in receipt of Pension Credit.

**(AQW 3710/17-22)**

**Ms Hargey:** Pension Credit is not payable for a period during which a person is imprisoned or detained in legal custody.

However, an exception applies where a person on remand may be entitled to help with housing costs under certain circumstances for up to 52 weeks. The IT system used to administer Pension Credit does not capture information on the number of people that fall into this category.

**Mr Givan** asked the Minister for Communities to outline the process around suspension of benefits for prisoners and whether this is lifted following release.

**(AQW 3713/17-22)**

**Ms Hargey:** People who had been receiving social security benefits immediately prior to being imprisoned or lawfully detained will not generally remain eligible to receive those benefits while they remain in prison. This is because they will either be disqualified from receiving the benefit, they will no longer be entitled to the benefit or they will have an applicable amount of nil for the duration of their imprisonment. However exceptions apply to Personal Independence Payment and, under certain circumstances, to the housing costs elements payable with certain social security benefits.

Personal Independence Payment remains payable for the first 28 days following imprisonment as long as entitlement existed prior to the person's lawful detention.

Single claimants whose benefit included an element for housing costs may continue to receive payments towards those costs if their term of custody is not expected to exceed 6 months or they are in prison on remand.

Where a person's entitlement to benefit is suspended or they are disqualified from receiving benefit or are entitled to an applicable amount of nil whilst in prison, their benefit may be reinstated without the need to make a new claim when they are released. However, if the person's entitlement to benefit has been terminated while in prison they would have to make a new claim to that benefit (or UC if it is not possible to get back onto the original benefit) upon their release.

**Ms Sheerin** asked the Minister for Communities whether she will make alternative arrangements for people with upcoming medical assessments in relation to their benefits, in order to avoid the risks of COVID-19 to vulnerable people having to attend assessment centres.

**(AQW 3763/17-22)**

**Ms Hargey:** The Department for Communities took the decision to suspend all face to face assessments for health and disability related benefits from Monday 16th March 2020. This was aimed at reducing the risk of exposure to Covid-19 and safeguarding the health of individuals claiming health and disability benefits.

**Ms Armstrong** asked the Minister for Communities what communication channels her Department will use to promote how the public can to apply for financial crisis support during COVID-19 pandemic.

**(AQW 3783/17-22)**

**Ms Hargey:** Information on how the public can apply for financial crisis support and benefits during the COVID 19 pandemic is published on nidirect [www.nidirect.gov.uk/articles/coronavirus-covid-19-and-benefits](http://www.nidirect.gov.uk/articles/coronavirus-covid-19-and-benefits) and

on the DfC website <https://www.communities-ni.gov.uk/landing-pages/covid-19-service-updates> These are kept updated and the links have been shared with MLAs, the Advice Sector and stakeholders.

The Department also uses Ministerial media interviews, Press Releases, the Departmental twitter page and the Jobs&BenefitsNI facebook page to signpost the public to the most recent benefit and financial crisis support information.

Universal Credit information is also available through a range of digital channels including Facebook, Spotify, Google search and the Google Display Network. Information is available online at [www.nidirect.gov.uk/universalcredit](http://www.nidirect.gov.uk/universalcredit) and this includes short videos to explain Universal Credit and how to apply.

My Department also set up a freephone Covid 19 Community Helpline at the end of March 2020 to assist those in vulnerable groups to access information, advice and support in relation to COVID-19 and this included those needing financial crisis support. The Helpline is managed by Advice NI and operates Monday to Friday, 9am to 5pm. The Helpline number is 0808 802 0020. Alternatively text ACTION to 81025 or email: Covid19@adviceni.net or complete a form on the Advice NI website.

**Mr Allister** asked the Minister for Communities, further to the response to AQW 2447/17-22, to clarify if the staff complement set out includes agency workers and, if not, can those figures be given in respect of the years addressed.  
(AQW 3850/17-22)

**Ms Hargey:** The annual accounts of local councils are not required to disclose the number of agency staff that they employ. Therefore my department is unable to provide the number of agency staff employed by councils.

**Mr Humphrey** asked the Minister for Communities to detail the departmental budget for the Liofa initiative in (i) 2016-17; (ii) 2017-18; (iii) 2018-19; and (iv) 2019-20.  
(AQW 3944/17-22)

**Ms Hargey:** Please refer to my answer provided to AQW3877

**Mr Humphrey** asked the Minister for Communities how many people were employed in her Department on the Liofa initiative; and what were their roles.  
(AQW 3945/17-22)

**Ms Hargey:** Please refer to my answer to AQW 3876/17-22

**Mr Durkan** asked the Minister for Communities for her assessment of calls from the MS Society and other Disability Benefits Consortium charities to commit to an uplift in legacy and similar benefits including Employment Support Assessment, in line with the increase received by Universal Credit claimants.  
(AQW 3972/17-22)

**Ms Hargey:** The increase in the standard allowance rates in Universal Credit was one of a number of measures that could be quickly and effectively operationalised to benefit those facing the most financial disruption in relation to Coronavirus. The Universal Credit IT system is more flexible than the legacy systems and with significantly increased demand in applications from people needing assistance the changes required could be easily made.

However, a number of changes have been made to the social security system in response to the Coronavirus pandemic. Alongside the temporary increases to Universal Credit standard allowances and the basic element of Working Tax Credits, which came into operation on 6 April and will remain in place for the tax year 2020/21.

The Department also introduced a number of changes to the eligibility criteria for Discretionary Support, including the introduction of a living expenses grant for those directly impacted by Covid-19.

For the Department for Communities to increase legacy benefit personal allowances in line with the £20 a week increase in Universal Credit standard allowance, this would require an amendment to legislation, the development of this specific difference on the Department for Work and Pensions' IT system and would also introduce a difference in benefit rates between here and Britain.

Implementation would have financial consequences for the Block grant and Annually Managed Expenditure (AME). Responsibility for meeting the financial consequences for the Department to implement this measure would lie with the Executive. The costs involved in funding the increase, the IT changes/clerical process would be significant.

Based on the legacy caseloads of 145,770 at February 2020, published in May 2020, it is estimated that an additional payment of £20 per person per week would result in an AME cost of approximately £151m for 2020/2021.

I continue to keep the situation under review.

**Mr Durkan** asked the Minister for Communities how her Department proposes to support local councils to deal with the long-term financial impact of COVID-19, so that jobs can be retained and services maintained.  
(AQW 4044/17-22)

**Ms Hargey:** On the 8 April 2020, Minister Hargey released £1.5 million to local councils in response to the COVID-19 health crisis.

In addition, on the 19 May 2020, Minister Hargey also announced that the Executive was allocating £20.3 million to local councils This funding will help assist councils with their cash flow and support them in the delivery of the vital services they are providing to the community at this time.

In order to support councils so that they can retain jobs and services, each council is able to design a pavement café licensing regime appropriate to their area. The Licensing of Pavement Cafés Act (NI) 2014 contains a significant degree of flexibility to enable councils to respond to local circumstances. The operation of pavement cafés provides commercial and employment opportunities for local businesses and people.

I fully appreciate that the uncertainty we all find ourselves in at this time is a cause of concern and I recognise and value the important work councils are undertaking as we look to see out the current crisis and consider the medium to longer term priorities.

**Mrs D Kelly** asked the Minister for Communities (i) how many grocery boxes have been requested by people shielding from the COVID-19 outbreak in each local authority area; (ii) how many have been delivered; and (iii) how many people are still on the waiting list.

**(AQW 4141/17-22)**

**Ms Hargey:** The Department's COVID-19 emergency grocery box scheme was aimed both at people shielding on medical advice and other vulnerable persons unable to access food by other means during the emergency. Parcel deliveries to Council distribution centres were based on this criteria.

Delivery needs were determined locally according to the numbers of people contacting the regional helpline who were deemed eligible for food assistance. During the maximum demand period from 20th April to 22nd May 2020 my Department, with Councils' support, delivered upwards of 18,000 food boxes regionally per week. It was not possible to increase allocations beyond this due to suppliers' logistical capacity to pack, prepare and supply at volume - especially in unique circumstances where additional workplace safety and social distancing measures were required.

This weekly capacity limit resulted in some applicants being directed to other support in the community. Certain councils also chose to retain a waiting list for the food scheme. However, the Department does not hold their information.

Between 6th April and 26th June 2020, the total number of grocery boxes delivered to each Council area (for all eligible individuals/households) was:-

**DfC COVID-19 Food Parcel Programme: Deliveries to Councils 06/04/20-26/06/20**

<b>Council</b>	<b>Boxes Delivered</b>
Belfast City	46,390
Derry Strabane	22,333
Antrim Newtownabbey	17,539
Newry Mourne Down	16,989
Ards & North Down	15,872
ArmaghBanbridgeCraigavon	12,558
Fermanagh Omagh	13,768
Lisburn Castlereagh	10,710
Mid Ulster	11,300
Causeway Coast & Glens	5,470
Mid & East Antrim	5,670
<b>Total</b>	<b>178,599</b>

The food programme ended on 26th June 2020, but I have extended it until 31st July 2020 for people who are medically shielding and unable to get food. Those not shielding, but still requiring help, are now being signposted to alternative options in the community. The Department is also investing up to £875,000 in other forms of food assistance. These include the Department working with Fareshare to deliver increased food supplies to community providers.

**Mr Newton** asked the Minister for Communities how many, and what type, of Housing Executive public sector dwellings do not meet minimum housing energy efficiency standards; and what is the allocated budget and timescale to bring the properties up to standard.

**(AQW 4146/17-22)**

**Ms Hargey:** There is currently no minimum energy efficiency standard for existing social housing against which to assess and measure the performance of the Housing Executive's stock.

As the Home Energy Conservation Authority, the Housing Executive is committed to improving energy efficiency across the entire housing stock. With regard to its own properties the Housing Executive is currently preparing an Energy Strategy that will include an assessment of the measures and associated costs required to achieve various energy efficiency ratings.

**Ms Armstrong** asked the Minister for Communities to outline the impact of the Withdrawal Agreement on the European Employment Services which provides information, advice and guidance on living and working in other European Economic Area member countries for the benefit of workers, as well as employers experiencing difficulty recruiting locally.

**(AQW 4239/17-22)**

**Ms Hargey:** The Withdrawal Agreement provides that a European Employment Service (EURES) will continue to operate until the end of the period of transition, 31 December 2020. EURES will continue to provide a normal service of support and guidance to employers and jobseekers to that date, including the availability of the European network of advisers, vacancies and employers, and will continue to share local vacancies to all other EU regions via the EURES portal.

From January 2021, the EU freedom of movement, which allows the EURES service to operate, will no longer apply and citizens here will no longer have access to the EURES network and portal. This will result in vacancies here no longer being shared across Europe, and European vacancies no longer shared directly to citizens here.

As EURES operates under the European network for job mobility, as part of freedom of movement throughout the EU, this service will cease on 31 December 2020.

**Mr Givan** asked the Minister for Communities to outline the criteria for the allocation of the £20.3m emergency COVID-19 funding to each of the 11 local councils.

**(AQW 4315/17-22)**

**Ms Hargey:** My Department carried out an analysis of the figures provided by each council to reflect their projected total financial loss and COVID-19 costs that would be incurred during the period March to June 2020.

These figures have been tested against the equivalent for the corresponding period for 2019 and have been signed off by individual Council Chief Executives.

This provided a basis for redistribution that was consistent with the original bid for support that was approved by the Executive in that it looks to assist councils with income lost and additional costs incurred as a result of COVID-19.

Based on this redistribution method the allocation between the 11 councils was as follows:

Council	Allocation £
Antrim & Newtownabbey	1,949,158
Ards & North Down	1,415,734
Armagh, Banbridge Craigavon	2,052,238
Belfast	4,042,083
Causeway Coast & Glens	1,965,989
Derry & Strabane	1,291,091
Fermanagh & Omagh	1,793,465
Lisburn & Castlereagh	2,016,401
Mid & East Antrim	934,149
Mid Ulster	1,298,985
Newry Mourne & Down	1,540,707
<b>Total</b>	<b>20,300,000</b>

**Mr Durkan** asked the Minister for Communities to detail the assistance provided in COVID-19 support packages in each council area.

**(AQW 4401/17-22)**

**Ms Hargey:** My Department is coordinating a response to the Covid-19 crisis, involving a comprehensive package of measures to support those most impacted by the pandemic. The key components of this assistance have included the distribution of an initial £1.5million Covid 19 Community Support Fund, allocated through Councils, to assist the community response to those most in need. Table 1 provides a summary of funding allocated to each Council area in relation to the fund.

In addition a food supply and distribution infrastructure has been established, through Council led Community Support Hubs, distributing essential supplies to those most in need and with no other means of accessing food. During the emergency response and up until 26th June, 178,599 food boxes have been distributed to Councils for distribution.

From 29th June the criteria for the Food Box scheme has changed and a new phase, up until the 31st July, will provide continued support to those in need of help and with shielding letters from GPs.

To supplement these efforts and to respond to specific, individual or family need, my Department has piloted a volunteer food pallet initiative involving a small number of community organisations identified through participating Councils. This pilot has been running for almost 6 weeks and up until the 5th week, 96,526 food parcels were distributed through this mechanism. A breakdown by Council area of food distribution is set out at Table 2 attached.

People and Place: a Strategy for Neighbourhood Renewal and its associated programmes ensures that communities and individuals living in the most deprived neighbourhoods have access to the best possible services and opportunities which make for a better quality of life and prospect for themselves and their families. The Department invests annually some £18m in services delivered through some 300 projects.

Minister Hargey, announced in March 2020 that all grant funded organisations would benefit from the introduction of some grant flexibility which would allow them to respond to the Coronavirus Pandemic.

As a result some £7.6 million has been advanced to ensure funding was available to help those most vulnerable within our communities. This response has provided the breathing space to enable the sector to focus on supporting many of those in our communities who need help now more than ever given the extraordinary circumstances that they find themselves in.

Tables 3-7 detail the activities our funded organisations have been involved in as a response to the current ongoing emergency.

## Annex

**Table 1: Covid 19 Community Support Fund**

Council Area	£1.5 Million Allocation
Antrim & Newtownabbey	£69,450
Ards & North Down	£65,550
Armagh City Banbridge & Craigavon	£133,800
Belfast City	£485,700
Causeway Coast & Glens	£80,700
Derry City & Strabane	£280,950
Fermanagh & Omagh	£67,950
Lisburn and Castlereagh	£82,500
Mid & East Antrim	£71,850
Mid Ulster	£63,300
Newry, Mourne & Down	£98,250

**Table 2: Food Distribution**

Council Area	DfC COVID-19 Food Parcel Programme: Deliveries to Councils 06/04/20-26/06/20	Volunteer Pilot/Pallet Initiative
Belfast City	46,390	nil
Derry City & Strabane	22,333	56,473
Antrim & Newtownabbey	17,539	nil
Newry, Mourne & Down	16,989	nil
Ards & North Down	15,872	nil
Armagh City Banbridge & Craigavon	12,558	5,414
Fermanagh & Omagh	13,768	nil
Lisburn and Castlereagh	10,710	nil
Mid Ulster	11,300	nil
Causeway Coast & Glens	5,470	34,639
Mid & East Antrim	5,670	nil
<b>Totals</b>	<b>178,599</b>	<b>96,526</b>

**Table 3: People and Place Projects Involved in Food**

Council Area	No. of Projects	Total Advance
Ards & North Down	3	£23,000
Armagh City Banbridge & Craigavon	2	£70,000

Council Area	No. of Projects	Total Advance
Belfast City	45	£1.9M
Causeway Coast & Glens	4	£162,000
Derry City & Strabane	28	£920,000
Fermanagh & Omagh	4	£84,000
Mid & East Antrim	3	£41,000
Mid-Ulster	1	£20,000
Newry & Mourne	3	£52,000
<b>Total</b>		<b>£3.3M</b>

The table above refers to activities connected to the distribution of food within communities.

**Table 4: People and Place Projects Involved in Providing Telephone Online Support**

Council Area	No. of Projects	Total Advance
Ards & North Down	3	£45,000
Armagh City Banbridge & Craigavon	3	£34,000
Belfast City	18	£900,000
Derry City & Strabane	22	£770,000
Fermanagh & Omagh	3	£113,000
Lisburn & Castlereagh	1	£15,000
Mid & East Antrim	4	£64,000
Mid-Ulster	4	£127,000
Newry & Mourne	3	£72,000
<b>Total</b>		<b>£2.2M</b>

The table above refers to activities to respond to the Covid 19 emergencies to provide support to those who are vulnerable within communities.

**Table 5: People and Place Projects Involved in Providing Childcare for Key Workers in response to the Covid 19 emergency**

Council Area	No. of Projects	Total Advance
Belfast City	5	£160,000
Fermanagh & Omagh	1	£25,000
Mid & East Antrim	1	£4,000
Mid-Ulster	1	£28,000
<b>Total</b>		<b>£217,000</b>

The table above refers to childcare provision for key workers in response to the Covid 19 emergency

**Table 6: People and Place Projects Involved in Good Morning Services / Telephone support for the Elderly**

Council Area	No. of Projects	Total Advance
Belfast City	3	£109,000
Derry City & Strabane	1	£18,000
<b>Total</b>		<b>£127,000</b>

The table above refers to Good Morning Services, two of which were already established prior to the Covid 19 Emergency.

**Table 7: People and Place Projects Involved in 'Other' Covid-19 Community Response Activities**

Council Area	No. of Projects	Total Advance
Antrim & Newtownabbey	2	£60,000
Armagh City Banbridge & Craigavon	3	£46,000
Belfast City	4	£160,000
Derry City & Strabane	1	£24,000
Mid & East Antrim	1	£5,000
<b>Total</b>		<b>£295,000</b>

The table above refers to activity which our funded organisations normally undertake as part of their funding contract but has been altered in terms of delivery in response to the Covid 19 Emergency.

**Mr McCrossan** asked the Minister for Communities to detail (i) the guidance given to civil servants in her Department returning to work in the context of COVID-19; (ii) the guidance given to civil servants that are currently shielding; and (iii) whether her Department has considered the impact that a return to work will have on parents requiring childcare.

**(AQW 4504/17-22)**

**Ms Hargey:**

- (i) My Department has been working with Departmental Trade Union Side in developing over-arching COVID-19 related Health and Safety (H&S) Guiding Principles and the approach to related H&S risk assessments to support a return to the office. These guiding principles have been shared with staff and follow Public Health Agency and NICS HR guidance.
- (ii) Staff in the extremely vulnerable category who are required to follow advice on shielding will continue to be supported to work from home until they are no longer required to shield or the guidance on shielding has changed. Where it is not possible to work from home, then they will continue to be paid for the time they are not in the workplace, in accordance with current NICS HR guidance<sup>4</sup>.
- (iii) My Department is mindful of the welfare and caring responsibilities of staff with children and as all staff are deemed essential/key workers, parents requiring childcare are able to access this within school settings or through alternative childcare arrangements as set out on the Family Support NI website. Flexible and remote working arrangements are also in place, where possible, to support those staff with caring responsibilities.

**Miss McIlveen** asked the Minister for Communities to provide a date for the reopening of libraries.

**(AQW 4839/17-22)**

**Ms Ní Chuilín:** The Department has worked closely with Libraries NI to establish appropriate measures to ensure the reopening of Libraries will be as safe as possible.

On Thursday, 25 June, the Executive confirmed that the Health Protection (Coronavirus, Restrictions) (NI) Regulations 2020 will be lifted to allow libraries to re-open from mid-July.

From mid-July, Libraries NI will commence its plan to re-open its library facilities in a phased manner which maximises safety for both the public and its staff.

Libraries NI has stated that it has plans in place to reopen libraries with a 'book and collect' service alongside a phased programme of reintroducing browsing and limited IT services.

**Mr Hilditch** asked the Minister for Communities whether she has any plans to increase the financial support available to the arts and cultural sector via the Arts Council emergency programme.

**(AQW 4881/17-22)**

**Ms Ní Chuilín:** My Department successfully bid for funding of £4million for the Cultural Sector in the June monitoring round. My Department is working in partnership with the Arts Council and key stakeholders to assess how this can be used to address the needs of the sector.

Working with our partners, we will also continue to assess and quantify the emerging needs within the sector to inform further bids.

**Mrs D Kelly** asked the Minister for Communities when community and youth groups can open their premises under the Executive's recovery plan.

**(AQW 4898/17-22)**

4 See <https://www.finance-ni.gov.uk/articles/faqs-vulnerable-people-and-care-dependents>

**Ms Ní Chuilín:** In the Executive's plan for changes to the Coronavirus Regulations, sport, cultural and leisure are within Step 4. The indicative relaxations agreed by the Executive on 25 June 2020 include the reopening of leisure centres and soft play areas from 7 August 2020.

My officials are working with regional and grassroots community and voluntary organisations to identify the full range of issues which need to be addressed and the support which will be needed as part of an agreed plan for recovery and renewal for the sector.

**Mr Dunne** asked the Minister for Communities for an update on the reinstatement of the Personal Independence Payment appeals process, including through the use of technology and restoration of physical appointments.  
**(AQW 4941/17-22)**

**Ms Ní Chuilín:** As a result of the COVID-19 pandemic, all face to face oral hearings were suspended with immediate effect on 18 March 2020.

Since that date, The Appeals Service (TAS) has been working on a number of hearing type options to re-commence the listing of appeals. The options offered to the appellant are:

- a face to face oral hearing, before the tribunal;
- the appeal to be heard by live telephone link;
- the appeal to be heard by live television link;
- a hearing to take place based on the papers before the tribunal panel; and
- the appellant can decide to withdraw the appeal.

TAS is making arrangements to recommence hearings where the appellant has opted for a hearing on the papers and the appellant does not have an existing award, with effect from 6 July 2020.

A number of administrative matters are required to be progressed in advance of TAS re-commencing listing of all the other hearing choice options. TAS is working through these and will commence the listing of cases at the earliest possible opportunity whilst ensuring compliance with the government guidelines on social distancing.

**Ms Armstrong** asked the Minister for Communities (i) for her assessment of how the review of the Disabled Facilities Grant (DFG) was completed by the Housing Executive; (ii) what co-production and co-design was included as part of the process; and when her Department, in conjunction with the Housing Executive, will publish the review findings and any subsequent changes to the DFG application, process or support for applicants.  
**(AQW 4947/17-22)**

**Ms Ní Chuilín:** I am aware that the Housing Executive examined the Disabled Facilities Grant (DFG) processes as part of its Build Yes programme which it concluded in 2018. The recommendations arising from the review of its DFG processes have mostly been implemented but the Housing Executive is still working through a transitional year, and therefore it is too early to measure formally the benefits of the changes.

As the new processes were only implemented in all Housing Executive Grants Offices for eight months prior to lock down, there has been insufficient time for the Housing Executive to assess a sufficient number of cases from start to finish using the new processes and IT systems. It is likely to be eighteen months before sufficient major and minor cases have been processed to provide a full evaluation of the changes.

However, the Housing Executive has advised that performance during 2019/20 has been encouraging, with 1,119 approvals achieved, higher than the target of 900.

In terms of co-production and design the processes were analysed by the Housing Executive's Build Yes team in consultation with members of the Housing Executive's Grants staff and management. This included interactions with external stakeholders, such as Occupational Therapists (who make the recommendations for adaptations) and customers.

The Build Yes team subsequently made recommendations to streamline/improve the processes which resulted in a number of amendments to the Housing Executive's DFG processes and IT systems to streamline and improve the DFG delivery.

In terms of publishing the recommendations this was an internal review conducted by the Housing Executive as part of its wider Build Yes programme seeking to improve its services throughout the organisation. As such there were never plans or a requirement to publish the details of the review and its recommendations.

**Mr Nesbitt** asked the Minister for Communities whether her Department plans to match the Hardship Fund operating in England and Wales for Fee Paid Judicial Office Holders who sit in Tribunals and have had no work since March, and do not qualify for the furlough scheme.  
**(AQW 4999/17-22)**

**Ms Ní Chuilín:** In relation to cancellation fees, I have agreed to the payment of cancellation fees to fee-paid tribunal members for sittings between 23 March and 31 March 2020, which have been cancelled as a result of coronavirus.

My Department is currently liaising with both the Department of Justice (DoJ) and Department for Economy (DfE) to assess whether an advance payment scheme is appropriate for all tribunal members.



**Mr Dickson** asked the Minister for Communities what consideration her Department has given to the reopening of public libraries for basic borrowing services.

**(AQW 5036/17-22)**

**Ms Ní Chuilín:** Since the beginning of the restrictions, the Department has worked closely with Libraries NI to help establish an appropriate plan of action to ensure the safe reopening of Libraries once the easing of restriction measures allowed.

On Thursday, 25 June, the Executive confirmed that the Health Protection (Coronavirus, Restrictions) (NI) Regulations 2020 will be lifted to allow libraries to re-open from mid-July.

From mid-July, Libraries NI will commence its plan to re-open its library facilities in a phased manner which maximises safety for both the public and its staff.

Risk assessments have been undertaken to inform the services that can initially be offered and, as such, Libraries NI has stated plans are in place to reopen libraries with a 'book and collect' service alongside a phased programme of reintroducing browsing and limited IT services.

**Mr Newton** asked the Minister for Communities to outline the benefits accrued by individual citizens of Northern Ireland beyond those available to citizens in other parts of the UK, as a result of mitigation measures.

**(AQW 5062/17-22)**

**Ms Ní Chuilín:** As part of "A Fresh Start, the Stormont Agreement and Implementation Plan" the Executive agreed to 'top-up' welfare arrangements here. This additional financial support has been delivered in the form of Welfare Supplementary Payments, from May 2016. In the period from 2016/17 to 2018/19 almost £124 million has been paid by my Department to people who have lost benefit as a result of welfare reforms.

As part of the New Decade, New Approach Deal, the Executive committed to extending the existing welfare mitigation schemes beyond their initial planned end date of 31 March 2020. While legislation is pending on the extension of the mitigation schemes, payments have continued to be made under the authority of the Budget Act (Northern Ireland) 2020 and the Budget (No.2) Act (Northern Ireland) 2020. This includes an estimated £23 million to mitigate the "bedroom tax".

A summary of the various welfare mitigation schemes currently provided by my Department is provided below.

Mitigation payments are available for households with children that are affected by the Benefit Cap provided they were in continuous receipt of a relevant welfare benefit from 6 November 2016 until the date their benefit is reduced. Payments are normally equivalent to the amount of the initial capped amount but they may reduce following a change of circumstances. There is no limit to the duration of these payments.

Those people who were in receipt of contribution-based Employment and Support Allowance on the date that time limiting was introduced and who subsequently lost benefit as a result of the change mitigation payments will be eligible for a mitigation payment. The amount of the payment is equivalent to the actual loss of benefit, and payments are made for up to one year.

Mitigation payments are available for those who are moved from Disability Living Allowance to Personal Independence Payment under a number of circumstances.

- Anyone assessed for Personal Independence Payment who does not qualify, and subsequently appeals the decision, will receive a mitigation payment equal to the weekly rate of their previous Disability Living Allowance payments until the Department is notified of the outcome of their appeal tribunal, or Commissioner's decision if relevant.
- Those people who receive Personal Independence Payment but at a rate which is at least £10 per week lower than the previous award of Disability Living Allowance, receive mitigation payments equal to 75% of their loss of benefit for up to one year.
- Anyone that does not receive Personal Independence Payment but receives at least four points in their assessment and can show that their disability or illness is as a result of a conflict-related injury is entitled to a mitigation payment. These payments are equal to the standard rate of the relevant Personal Independence Payment component and are paid for up to one year.

People that transition from Disability Living Allowance to Personal Independence Payment may also see a reduction in, or total loss of, the disability-related premiums they receive. Mitigation payments are available to those who are receiving an income-related benefit and lose any combination of Disability Premium, Enhanced Disability Premium or the Severe Disability Premium / Component. Mitigation payments are also available to people receiving Working Tax Credit who lose the Severe Disability Element. These payments are equivalent to the rate of the disability-related payments that have been lost and are paid for a maximum period of one year.

Mitigation payments are also available to people who are in receipt of Carer's Allowance, Income Support (awarded on the basis of being a carer) or a Carer Premium on an income-related benefit. Payments will be made if a person loses entitlement to benefit because the person they care for is not awarded the qualifying daily living component of Personal Independence Payment on transition from Disability Living Allowance. Again the mitigation payment is normally equal to the loss of benefit and is payable for up to one year.

Finally mitigation payments are available to people affected by the Social Sector Size Criteria, commonly known as the bedroom tax, and payments are equal to the amount of the reduction. The only exception to this policy is if someone moves

property and continues to under-occupy by at least the same number of bedrooms, and the move has not been granted what is commonly referred to as 'Management Transfer Status' by either the Housing Executive or a Housing Association.

**Ms Hunter** asked the Minister for Communities to detail all community and voluntary organisations in east Derry that received funding from her Department in each of the last three years.

**(AQW 5068/17-22)**

**Ms Ní Chuilín:** The Department for Communities has directly funded 207 community and voluntary organisations to deliver 268 projects in this constituency area over the last three years at a total value of approximately £4.6 million pounds. Further detail is set out in the table attached at Annex A.

In addition to this, the Department supports community development through local government and delivers a range of targeted programmes, through regional partnerships, which result in additional allocations to organisations across all parliamentary constituencies.

## ANNEX A

### Department for Communities Funding 2017-2020

#### 2019/20 Funding

Organisation	Amount
Agivey LOL 361	£5,000.00
Ardinariff Historical and Cultural Society – 2 Grants	£2582.00
Articlave LOL 1017	£4,941.38
Ballykelly Community and Youth Association	£1,300.00
Ballyquin Flute Band	£975.00
Ballyrashane LOL 431	£4,975.00
Ballyspallen Cricket Club	£832.60
Boveedy Community Association	£1,500.00
Building Ballysally Together (2 grants)	£1,309.92
The Bethany Community Trust	£34,906.50
Causeway Rural & Urban Network	£63,872.25
Causeway Volunteer Centre	£36,912.12
Causeway Women's Aid	£336,948.00
Coleraine Street Pastors	£7,000.00
Crafts With Love (2 grants)	£1,563.25
Craigbane Youth Club	£5,000.00
Cross Glebe Community Association	£36,215.00
Dungiven Celtic Youth FC	£1,398.36
Focus on Family (2 grants)	£231,386.03
Garvagh Museum Ltd	£807.50
Glack Community Association	£4,671.83
Glenkeen Fife and Drum	£975.00
Glens Community Association (3 grants)	£71,062.98
Glór Dhún Geimhin	£34,375.00
Glor Leim an Mhadaudh Community Development Group	£5,000.00
Gortnaghey Community Association	£5,000.00
Hands That Talk	£12,500.00
Limavady Community Development Initiative (2 grants)	£39,634.00
Limavady Orange Field Committee	£993.00

Organisation	Amount
Limavady Senior Citizens	£1,800.00
Live Music Now (3 grants)	£11,288.00
Macosquin First Flute Band	£975.00
Macosquin Village Community Association	£594.00
Millburn Community Association (2 grants)	£5,696.80
Moneydig Rural Network Group (2 grants)	£4,943.00
Riding for the Disabled Association (Coleraine & District Group) Ltd	£3,400.00
Roe Valley Residents Association (3 grants)	£54,337.99
St Colum's Primary School	£1,342.00
Stendhal Festival Ltd	£9,927.00
Tamlaghtfinlagan Parish Church	£720.00
The Bethany Community Trust	£359,177.50
The Dry Arch Children's Centre	£31,198.01
The Danny Boy Jazz & Blues Festival	£1,500.00
The Dry Arch Centre For Families	£26,133.32
Vineyard Compassion Ltd (2 grants)	£67,193.73
West Bann Development (3 grants)	£120,880.02
Windyhall 50 Club	£790.00
Windyhall Community Association (2 grants)	£424.90
<b>Total 19/20</b>	<b>£1,655,957.99</b>

**2018/19 Funding**

Organisation	Amount
1st Dungiven Boys Brigade	£700.00
Agivey LOL 361	£3,456.88
Ardinariff Historical and Cultural Society (2 grants)	£3,314.73
Ballerin GAC	£28,980.00
Ballyclabber Reformed Presbyterian Bowling Club	£700.00
Ballyquin Flute Band	£975.00
Ballyrashane LOL 431	£3,500.00
Ballyspallen Cricket Club	£6,480.00
Benbradagh Community Support	£3,190.00
Bethany Community Trust	£40,822.50
Building Ballysally Together 3 Grants	£19,176.58
Burnfoot Community Development Association (2 grants)	£4,365.00
Causeway Rural & Urban Network	£64,330.47
Causeway Volunteer Centre	£36,435.27
Causeway Women's Aid	£336,948.00
Coleraine FC	£19,105.00
Coleraine Street Pastors	£5,000.00
Craigbane Youth Club	£5,000.00

<b>Organisation</b>	<b>Amount</b>
Cross Glebe Community Association	£37,280.00
Cumann na Sairséalach CLG (Sarsfields Ballerin GAA)	£1,750.00
Edenmore Flute Band	£975.00
Focus on Family (3 grants)	£236,017.81
Glack Community Association (2 grants)	£9,900.00
Glenkeen Fife and Drum	£975.00
Glens Community Association (4 grants)	£137,290.31
Glor Dhun Geimhin (2 grants)	£39,375.00
Glor Leim an Mhadaidh	£5,000.00
Gortnaghey Community Association	£3,528.00
Greenshed	£3,500.00
Hands That Talk	£10,820.00
Hervey Heritage Group	£6,973.00
Kevin Lynch Hurling Club	£5,000.00
Largy Community Association	£1,000.00
Limavady Wolfhounds GAC	£3,500.00
Live Music Now	£2,065.00
Macosquin First Flute Band (2 grants)	£5,700.00
Millburn Community Association	£499.00
Millburn Community Playgroup (formerly Brookvale Community Playgroup)	£1,500.00
Naíscóil Léim an Mhadaidh	£1,372.00
NI Blind Golf	£1,494.25
North West Cultural Partnership (NWCP)	£2,000.00
North West Orienteering Club	£700.00
Playhouse Activity Centre	£2,185.00
Portstewart Regeneration and Cultural Group	£4,965.59
Roe Valley Residents Association (2 grants)	£33,707.00
Roe Valley Riding for the Disabled	£700.00
St Marys Altinure Youth Club	£700.00
Team Causeway C.I.C.	£700.00
The Bethany Community Trust	£40,822.50
The Congregation of Upper Cumber Presbyterian Church	£3,637.09
The Dry Arch Centre For Families	£25,941.35
The Dundrod and District Motorcycle Club	£29,994.17
Trench Memorial Flute Band	£975.00
Vineyard Compassion Ltd (3 grants)	£86,557.04
West Bann Development (3 grants)	£125,215.00
Windyhall Community Association	£1,404.28
<b>Total 2018/19</b>	<b>£1,458,197.82</b>

**2017/18 Funding**

<b>Organisation</b>	<b>Amount</b>
1st 2nd 3rd Derry St Marys Creggan Scout Group	£1,438.00
1st Dungiven Boys Brigade	£600.00
1st Garvagh Boys Brigade	£600.00
Age Concern Causeway (2 grants)	£2,400.00
Aghanloo Flute Band	£700.00
Agivey LOL 361	£600.00
Ardinariff flute band	£2,325.00
Ardinariff Historical and Cultural Society (6 grants)	£4,926.80
Ashes to Gold	£26,000.00
Assistance Dogs Northern Ireland	£800.00
Ballerin GAC	£4,950.00
Ballinteer Bowling Club	£2,625.00
Ballykelly PTA	£700.00
Ballyquin Flute Band 2 Grants	£1,950.00
BALLYSPALLEN CRICKET CLUB (2 grants)	£1,825.00
Beautiful Minds	£800.00
Benbradagh Community Support (2 grants)	£3,425.00
Benedy Community Association	£800.00
Bovalley Community Associations	£800.00
Boveedy Bowling Club	£700.00
Boveedy Community Association	£700.00
Building Ballysally Together (4 grants)	£16,459.95
Burnfoot Community Development Association	£600.00
Castlerock Community Association	£700.00
Causeway Enterprise Agency	£2,000.00
Causeway Rural & Urban Network	£66,963.84
Causeway Volunteer Centre (2 grants)	£39,596.24
Causeway Womens Aid	£346,918.52
Coleraine Bowling Club	£700.00
Coleraine Festival Committee	£1,619.14
Coleraine Historical Society	£310.00
Coleraine Street Pastors (2 grants)	£3,140.00
Coleraine Swimming Club	£700.00
Coleraine Tennis Club	£800.00
Coolessan Community Organisation	£700.00
Crafts With Love	£800.00
Craigbane Youth Club (2 grants)	£3,325.00
Craobh Ghleann an Iolair	£1,900.00
Cross Glebe Community Association (2 grants)	£42,280.00
Derramore Presbyterian Church PW (Womens Group)	£600.00

<b>Organisation</b>	<b>Amount</b>
Dromboughil Community Association	£700.00
Drumrane Primary School PTA	£700.00
Edenmore Flute Band	£975.00
Feeny Community Association	£600.00
Focus on Family (3 grants)	£247,543.96
Foreglen Community Association	£700.00
Friends of Moving on Up	£800.00
Gaelcholáiste Dhoire	£6,500.00
Gaelscoil Léim an Mhadaidh	£700.00
Garvagh & District Diamond Club	£1,000.00
Garvagh Phoenix Volleyball Club	£700.00
Gelvin Area Community Association Ltd	£552.00
Girlguiding Dunluce Guide House	£700.00
Glens Community Association (5 grants)	£107,244.32
Glenshane Care Association Ltd	£700.00
Glor Dhun Geimhin (4 grants)	£41,875.00
Glor Leim an Mhadaidh	£700.00
Good Morning Roe Valley	£800.00
Hands That Talk (2 grants)	£24,182.40
Home-Start Causeway	£800.00
Kevin Lynch Hurling Club	£3,750.00
Killowen Community Association	£789.00
Learmount Community Development Group Ltd	£1,388.00
Limavady Community Development Initiative	£1,212.00
Limavady Community Luncheon Club	£900.00
Limavady Recreation Club	£900.00
Macosquin First Flute Band	£975.00
Macosquin Village Community Association	£500.00
Millburn Community Association (2 grants)	£8,161.12
Moneydig Rural Network Group	£2,625.00
Náiscoil Léim an Mhadaidh	£2,058.00
Newtowne Football Club	£800.00
NI Raspberry Jam	£1,200.00
North Coast Community Transport	£3,000.00
North West Tongues, Tones & Tappin	£800.00
Northwest Counselling	£490.00
Portballintrae Community Development Group	£420.00
Portstewart Churches Together (2 grants)	£650.00
Portstewart Golf Club	£700.00
Roe Angling Limited	£500.00
Roe Valley Folk Club	£700.00

Organisation	Amount
Roe Valley Residents Association (2 grants)	£37,303.72
SALT Community Association Ltd	£700.00
Somerset Residents Association	£2,200.00
St Aidan's Magilligan GAC	£700.00
St Canice's GAC (2 grants)	£2,572.00
St Colms GAC Drum	£700.00
The Dry Arch Centre For Families	£25,934.64
The Dry Arch Children's Centre	£18,139.98
Trench Memorial Flute Band	£975.00
University of Ulster Coleraine	£121,440.48
Vineyard Compassion Ltd (2 grants)	£53,386.89
West Bann Development 3 (grants)	£144,255.42
Windyhall 50 Club	£550.00
Windyhall Community Association (2 grants)	£1,812.49
<b>Total 17/18</b>	<b>£1,471,438.91</b>
<b>Total 3 Year Funding</b>	<b>£4,585,594.72</b>

**Mr Newton** asked the Minister for Communities whether she will encourage and offer support to the campaign to erect a statue of former Northern Ireland international goalkeeper Pat Jennings.

**(AQW 5141/17-22)**

**Ms Ní Chuilín:** Pat Jennings was a remarkable and extremely talented footballer. Erecting a statue at Windsor Park in recognition of his achievements would be a matter, in the first instance, for the Irish Football Association to consider.

I would be happy to lend my support to any campaign that recognises achievements. I would be delighted to extend an invitation to Pat to attend the Department's Annual Celebration of Sport Event which recognises sporting achievement while also promoting opportunities for participation and inclusion in sport among our young people.

**Miss Woods** asked the Minister for Communities (i) whether she will make funding available for food banks; and (ii) why Jobs & Benefits Offices and Make the Call Wraparound do not formally refer people to food banks.

**(AQW 5150/17-22)**

**Ms Ní Chuilín:** Food banks generally rely on food donations from the public and businesses. They therefore do not necessarily require funding from government.

However, I recognise that food banks can potentially play a significant role, alongside other partners such as social supermarkets, in the overall food poverty response. I have therefore recently agreed to work with Fareshare to deliver increased food supplies to community providers including foodbanks. As part of this, an additional c.£875,000 will be invested in food assistance initiatives. This is on top of £6.8million already made available under my emergency food parcel scheme and another £3.3million food related support under Neighbourhood Renewal.

Furthermore, since October 2017, five social supermarket pilots have been supported via the Welfare Mitigations package. Evaluation of these suggests positive outcomes for users. A business case to consider full roll-out is underway. I believe this model has potential to form a sustainable part of the food poverty response in the medium to long term.

The Make the Call Wraparound Service has a partnership arrangement with the five Social Supermarkets to enable two-way referrals between them and the service. New Social Supermarket members are offered a one-to-one needs assessment with Make the Call to ensure they are receiving all benefits, supports and services they may be entitled to.

The Service has undertaken considerable work to ensure Foodbanks are aware of the services Make the Call offer. Make the Call Wraparound Promotional leaflets are regularly supplied to Foodbanks to be included in food packs for Foodbank customers.

I am also committed to delivering long-term sustainable solutions to poverty in all its forms including food poverty. The issue of food insecurity cuts across all Departments, and tackling in the longer term must be considered within the broader context of an Anti-Poverty Strategy.

**Ms McLaughlin** asked the Minister for Communities when AQW 3256/17-22 will be answered.  
(AQW 5154/17-22)

**Ms Ní Chuilín:** AQW was answered on 30 June 2020.

**Mr O'Toole** asked the Minister for Communities whether she will convene a taskforce to aid the cultural sector.  
(AQW 5199/17-22)

**Ms Ní Chuilín:** A Culture Sector Recovery Group has been established within my Department to examine options for recovery and renewal. The Director of Culture leads the group which includes representation from the sector, local government, arts professionals and key stakeholders.

I am currently considering what further steps could be taken to represent the interests of the cultural sector, particularly in the context of the sector's contribution to both social and economic recovery.

**Mr Carroll** asked the Minister for Communities whether her Department has any plans to support strengthening of the Artists Emergency Programme, or to create a similar support scheme, to help those working in the arts sector without income at present.  
(AQW 5206/17-22)

**Ms Ní Chuilín:** I recognise the devastating impact Covid-19 has had on individuals working in the Arts Sector. My Department successfully bid for funding of £4million for the Cultural Sector in the June monitoring round and is working in partnership with Arts Council and key stakeholders to assess how this can be used to address the needs of those working in the sector. My Department will continue to work with our partners to assess and quantify the emerging needs within the sector to inform further bids.

**Mr McGlone** asked the Minister for Communities how much has been spent by the Housing Executive on legal fees in the last five financial years.  
(AQW 5216/17-22)

**Ms Ní Chuilín:** The Housing Executive has advised the Department that it has spent the following amounts on legal fees in the last five financial years.

Financial Year	2015/16 £k	2016/17 £k	2017/18 £k	2018/19 £k	2019/20 £k	Total £k
Internal (NIHE Legal Department)	376	358	387	462	461	2,044
External	6,974	7,377	6,775	8,037	9,471	38,634
<b>Total</b>	<b>7,350</b>	<b>7,735</b>	<b>7,162</b>	<b>8,499</b>	<b>9,932</b>	<b>40,678</b>

#### Notes

- 1 Internal costs include Direct salaries and overheads only for litigation services provided by the NIHE Legal Department.
- 2 External costs have been incurred across the business and are inclusive of the following:
  - House and land sales legal fees
  - Contract procurement legal fees
  - Tenant/non tenant legal and court costs
  - Urban Renewal related legal fees
  - Public Liability claims legal fees (personal injury and property damage)

**Ms Sheerin** asked the Minister for Communities for an update on progress of a sexual orientation strategy.  
(AQW 5225/17-22)

**Ms Ní Chuilín:** I am committed to developing a Sexual Orientation Strategy to address any barriers or inequalities related to sexual orientation and to fulfil the commitments in New Decade, New Approach and the Executive's Programme for Government.

I am keen to ensure that the people most affected by the Sexual Orientation Strategy will be able to make a meaningful contribution to its development and delivery, based on the principles and practice of citizen and community engagement.

You are aware of the significant and unprecedented pressures placed on everyone by the COVID-19 pandemic. The primary focus of the Executive and all Departments has been to address and put in place measures to resolve current and emerging issues relating to the pandemic, especially those issues affecting the most vulnerable in our society.

I am monitoring the ongoing COVID-19 situation so that work on the Sexual Orientation Strategy can commence and be sustained throughout the co-design and co-development process.



**Miss Woods** asked the Minister for Communities to outline the work undertaken by her Department on (i) sexual orientation; and (ii) gender equality, since the transfer of these functions from the Executive Office.

**(AQW 5227/17-22)**

**Ms Ní Chuilín:** My officials have been working to prepare for the development of new Strategies for Sexual Orientation and Gender in line with the commitments made in New Decade, New Approach and the Executive's Programme for Government.

The Strategies will target key areas of need identified by our stakeholders and will seek to address the barriers and inequalities faced due to Sexual Orientation and Gender.

I am keen to ensure that LGBT and Gender representative organisations and groups of interest will be able to make a meaningful contribution to the development and implementation of the new Strategies. I will establish processes for LGBT and Gender stakeholders and their representative groups to contribute to the design and development of the Strategies at all stages from their initial production through to monitoring and reporting, based on the principles and practice of citizen and community engagement.

I am monitoring the ongoing COVID-19 situation so that work on the Gender Strategy and Sexual Orientation Strategy can commence at an appropriate time and be sustained throughout the co-design and co-development process. I anticipate that this important work will commence imminently.

**Ms S Bradley** asked the Minister for Communities for a breakdown of how the (i) £10 million Supporting People Fund; and (ii) the £2 million Community Support Scheme was used, and the process applied to distribute the aid.

**(AQW 5247/17-22)**

**Ms Ní Chuilín:**

(i) Supporting People Fund

£10 million has been allocated to the Housing Executive Supporting People Programme in the June 2020 monitoring round. Approval to unfreeze Supporting People restricted reserves of £3 million has also been agreed. These monies are to cover Covid19 estimated related expenditure for the 2020/21 financial year (see table below). To date £1.3m of the £10m has been distributed to SP provider organisations.

Department	Key Deliverable	2020/21 Estimate £'000
DfC (NIHE)	Bank/temporary Supporting People staffing	6,369
	Contingency planning	450
	Infection prevention including Cleaning costs in affected schemes	689
	Loss of provider income from lower density accommodation requirements (loss of Housing Benefit and Supporting People income)	2,052
	Loss of fundraising (shops and other income) and social enterprise (cafes etc) income	4,200
	<b>Total</b>	<b>13,760</b>

The Housing Executive have produced eligibility guidelines for this fund and initial payments will be made based on signed estimates from providers Chief Executive or Director of Finance.

During the remainder of the financial year it is anticipated that further payments will follow a reconciliation of actual costs incurred, reserves utilised and payments already made.

(ii) £2M EXECUTIVE COMMUNITY SUPPORT FUND

An initial allocation of £2m was received by the Department for Communities to support COVID-19 emergency response actions, The funding has been allocated to voluntary and community sector groups to support emergency response actions at grassroots and regional level.

Amount	Allocated to	Process
£1.5M	Allocated to establish a COVID-19 Community Support Fund	Distributed via the existing Community Support Programme (CSP) in line with 4 high level objectives and in line with the following interventions:  Financial - to those on low income and at risk due to financial stress.  Food - access to food (whether due to cost or availability) for those most in need.  Connectivity - to those living alone or in rural and border areas that are likely to experience greater challenges in accessing services.  Councils were also directed that the funding should be targeted in line with key Ministerial priorities to target objective need, tackle poverty and embed a rights based approach.  Councils determined how the aid was distributed either through application based grants, distributed by umbrella groups or distributed directly to grassroot organisations
£25K	Allocated to Rural Community (RCN) to administer as grants to Faith Based Organisations who were ineligible for funding directly from Community Foundation NI's (CFNI) Coronavirus Community Fund.	Under this arrangement CFNI assess the applications against their fund criteria and pass them on to RCN in the event that they would otherwise have been funded, but for the applicant having the promotion of religion as one of their charitable objectives
£275K	Allocated to extend the Covid-19 Community Helpline for an additional 12 weeks.	The cost of the Covid-19 Community Helpline was funded from the £2m Executive Covid Community Support Fund and cost to date is £220k up to June 2020. The proposed 12 week extension will cost an additional £35k. A memorandum of understanding was drawn up between the Department and Advice NI with assurances that any expenditure claimed under this agreement is additional to the existing funded resources of the organisation.
£200K	Allocated to meet total administrative costs to support the delivery of the £15.5M Covid-19 Charities Fund by the National Lottery Community Fund	The total administrative costs for delivery of fund are £387.5k, DfC has contributed £200k towards this from the '£2M Executive Community Support Fund, with the remaining £187.5k allocated from existing budgets.

**Ms S Bradley** asked the Minister for Communities to detail the current level of housing provision available to provide safe refuge for victims of domestic abuse.

**(AQW 5248/17-22)**

**Ms Ní Chuilín:** The Supporting People programme, which is administered by the Housing Executive on behalf of the Department for Communities, currently grant funds a total of 139 units of housing related support accommodation through 14 refuges.

Supporting People (SP) funded Refuge provision for the 'women at risk of domestic violence' client group is outlined in the table below.

Provider Name	Service Name	Council Area	Units
Belfast and Lisburn Womens Aid	46 Ulsterville Ave	Belfast	20
Belfast and Lisburn Womens Aid	64-68 Deerpark Road	Belfast	13
Belfast and Lisburn Womens Aid	7 Beechland Way	Lisburn and Castlereagh	12
Causeway Womens Aid	Causeway Womens Aid Refuge	Causeway Coast and Glens	10
Cithrah Foundation	Selah	Mid and East Antrim	5
Fermanagh Women's Aid	Fermanagh Refuge	Fermanagh and Omagh	3

Provider Name	Service Name	Council Area	Units
Foyle Women's Aid	Ashleywood House	Derry and Strabane	15
Foyle Women's Aid	Rose House	Derry and Strabane	9
Mid Ulster Women's Aid	Duffy House	Mid Ulster	9
North Down & Ards Womens Aid	7/9 Dufferin Ave	North Down and Ards	7
Omagh Womens Aid	78 Old Mountfield Road	Fermanagh and Omagh	6
Womens Aid Antrim B'mena Carrick Larne & N'abbey	Ruth House	Mid and East Antrim	6
Womens Aid Antrim B'mena Carrick Larne & N'abbey	Womens Aid Antrim B'mena Carrick Larne & N'abbey - Carniny Court	Mid and East Antrim	13
Women's Aid Armagh Down Ltd	Lyne Lodge	Newry, Mourne and Down	11

To comply with Covid-19 social distancing and self-isolation guidance, some SP funded refuges have had to reduce capacity temporarily due to the physical layout of refuge buildings. This has resulted in a slight reduction in units provided. However, the Housing Executive continue to

As a result of a collaborative strategic response, a draft protocol was drawn up for the provision of additional crash facilities at Women's Aid sites in Foyle and ABCLN (Antrim Ballymena Carrickfergus Larne and Newtownabbey) to complement the crash pad already in operation in Belfast.

Persons experiencing Domestic Violence may access the crash pads through different routes:

- by police coordinating the placement via Women's Aid;
- following presentation to Housing Executive, where a Housing Adviser liaises with Women's Aid to agree placement; or
- the client may access the accommodation via self-referral.

**Mr McCrossan** asked the Minister for Communities to detail the funding provided to Derry City and Strabane District Council in order to improve town centres following the COVID-19 pandemic.  
(AQW 5259/17-22)

**Ms Ní Chuilín:** My officials are working closely with district councils to develop a programme of urgent interventions in town and city centres that will facilitate the retail and commercial sector's emergence from lockdown and assist progress during the recovery phase. Details of the proposed Covid-19 Recovery Revitalisation Programme are currently being finalised in advance of seeking approval from the Department of Finance. I hope to be in a position to make an announcement on it very soon.

**Ms Armstrong** asked the Minister for Communities whether she will extend all the Coronavirus support processes; and when a decision will be communicated to the public.  
(AQW 5289/17-22)

**Ms Ní Chuilín:** As we move forward, my Department will look closely at each of the emergency measures and processes in place to assess how well they have worked to support the most vulnerable people and sectors.

**Ms Armstrong** asked the Minister for Communities to outline the work completed to date to update the Disability Strategy.  
(AQW 5290/17-22)

**Ms Ní Chuilín:** My officials have been working to prepare for the development of a new Disability Strategy in line with the commitments made in New Decade, New Approach and the Executive's Programme for Government.

The Strategy will target key areas of need identified by our stakeholders and will seek to address the barriers and inequalities faced by disabled people. To date, work has focused on research, exploring the existing evidence base; gathering information on strategic interventions in relation to disability and consultative groups involving disabled stakeholders across all departments; developing stakeholder relationships; fulfilling our international obligations in respect of the UN Convention on the Rights of Persons with Disabilities;

The significant and unprecedented pressures placed on everyone by COVID-19. In the initial phase of the pandemic, the primary focus of the Executive was to put in place measures to resolve the most pressing issues affecting the vulnerable in our society. As we move into the recovery phase, our focus will shift towards mitigating the medium to long term effects of COVID-19, and the lasting impact will be considered in the production of the new Disability Strategy. Working with key stakeholders, we will use all available evidence on the impact of the pandemic to inform the Strategy's development.

Work on the Strategy will commence imminently using a co-design approach.

**Ms Armstrong** asked the Minister for Communities to detail the forward work programme for the Racial Equality Champion for her Department; and how that role is working with Arm's-Length Bodies to ensure the objectives of the Racial Equality Strategy are proactively being delivered.

**(AQW 5291/17-22)**

**Ms Ní Chuilín:** The Racial Equality Champions Group, including my Departmental Racial Equality Champion, was scheduled to meet with the Racial Equality subgroup in March 2020 to discuss the co-design of a draft work plan.

This meeting was postponed, and amidst the unprecedented pressures associated with the COVID-19 pandemic, has not been rescheduled to date.

My Departmental Racial Equality Champion, continues to ensure that messages about the importance of racial equality and good race relations are consistent and visible to all staff including Non-Departmental Public Bodies and other service providers.

In addition, a meeting was held between representatives from the People of African Descent and my officials to discuss the UN Decade for People of African Descent (UNDPAD), which ends 2024.

My Department, as a 'Friend of Mela', will also be working with Belfast Mela festival organisers to see how DfC can be involved in the week long virtual celebration of world music, dance and art from the 24th - 30th August.

I am also committed to ensuring that all DfC Policies are reviewed through a racial equality lens, to ensure that due regard is given when designing or delivering public services and in line with current equality legislation and best practice guidelines.

**Mr Givan** asked the Minister for Communities to outline the rationale behind the need for income details to be fully exposed to a non-paying parent during a child support claim.

**(AQW 5332/17-22)**

**Ms Ní Chuilín:** The calculation of a child maintenance liability is dependent on a number of factors. These include the gross weekly income of the paying parent, the number of qualifying children, the number of relevant other children (such as children in the paying parent's household) and shared care arrangements.

The income of a Receiving Parent is not part of a child maintenance calculation and therefore not gathered or held by the Child Maintenance Service.

In order for both parents to be satisfied that a liability calculation is accurate, child support legislation (Child Support Maintenance Calculation Regulations (Northern Ireland) 2012 (Part 4, Chapters 1 and 2 refers) sets out that information on these elements must be shared within the notification of a maintenance calculation. This notification is provided to both the receiving parent and paying parent in a child maintenance case.

**Mr Givan** asked the Minister for Communities why, in cases of parents having an equal share of time with children, one parent is required to continue to provide financial support to the other parent.

**(AQW 5334/17-22)**

**Ms Ní Chuilín:** The legislation states that in 50/50 care split cases there is still a legal obligation to pay child maintenance. However the child maintenance calculation would be reduced accordingly to reflect the contributions the non-resident parent is already making.

For the purpose of calculating a child maintenance liability a distinction is made between overnight care and day-to-day care. This is laid out in The Child Support Maintenance Calculation Regulations (Northern Ireland Order) 2012 Chapter 4.

Money is still owed in these child maintenance cases to reflect the fact that the overall financial burden for overnight care is lower than for day-to-day care

**Mr Durkan** asked the Minister for Communities (i) when her Department intends to publish its findings from the Fundamental Review of Social Housing Allocations in 2017; and (ii) how her Department intends to progress these findings.

**(AQW 5382/17-22)**

**Ms Ní Chuilín:** A consultation on 'A Fundamental Review of Social Housing Allocations' ran from September to December 2017.

I am currently considering the Review, consultation findings, options and next steps; including the publication of a consultation report.

**Mr Durkan** asked the Minister for Communities (i) for her assessment of the awarding of intimidation points; and (ii) what plans she has to remove intimidation points from the selection scheme.

**(AQW 5383/17-22)**

**Ms Ní Chuilín:** A consultation on 'A Fundamental Review of Social Housing Allocations' ran from September to December 2017.

This was the culmination of a Department-led review to examine the Housing Selection Scheme, which sets out rules governing the allocation of social homes and is administered by the Housing Executive.

I am currently considering the Review, options and next steps.

**Mr Durkan** asked the Minister for Communities to outline (i) her plans to bring forward the review of the private rented sector, following the consultations in 2015 and 2017; and (ii) what plans she has to improve regulation and protection for private tenants in respect of protection from eviction, shown recently to be essential in light of the COVID-19 pandemic.

**(AQW 5384/17-22)**

**Ms Ní Chuilín:** The Department has put in place legislation to ensure private tenants are protected from eviction during the Covid emergency. The Private Tenancies (Coronavirus Modifications) Act (NI) 2020 came into operation on 5 May 2020 and requires landlords to give 12 weeks' Notice To Quit to their tenants.

In addition my Department has recently launched the housing mediation service for the private rented sector. This will operate as a pilot for a 2 year period and offers an alternative way to resolve disputes that may occur between tenants and landlords/ letting agents.

Regulation of the private rented sector is one of my key housing priorities.

**Mr Durkan** asked the Minister for Communities (i) for her assessment of whether limiting homeless applicants to a choice of two common landlord areas is counterproductive in helping applicants receive a speedy offer; and (ii) whether she intends to allow homeless applicants to increase their areas of choice to reduce the length of time it takes to allocate a home.

**(AQW 5385/17-22)**

**Ms Ní Chuilín:** A consultation on 'A Fundamental Review of Social Housing Allocations' ran from September to December 2017.

The Review included a proposal to implement a greater choice of areas for all applicants for a social home, allowing them to choose as many or as few areas as they want.

I am currently considering the Review, consultation findings, options and next steps.

**Ms McLaughlin** asked the Minister for Communities (i) how she intends to address the judgement in McKee & Others v Charity Commission for Northern Ireland; and (ii) how quickly new legislation will be prepared in response to the judgement.

**(AQW 5408/17-22)**

**Ms Ní Chuilín:** I am currently considering the complex issues raised by the Judgment and hope to make a determination on the way forward in the next few weeks at which point the likely timeframe for any legislation required can be determined.

**Mr Beggs** asked the Minister for Communities to outline the funding formula used to allocate the £20.3m COVID-19 funding support to the eleven local councils.

**(AQW 5415/17-22)**

**Ms Ní Chuilín:** My Department undertook an analysis of the figures provided by each council which highlighted their projected total financial loss and additional COVID-19 related costs that would be incurred during the period mid-March to June 2020.

These figures were tested against the equivalent for the corresponding period for 2019 and have been signed off by individual Council Chief Executives.

This provided a basis for redistribution that was consistent with the original bid for support approved by the Executive in that it looked to assist councils with income lost and additional costs incurred as a result of COVID-19.

**Mr McNulty** asked the Minister for Communities (i) for her assessment of the impact of the Court of Appeal decision in respect of charity registration with the Charities Commission; (ii) to detail the number of cases impacted; and (iii) how she, working with the Charities Commission, intends to build confidence within the charitable sector to ensure this will not impact on their operations or funding.

**(AQW 5451/17-22)**

**Ms Ní Chuilín:**

- (i) The Court of Appeal Judgment renders the register of charities and all other decisions taken by staff of the Charity Commission for unlawful and raises many complex issues in respect of charity regulation, however, charities that were unlawfully registered remain charities in law.
- (ii) CCNI report that their staff made 7,473 decisions in total, 6,472 of which relate to registration are uncontroversial and were welcomed in almost all cases with very few ever being challenged at the Charity Tribunal.
- (iii) CCNI have already established a decision making committee in compliance with the Judgment and my officials will be working with them to ensure that this committee operates as effectively as possible until a longer term solution is implemented.

**Ms P Bradley** asked the Minister for Communities when the last Housing Executive flat was sold under the buy to own scheme at (i) Abbotscoole House, Rathcoole; (ii) Carncoole House, Rathcoole; and (iii) Glencoole House, Rathcoole. **(AQW 5495/17-22)**

**Ms Ní Chuilín:** The last sales under the Housing Executive's House Sales Scheme in each of Abbotscoole House, Carncoole House and Glencoole House were as follows:

Tower Block	Date
Abbotscoole House, Rathcoole	18/04/2005
Carncoole House, Rathcoole	17/5/2006
Glencoole House, Rathcoole	04/09/2002

**Mr Newton** asked the Minister for Communities to outline the Northern Ireland Housing Executive's plans on the future of the maisonettes in Clara Way, east Belfast. **(AQW 5509/17-22)**

**Ms Ní Chuilín:** The Housing Executive is currently undertaking an Economic Appraisal for the maisonettes in Clara Way. This appraisal will explore a range of potential investment options for the complex and will recommend a future course of action. The residents will be consulted as part of this exercise.

At this stage it is not possible to anticipate what the final outcome of the Economic Appraisal will be.

**Mr Newton** asked the Minister for Communities what actions have been taken, and what progress has been made, on the Northern Ireland Housing Executive strategy for high rise tower blocks. **(AQW 5510/17-22)**

**Ms Ní Chuilín:** The Housing Executive's Tower Blocks Action Plan was approved by the Board of the Housing Executive in March 2019 and by the Department for Communities in August 2019.

Given the complexity and scale of this plan the blocks have been categorised into 3 phases:

- i Phase 1: Demolition (or disposal in some cases) in a 1 to 5 year time period - 14 'Short' term blocks
- ii. Phase 2: Demolition in a 6 to 10 year period, with remedial works to be carried out in the interim - 7 'Medium' term blocks
- iii. Phase 3: Demolition at a point beyond a 10 year period, with improvement works carried out as required - 12 'Long' term blocks.

The Action Plan is a high level document that sets out the broad timescales, actions and estimated funding required over the next fifteen to twenty years. Implementation of the proposals will be subject to approval of business cases for individual or groups of blocks as appropriate. A Central Delivery Team was established in April 2020 to prepare, coordinate, monitor and report on the Delivery Plan and the Local Implementation Plans. Progress to date is as follows:

- i The programme of business cases required for the blocks is already underway and is currently focused on the 'Short Term' blocks. A business case for the demolition of Monkscoole House was approved by the Department, and a consultant has been appointed to prepare for the demolition. A business case for the demolition of Latharna House has recently been approved by the Department.
- ii. Further business cases are currently being prepared, however their completion has been delayed due to the restrictions on local consultation as a result of the Covid-19 situation.
- iii. Work is underway to procure a consultant to carry out detailed surveys for the refurbishment works to the 12 'Long' term blocks. An indicative seven and a half year programme has been drawn up and we anticipate that works will start at the first blocks in the programme in 2022 at the earliest.
- iv. A market testing exercise is currently being prepared to help determine whether there would be sufficient market interest to make a private sector disposal option a potentially viable proposition.

**Mr Easton** asked the Minister for Communities whether her Department has plans to help struggling town centre businesses through grants to local councils. **(AQW 5518/17-22)**

**Ms Ní Chuilín:** Answer

My officials are working closely with their counterparts in district councils to develop a Revitalisation Programme of urgent interventions to support town and city centres during the recovery phase. Delivery of the Revitalisation Programme will be subject to an approved business case, which is currently being finalised.

I have also recently announced a £300k Support Fund for Business Improvement Districts (BIDs) so that they can continue to play a key role in bringing local businesses and other stakeholders together to help regenerate their areas and to improve their local trading environment.

There are additional resources being provided to support town & city centres as a result of the difficulties arising from Covid-19, but we shouldn't forget that my Department currently delivers a number of programmes which are designed to support the long term viability and vitality of town and city centres. These include: Public Realm and Environmental Improvements, Urban Development Grants, Revitalisation Schemes, the Heritage Regeneration Fund and support for the development of Business Improvement Districts.

This represents an ongoing and significant investment in our town centres, and this continuing investment will be even more crucial in the post Covid-19 recovery period.

## Department of Education

**Mr McCrossan** asked the Minister of Education to detail the guidance provided to school transport providers for pupils returning to school following the COVID-19 pandemic.

**(AQW 5258/17-22)**

**Mr Weir (The Minister of Education):** I plan to issue guidance in relation to the restart of home to school transport in the near future. In parallel, the Education Authority is also developing more detailed operational guidance for school transport staff, passengers and operators. These documents will align with other relevant government guidance in areas such as social distancing.

The EA also plans to issue correspondence to contracted private operators regarding arrangements as soon as possible.

**Mr Lyttle** asked the Minister of Education whether there are enough adequately resourced Special Educational Needs Learning Support Units.

**(AQW 5261/17-22)**

**Mr Weir:** The Education Authority (EA) recognises that there is a deficit of specialist mainstream provisions in a number of areas across the region. The deficits in these areas are being addressed in a prioritised way through the Area Planning structures.

The EA published 'Providing Pathways – Strategic Area Plan for Schools 2017-2020' on 28 April 2017. One of the key issues emerging from analysis of current provision, as identified in the 'Providing Pathways' document, was the need to develop proposals to establish additional learning support and autism specific provision within primary and post-primary schools.

The published Area Planning Action Plan includes the following action:

"Establish additional learning support and autism specific provision within primary and post primary schools"

The EA has funded small classes for pupils with autism and other classes for pupils with learning and cognitive needs. For the 2020/21 academic year, plans are well advanced to allocate funding to 21 schools to establish additional classes.

The EA intends to take forward formal consultation in relation to many of these classes through the Development Proposal process and is working with my Department and the Council for Catholic Maintained Schools to ensure sufficient places are available for all children in accordance with their assessed needs as determined by their statement.

**Mr McGrath** asked the Minister of Education to detail how much has been spent on school counselling services in the last ten years, broken down by year and area.

**(AQW 5262/17-22)**

**Mr Weir:** The Department of Education was responsible for the Independent Counselling Service for Schools (ICSS) prior to the Education Authority, which assumed operational responsibility for the ICSS from 1 September 2016.

A breakdown of how much was spent from 2010/11 to 2015/16 is outlined in the tables below, broken down by Post Primary and Special Schools.

### Post Primary Schools

Area	2010/11 £	2011/12 £	2012/13 £	2013/14 £	2014/15 £	2015/16 £
Ards & North Down	79,365.00	107,965.00	110,370.00	109,330.00	102,790.00	87,480.00
Fermanagh & Omagh	134,153.25	189,487.11	188,023.62	158,823.51	143,239.92	146,520.00
Causeway Coast & Glens	87,555.88	130,306.48	165,037.20	141,574.08	119,129.28	116,865.00
Mid Ulster	109,980.50	179,580.10	190,217.02	179,317.46	142,635.18	142,335.00

Area	2010/11 £	2011/12 £	2012/13 £	2013/14 £	2014/15 £	2015/16 £
Newry, Mourne & Down	157,054.48	219,402.04	211,033.24	218,007.24	179,110.00	178,200.00
Derry City & Strabane	111,706.02	154,213.03	149,942.31	124,451.45	115,366.28	112,365.00
Mid & East Antrim	98,552.44	136,074.09	149,555.32	148,293.53	112,152.35	98,550.00
Armagh City, Banbridge & Craigavon	117,355.74	201,829.86	185,113.89	208,571.28	158,402.79	190,935.00
Antrim & Newtownabbey	80,079.20	114,306.60	140,267.76	127,351.76	102,469.70	85,815.00
Lisburn & Castlereagh	72,699.64	101,218.26	108,592.64	98,346.82	77,488.98	79,245.00
Belfast	218,518.20	334,861.68	377,367.96	354,485.08	270,141.20	261,540.00
<b>Total</b>	<b>1,267,020.35</b>	<b>1,869,224.25</b>	<b>1,975,520.96</b>	<b>1,868,552.21</b>	<b>1,522,925.68</b>	<b>1,499,850.00</b>

**Special Schools**

AREA	2010/11 £	2011/12 £	2012/13 £	2013/14 £	2014/15 £	2015/16 £
Ards & North Down	9,903.08	17,853.44	18,899.54	18,132.40	19,278.44	22,640.67
Fermanagh & Omagh	9,612.00	31,951.00	29,192.00	33,998.00	27,605.54	24,669.00
Causeway Coast & Glens	6,052.00	21,627.00	22,161.00	20,559.00	22,942.92	26,081.04
Mid Ulster	3,827.00	12,816.00	13,528.00	13,261.00	19,510.20	25,137.15
Newry, Mourne & Down	9,693.86	16,040.20	16,877.08	14,645.40	23,454.22	28,490.67
Derry City & Strabane	9,968.00	32,752.00	33,286.00	30,260.00	27,867.21	23,465.10
Mid & East Antrim	21,968.10	32,847.54	35,218.70	31,731.70	28,673.38	32,630.34
Armagh City, Banbridge & Craigavon	14,994.10	24,339.26	26,222.24	25,176.14	32,539.32	37,043.16
Antrim & Newtownabbey	11,857.00	34,293.00	36,139.00	34,506.00	41,833.46	44,328.70
Lisburn & Castlereagh	22,656.00	52,992.00	57,472.00	53,568.00	55,596.52	49,932.80
Belfast	45,121.78	81,247.10	79,224.64	80,201.00	79,317.48	76,925.38
<b>Total</b>	<b>165,652.92</b>	<b>358,758.54</b>	<b>368,220.20</b>	<b>356,038.64</b>	<b>378,618.69</b>	<b>391,344.01</b>
<b>Overall Total</b>	<b>£1,432,673.27</b>	<b>£2,227,982.79</b>	<b>£2,343,741.16</b>	<b>£2,224,590.85</b>	<b>£1,901,544.37</b>	<b>£1,891,194.01</b>

The Education Authority has provided the following information on how much was spent from September 2016 to April 2020, and have advised that the breakdown between Post Primary and Special Schools is not available.

The financial totals are listed below:

Sept 2016 – Aug 2017 £2,086,783

Sept 2017 – Aug 2018 £2,171,717

Sept 2018 – Aug 2019 £1,935,350

Sept 2019 – April 2020 £2,307,000

**Mr McGrath** asked the Minister of Education whether he will review the use of single use plastics in schools.  
(AQW 5263/17-22)

**Mr Weir:** I am aware of the increasing need for the Department and the Education Authority (EA) to continuously review how its operations impact on the Environment.

I am also aware of the priority that EA has placed on the Single Use Plastics (SUP) issue and how, in the delivery of its services to schools, both its use can be minimised or eliminated and how to ensure that all recyclable items are disposed of in the correct manner. Key linkages have been established with the Department of Agriculture, Environment and Rural Affairs (DAERA), Keep Northern Ireland Beautiful (KNIB) and Queens University Belfast (QUB) in support of these strategic priorities.



EA continues to review those Goods and Services Procurement Tenders that generate high quantities of SUP, with a view to seeking the reduction or replacement with environmentally friendly economic alternatives without comprising the efficient delivery of its services.

**Mr Lyttle** asked the Minister of Education to detail which schools will be able to accommodate all of their pupils full time at the start of the new term, on the basis of one metre social distancing of pupils.  
**(AQW 5296/17-22)**

**Mr Weir:** My strategic objective is to achieve maximum face-to-face teaching time for all pupils at the earliest opportunity. I have set out that there will be a minimum 40% face-to-face teaching time within all primary schools and a minimum 50% face-to-face teaching time within all post-primary schools with the balance provided through blended learning

Whilst the aim is to get as many pupils back to classroom teaching as quickly as possible in September 2020, I am well aware that every school is different, every classroom is different. Therefore, there will be variances in how schools approach the return to school. Some schools will be able to safely bring back all pupils immediately, whilst others will need to follow the guidance on minimum class time and implement blended learning.

The Department has not prescribed a 'one size fits all approach' – this is not possible and would not be practical. School leaders are asked to consider the strategic guidance and put this into practice in their own schools to the best of their ability. The nature of the guidance given to schools can be a template for flexibility not just for the circumstances of individual schools but also can enable schools to adapt their provision in light of a potentially changing wider situation.

**Mr McGrath** asked the Minister of Education what work has been undertaken by his Department's racial equality champion in the last five years.  
**(AQW 5387/17-22)**

**Mr Weir:** The Department's Racial Equality Champion is also the Equality Officer and latterly has also been the Diversity and Inclusion Champion.

The Champion has had half yearly meetings with heads of policy teams to assess progress on racial equality matters and facilitated lunchtime presentations for staff to create greater awareness of issues affecting minority ethnic people, particularly the education of their children.

The Champion has also had regular meetings with the Racial Equality Subgroup, representing minority ethnic people and migrants - including representatives of refugees and asylum seekers. This included a 2018 Racial Equality Roundtable at Girdwood Community Hub in Belfast. Issues discussed were minority ethnic languages and the curriculum, accessibility of documents, the work of the Intercultural Education Service, the review of the Supporting Newcomer Pupils Policy and the Addressing Bullying in Schools Act 2016.

The Addressing Bullying in Schools (NI) Act 2016 requires schools to record incidents of bullying, their motivation and their outcome including racial bullying. I am currently considering the date on which the provisions of the Act should come into operation and will make an announcement in due course.

My Department funds the Northern Ireland Anti-Bullying Forum (NIABF). In both 2018 and 2019 NIABF included learning experiences for pupils, around the issue of racially motivated bullying, as part of its Anti-Bullying Week event.

My Department is also in the process of reviewing its Supporting Newcomer Pupils policy to ensure it delivers the best outcomes for Newcomer pupils and their families, helping children to achieve their full educational potential. It is my intention to publish a revised policy later in the year.

**Mr Harvey** asked the Minister of Education what happens to the allocation of money when free pre-school places are not taken up.  
**(AQW 5401/17-22)**

**Mr Weir:** The budget for the non-statutory Pre-School Education Programme (PSEP) is demand led and is allocated to the Education Authority (EA) based on the actual number of children that take up a funded pre-school education place. Non-statutory providers participating in the PSEP receive a standard amount per place/child from the EA, based on attendance.

Statutory nursery schools and units are funded via the Common Funding Scheme. Funding is mainly allocated on the basis of Age Weighted Pupil Units factor, taken from the October census data in the preceding financial year to which the funding relates.

No allocation is therefore made in respect of any child that does not take up the offer of a funded pre-school education place, whether in a statutory or non-statutory setting.

**Mr Harvey** asked the Minister of Education, where a school is unable to maintain a social distance of one metre, what are the recommendations for returning children to school.  
**(AQW 5439/17-22)**

**Mr Weir:** The decision of the Executive was that the default position for the guidance is that individuals should remain 2m apart in line with PHA guidelines. Where minimal distance is available between children, distances of 1m may be achievable and are acceptable, in the context were 1m is public health guidance and not a legal requirement.

Education settings should seek to maximise the ability of their existing space to accommodate pupils by rearranging teaching spaces to minimise risk of transmission and infection. School Leaders have also been asked to consider the flexible use of non-teaching space such as repurposing resource areas, halls and sports halls.

Consideration may be given to gaining access to additional spaces on a short term basis, such as conveniently located public, private or third sector estate (e.g. council office space, libraries, leisure centres or cultural venues). However, while gaining access to such alternative spaces may bring advantages in respect of expanding the opportunities to achieve social distancing standards, other issues around transport, safeguarding, and ensuring a generally safe and positive learning environment must also be considered as part of the education setting's decision making process in approving use of such facilities.

There will also be protective measures in relation to cleaning and hygiene. Teachers and pupils will wash their hands as soon as they arrive at school and regularly through the day. School cleaning will be carried out in accordance with Public Health Agency Guidance and routine cleaning will take place daily, with regular cleaning of door handles, desk tops etc. Schools should also remove unnecessary items from the classroom. A normal summer clean will have been undertaken through existing Education Authority arrangements in advance of the new school term. PPE will only be required in a very small number of cases, such as working with pupils who require intimate care needs and administering medication. PPE should not be worn by children.

The Education Authority has developed and published risk templates to assist education settings with planning of their existing estate.

**Mr McNulty** asked the Minister of Education whether he will provide detailed specific guidance on Special Educational Needs in mainstream settings for schools who are preparing for a return, including advice on how one-to-one classroom assistants are expected to work with their designated student and maintain social distancing.

**(AQW 5452/17-22)**

**Mr Weir:** The Department of Education (DE) issued 'New School Day' Guidance on 19 June which provides a planning framework for the restart of schools in August, noting that scientific and public health advice at the time of opening will prevail over any planning assumptions made in the interim. Further supplementary guidance was published on 26 June for children and young people attending Special Schools. As the scientific and public health environment evolves and changes, the guidance may also change.

Guidance also notes that for staff in situations where social distancing cannot be achieved during the course of their work i.e. providing support to children and young people with additional support needs, various practical measures can be taken to mitigate risk and a bespoke approach should be determined by way of that assessment for individuals with full regard to the best interest of children, young people and staff.

The Education Authority (EA) continues to actively engage with Health and Social Care (HSC) authorities and education staff at a regional and local level to help plan for education restart for children with special education needs (SEN). This includes collaborative planning for the reopening of schools and associated provision required to support children with SEN when they return to school.

**Mr Lyttle** asked the Minister of Education what additional resources will be provided to mainstream schools to meet the needs of pupils with additional or special educational needs who are still awaiting the completion of statementing due to delays arising from COVID-19 restrictions.

**(AQW 5458/17-22)**

**Mr Weir:** The Education Authority's (EA) Statutory Operations team has continued to progress and prioritise the Statutory Assessment Process during the Covid-19 pandemic. However, as a result of the pandemic, there have been some delays in respect of medical advice and educational psychology advice.

The EA's Pupil Support Services will continue with any pre-existing support arrangements while a child or young person is the subject of a statutory assessment and where the need for any alternative required provision is identified.

Schools may also access the extensive resources, signposting and advice arrangements currently available in the Pupil Support Services area of the EA Website. This includes bespoke resource and training arrangements to support transition, which are relevant to many children while the subject of a statutory assessment.

**Mr McGrath** asked the Minister of Education, pursuant to AQW 5219/17-22, to outline why the provisions of the Act have not been implemented yet.

**(AQW 5464/17-22)**

**Mr Weir:** The implementation of the Addressing Bullying in Schools Act (NI) 2016 ('the Act') was delayed to allow further dialogue between the Department and the teaching unions. I will announce a commencement date in due course.

**Ms Kimmins** asked the Minister of Education whether his Department has considered the impact on children with special needs who are at school leaving age and have missed out on transitional support due to COVID-19.

**(AQW 5486/17-22)**

**Mr Weir:** All young people with a Statement of Special Educational Needs who are expected to move on from school at the end of this year have a draft Education Transition Plan that has been agreed through engagement with them, their parents/carers and schools prior to the Covid-19 lock down. These plans have been developed over a three year period.

The Education Authority's (EA) Transition Service has continued to be available and accessible throughout the Covid-19 pandemic. Where plans have not been fully completed, the EA's Transition Team has continued to work remotely with pupils, parents/carers and schools.

The Transition Team will be available throughout the summer and will be available to support young people when GCSE and A-level results are released. This will include liaising with higher and further education institutions and other organisations to support successful transition.

Where an individual young person is experiencing difficulty, they or their parent/carer may make contact with their named EA Transition Co-ordinator or with their named Careers Officer to ensure that they are accessing all available supports.

**Mr Givan** asked the Minister of Education to detail how many pre-school nursery applicants were not placed in Lisburn schools this year.

**(AQW 5525/17-22)**

**Mr Weir:** The Pre-School education admissions process for the 2020/21 academic year concluded on 9 June 2020. At the end of the process, all children within the Lisburn and Castlereagh City Council area whose parents had stayed with the admissions process until the end had been offered a funded pre-school education place.

Funded pre-school education places remain available. Any parent who did not fully engage with the process may still access a funded place for their child by contacting pre-school education settings directly.

**Mr Givan** asked the Minister of Education to detail what procedures are in place to ensure that adequate school provision is provided when increased housing is being developed in an area.

**(AQW 5526/17-22)**

**Mr Weir:** Operational responsibility for the planning of education provision lies with the two statutory planning authorities, the Education Authority (EA) and the Council for Catholic Maintained Schools (CCMS), who conduct area planning activity in consultation with a number of sectoral support bodies.

In the development and delivery of its Strategic Area Plan for area planning, the EA monitors growth across all areas in Northern Ireland on an annual basis. It assesses provision to identify areas of growth, and, conversely, areas of decrease and to scope actions for progression. As part of that process it assesses Northern Ireland Statistics and Research Agency (NISRA) live birth statistics, current and projected housing in the area and any connectivity between the schools.

However, housing development will not, of itself, necessarily translate into reliable evidence of the need for school places, as matters such as age demographics of those who may move into a development and expressions of parental preference for particular types of education provision will have bearing on demand.

**Mr Dunne** asked the Minister of Education for an update on a new build for Bangor Central Integrated Primary School.

**(AQW 5528/17-22)**

**Mr Weir:** Bangor Central has been selected for a major capital investment project to improve or replace its existing accommodation. The project will cater for the school's current approved enrolment of 618 pupils.

The Education Authority has produced a business case which is currently being considered by my Department. Following business case approval, design is programmed to commence in autumn 2020 with the appointment of an Integrated Consultancy Team.

## Department of Finance

**Mr Frew** asked the Minister of Finance what assessment his Department has made regarding the benefits of conducting birth registrations in a children's centre, sure start centre or other equivalent family support hub.

**(AQW 5183/17-22)**

**Mr Murphy (The Minister of Finance):** No assessment has been carried out in relation to conducting birth registrations in locations other than local council registration offices.

As prescribed in the Births and Deaths Registration (Northern Ireland) 1976, each local government district is deemed to be a registration district for the registration of life events and councils are responsible for the provision of the registration office with the approval of the Registrar General.

The General Register Office registration system, the Northern Ireland Registration Office System (NIROS), is used to record life events. This system maintains the integrity and security of the birth registration system as a birth certificate is used by most of society as a means of identification. The system requires secure connectivity from the desktops in the registration offices to the NIROS system and this is achieved through the council NetworkNI connections. The Department, with the agreement of the councils, have installed additional firewalls in communication rooms in council buildings to ensure the security of the system. It is unlikely that this level of security could be maintained in alternative locations that do not have the same secure IT set ups.

**Mr Givan** asked the Minister of Finance why birth certificates require the relationship between a child's father and mother to be provided, and also the approval of the mother to include the father's details.

**(AQW 5331/17-22)**

**Mr Murphy:** The relationship between a father and mother is required to determine the birth registration type.

As prescribed in the Births and Deaths Registration (Northern Ireland) Order 1976, either the father or mother may register the birth of their child if they are married. This will enable a standard birth registration to be carried out which will include the details of both parents. Married parents are both responsible in law for their children and therefore have parental responsibility.

Unmarried mothers automatically have parental responsibility but the same does not apply to an unmarried father. Where the parents are not married to each other, the father is not under any obligation to give information concerning the birth and the registrar cannot enter the father's details unless both parents attend to jointly make this request. If the father cannot attend and both parents are in agreement, he may still be named on the certificate through completion of a statutory declaration, a parental responsibility agreement or a relevant court order. A joint registration will give parental responsibility to the father.

**Mr Allister** asked the Minister of Finance, pursuant to AQW 4909/17-22, whether the Cisco Jabber system is covered and governed by the Northern Ireland Civil Service electronic communication policy.

**(AQW 5352/17-22)**

**Mr Murphy:** The instant messaging service Cisco Jabber is covered and governed by the Northern Ireland Civil Service 'Use of Electronic Communications' policy as this policy applies to any communication transmitted by means of an electronic device.

**Mr McGrath** asked the Minister of Finance what work has been undertaken by his Department's racial equality champion in the last five years.

**(AQW 5421/17-22)**

**Mr Murphy:** The Department's current Racial Equality Champion has attended regular meetings of Departmental Racial Equality Champions, chaired by the Executive Office. He has attended Racial Equality Subgroup meetings, when invited by the Executive Office, including Girdwood Roundtable Event with minority ethnic sector representatives.

He updates Departmental Board with progress on the Department's contribution towards the Racial Equality Strategy 2015-2025. He writes regular staff intranet update articles following his outreach and engagements, promoting and raising awareness of work in the minority ethnic sector, including any Department activity towards the Strategy. He has organised staff training sessions, including an information session on Syrian Vulnerable Persons Relocation Scheme and various cultural awareness interactive workshops.

He led a team to deliver the Department's first time participation at the Belfast Mela Festival 2019. He has supported NICS external recruitment competitions, including being profiled as part of recruitment campaigns to encourage applications from under-represented groups, promoting 'If you can see it, you can be it.'

His outreach and engagement activities have included being guest speaker at Chinese New Year celebrations, giving interview for local community television broadcaster NVTV, guest speaker at the conference to launch the Lisburn and Castlereagh City Council BME and Cultural Awareness Forum and recently being interviewed by BBC Newsline on the topic of racism.

Published Annual Reports to the Equality Commission, with Racial Equality Champion input can be found at:

<https://www.finance-ni.gov.uk/publications/annual-report-equality-commission>

**Mr Muir** asked the Minister of Finance, in relation to the £100m of funding announced for viable capital projects that are complementary to the City/Growth Deals, to detail the (i) specific criteria for eligible projects; and (ii) decision making process for awarding the funding.[R]

**(AQW 5479/17-22)**

**Mr Murphy:** The Executive £100m City/ Growth Deals Complementary Fund is open to viable, capital projects which are complementary to City/Growth Deals and aimed at bringing greater prosperity and social benefits to the whole community. Actual allocations will depend on the strength of the proposals and the release of funding will be subject to expenditure approval through the business case process. Proposals should be brought to the City Deals Oversight Group to consider if

complementary to the City/ Growth Deal and suitable for funding. Once the Oversight Group is content, I will bring a paper to the Executive for approval of each project.

**Mr Easton** asked the Minister of Finance whether Northern Ireland will receive any money from the UK Treasury on the back of the announcement of £2 billion to be spent on insulation measures for homes in England.

**(AQW 5571/17-22)**

**Mr Murphy:** The insulation measures for homes in England is being funded from within existing budgets. Therefore there are no Barnett Consequentials in relation to this scheme.

## Department of Health

**Mr McCrossan** asked the Minister of Health to detail support available for Omagh Community House.

**(AQW 684/17-22)**

**Mr Swann (The Minister of Health):** The Department does not provide specific support to Omagh Community House. However, core grant funding is provided by my Department to a range of community and voluntary groups, including MENCAP, who use the venue to support people with learning disabilities and their families/carers.

**Mr Frew** asked the Minister of Health what plans are in place to address the growing backlog of cancer referrals and treatments; and what progress has been made to develop safe sites where all types of cancer treatments and diagnostic tests can be performed as safely as possible.

**(AQW 4365/17-22)**

**Mr Swann:** Where decisions were taken to delay cancer diagnostics or treatment, safety netting was in place to ensure that cancer patients resumed treatment on the appropriate pathway as soon as was safe to do so. I can confirm Health and Social Care (HSC) Trusts have been tasked with developing service rebuilding plans for all HSC services action is now underway to ensure the rapid and safe stepping up of both diagnosis and treatment of cancer patients in clinically safe environments, with priority given to people at highest risk and clearing any backlog of patients in the cancer pathway. The Department's "Rebuilding HSC Services Strategic Framework" was published on 9 June 2020, and is available at <https://www.health-ni.gov.uk/publications/rebuilding-hsc-services>.

**Mr Dickson** asked the Minister of Health what guidance his Department has given to local councils, and other public bodies, for the safe reopening and operation of public toilets during the COVID-19 pandemic.

**(AQW 4442/17-22)**

**Mr Swann:** Public toilets were designated as being able to remain open in schedule 2, Part 3 (42) in the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020. The Department of Health has not developed detailed sector specific guidance, including guidance on reopening and operation of public toilets managed by councils and public bodies.

There are examples of mitigation measures that could be undertaken in line with the general guidance issued by the Department - <https://www.health-ni.gov.uk/publications/health-protection-coronavirus-restrictions-northern-ireland-regulations-2020>. These are not exhaustive but should include maintaining social distancing and hygiene measures including regular cleaning and monitoring of facilities. It would be helpful to ensure there are suitable levels of hand cleaning and sanitising products and these are restocked regularly. Appropriate signage (with reference to the continuing Covid-19 risk) should also be in place to re-inforce key public health messages.

**Ms Bailey** asked the Minister of Health to detail (i) his Department's legal duty on abortion provision; (ii) his Department's progress on commissioning these services to replace the interim service; and (iii) the current status of each Health and Social Care Trust family planning and contraception clinics.

**(AQW 4705/17-22)**

**Mr Swann:** I would reply as follows:

- (i) There is no legal duty on my Department to provide abortion services.
- (ii) Work on commissioning has been paused as staff have been diverted to respond to the Covid-19 pandemic. Commissioning of abortion services is a cross cutting and controversial matter, and I will seek the agreement of the Executive Committee before I direct the Health and Social Care Board to commission those services.
- (iii) All Trusts (South Eastern Trust services are provided by the Belfast Trust) are providing a limited family planning and contraception service, in line with guidance provided for use throughout the duration of the Covid-19 outbreak by the Faculty of Sexual and Reproductive Healthcare (FSRH) of the Royal College of Obstetricians and Gynaecologists. The guidance lists the services the FSRH regards as essential and provides recommendations on a range of services and procedures.

**Ms Sugden** asked the Minister of Health what support has been offered to carers of adults with learning disabilities during the response to COVID-19.

**(AQW 4953/17-22)**

**Mr Swann:** My Department has continued to support the needs of carers across all programmes of care during the response to COVID-19. A range of support has been provided as evidenced during carers' week from 8-14 June 2020. This includes, but is not limited to, activities and resources provided online for adult and young carers to help maintain good mental health and emotional wellbeing; fun activities; cooking; sewing; quizzes; exercise classes; and opportunities to share and facilitate peer contact and support.

I have attached further details of initiatives and support provided during the pandemic.

#### **Further Initiatives and Support Provided During the Covid-19 Pandemic**

- **Advice for Informal (Unpaid) Carers and Young Carers during Covid-19 Pandemic** was published by my Department on 10 April 2020 and subsequently updated on 22 May and 8 June. This guidance, developed in collaboration with the HSCB, HSCTs and Carers NI, includes a number of resources for managing stress, mental health and emotional well-being. It also includes links and contacts that are helpful to carers and young carers. The guidance can be accessed at the following link:  
[www.health-ni.gov.uk/publications/advice-informal-unpaid-carers-and-young-carers-during-covid-19-pandemic](http://www.health-ni.gov.uk/publications/advice-informal-unpaid-carers-and-young-carers-during-covid-19-pandemic)
- A fortnightly forum has been established during COVID-19 to obtain feedback from HSC Trusts and voluntary sector organisations regarding the needs of young and adult carers.
- A Carers ID Card was launched on 8 June 2020 granting unpaid carers access to priority in-store shopping at a range of major supermarkets across Northern Ireland.
- **COVID-19: Regional Principles for Visiting in Care Settings in Northern Ireland** was published by my Department on 30 June 2020 in response to requests by carers of adults with learning disabilities. The guidance can be accessed at the following link: [www.health-ni.gov.uk/covid-visiting-guidance](http://www.health-ni.gov.uk/covid-visiting-guidance)
- Guidance on the use of Direct Payments during COVID-19 currently is being developed by my Department in consultation with service users and HSC Trusts.

Engagement has been ongoing between the HSC Trusts, carers and service users for planning for reopening a range of facilities based services that had been stood down to protect the health of people using the service.

HSC Trusts have redeployed their staff resource to provide alternative support to vulnerable service users and families on a risk assessed basis delivered within COVID-19 guidelines.

Children's short breaks services including residential care, while impacted by COVID-19, have continued to provide support to families. Residential access has been based on an assessment of need with specific priority assigned to those children and families where there is a high risk of family breakdown. This, however, remains predicated on the need to adhere to the public health guidance and RQIA direction in line with NI Executive decisions on settings such as child care /early years centres.

The HSCB/PHA have also been working with the Education Authority/ Department of Education to have special schools reopened for children with the most complex needs.

Throughout the lockdown period, family support hubs have continued to function in their role of supporting parents, carers and children.

**Mr Carroll** asked the Minister of Health what groups representing childminders will be involved in any future conversations regarding lifting lockdown restrictions on childcare.

**(AQW 5032/17-22)**

**Mr Swann:** A Childcare Sector Reference Group has been established to help inform decision making with regards to childcare during the pandemic. Childminders are represented on the Reference Group by the Northern Ireland Childminders Association (NICMA). In addition, my officials have met with Unite Childminders NI specifically to discuss the COVID-19 guidance for childminders, and have been engaging with all Trade Unions through the Engagement Forum facilitated by the Labour Relations Agency.

**Mr Sheehan** asked the Minister of Health to detail each category of information audited by Health and Social Care Trusts to ensure ongoing competency of Fit Testing process.

**(AQW 5038/17-22)**

**Mr Swann:** Each HSCT has carried out a complete validation and audit review of all fit test certificates issued since January 2020. Each certificate was audited to ensure staff were passed based on the correct setting in line with HSE standard INDG 479.

The HSCTs looked for a range of factors and reviewed a range of information when carrying out this audit, including:

- Ensuring that each staff member achieved a score of over 100 in each of the 7 fit testing exercises against a single test exercise.
- Ensuring the correct protocol was used
- Identifying the Portacount Serial Number

- Outlining details of the respirator mask
- Identifying if other PPE was worn at the time of fit testing
- Identifying if staff signatures were present on certificates
- Checking if staff numbers were included on the certificates
- Test number
- Reviewing the overall test outcome
- Determining how many staff were affected
- Determining how many staff need retested
- The number of staff that have tested positive for Covid-19 that received an incorrect pass rate.

It is important to note that validation of fit-test certificates remains on-going. Some independent sector figures such as GPs and Dental Practitioners have been included in HSCT reporting as they took part in HSCT fit testing programmes.

HSCTs have put additional checks in place to ensure ongoing competency of Fit Testing process. These checks include:

- Reviewing fit testing certificates on an hourly basis
- Compiling end of day reports
- Ensuring schedules are signed by staff members
- Development of a form for staff completion with various details such as name/contact number/location and role to ensure that the data entry on certificates is accurate.
- Ensuring that all protocols on the portacount machines are checked by Trust staff at beginning of each morning and afternoon session with a record maintained.
- Carrying out a lessons learnt exercise

PHA issued an early learning letter to ensure the immediate issues identified are put right and will also bring forward a regional fit-testing assurance framework.

**Mr Sheehan** asked the Minister of Health, pursuant to AQW 4241/17-22, whether all Fit testers carrying out Fit testing in each Health and Social Care Trust, including the Ambulance Service, is accredited individually under Fit2Fit RPE Fit Test Providers Accreditation Scheme.

**(AQW 5039/17-22)**

**Mr Swann:** NIAS Fit Testing Staff have undergone "Competent Fit Test Operator Training" which was obtained from Amon Electronics Ltd and delivered by Fittest.ie and covers the Competent Fit Test Operator criteria set out in Health and Safety Executive protocol 282/28 as well as additional practical elements.

BHSCT does not have a Fit Tester who is accredited under the Fit2fit Fit Test Providers Accreditation Scheme. However the external fit tester Amon Electronic used by the Belfast Trust is accredited. The fit testers are not individually accredited to Fit2fit, they are trained to the same standard by the machines' manufacturers.

NHSCT utilised a sole external provider (Amon Electronics) for all fit testing that was required from February 2020, this external provider is accredited under the Fit2Fit RPE Fit Test Providers Accreditation Scheme. The named individual from this external provider is registered on the Fit2Fit log as able to provide Quantitative Ambient Particle Counting.

SEHSCT have nine employed Fit Testers, none of which are individually Fit2Fit accredited (as they do not train others to be fit testers). However they have all completed training by an external fit test company (two with Amon Electronics and seven with Task Safety NI) in order to carry out fit testing.

Within the SHSCT Fit testing is carried out in accordance with HSE INDG 479 and a fit tester should have adequate knowledge and have received adequate instruction and training in the 16 no. competencies contained in this document.

Within WHSCT all fit testers are trained on Single Use Fit Testing using a portacount machine in line with HSE INDG479 guidelines. The companies that have been used to provide the training are Fit2Fit accredited.

It should be noted that work will be undertaken to develop a new fit testing framework for Northern Ireland which will seek to standardised the approach including end to end audit of the fit testing process.

**Mr Sheehan** asked the Minister of Health how many FTE Fit testing positions exists in each Health and Social Care Trust.  
**(AQW 5040/17-22)**

**Mr Swann:** Health and Social Care Trusts in Northern Ireland carry out fit testing both internally with trained staff and through external procurement of fit testing providers.

Please see below detail of FTE fit testers within each of the six Health and Social Care Trusts.

- NIAS has 24 members of staff who have completed Competent Fit Test Operator Training. This training was completed in February 2020. Within NIAS, there are no specific fit testing positions. Fit Testing is carried out within the remit of Clinical Training Officers and Clinical Support Officers and Health and Safety Advisor.
- NHSCT does not currently have in-house trainers or the necessary portacount machine to complete internal fit testing.

- BHSCT has 3 internal staff trained in fit testing and 1 FTE internal fit tester.
- SEHSCT has 9 internal trained fit testers and there are 3 FTE internal fit testers in SET- 7 Headcount.
- SHSCT do not have dedicated fit testing positions. Their fit testing programme would equate to a minimum of 3xWTE (3 in house machines) per week based on a standard week with no additional hours. Fit testing is carried out on a rotational basis between 11 staff who have been redeployed to carry out in-house fit testing. Of these staff, 9 received fit testing training as 2 staff had previously been trained to carry out fit testing.
- WHSCT has 20 staff trained in Fit Testing. The Trust do not have Fit Testing Posts. Trained staff are released from their substantive posts to carry out fit testing.

**Mr Sheehan** asked the Minister of Health how many in-house Fit testers have completed the Fit testing training programme by Amon Electronics.

**(AQW 5041/17-22)**

**Mr Swann:** BHSCT has three members of staff who were fit test trained by AMON Electronics.

- **NHSCT** does not currently have any in-house fit testers trained by Amon Electronics.
- **SEHSCT** has two internal fit testers who were fit test trained by AMON Electronics.
- **SHSCT** does not currently have any in-house fit testers trained by Amon Electronics.
- **WHSCT** has eight members of staff who were fit test trained by AMON Electronics.
- **NIAS** have 24 staff that have undergone “Competent Fit Test Operator Training” which was obtained from Amon Electronics Ltd and delivered by Fittest.ie.

**Mr Givan** asked the Minister of Health what support is provided to sufferers of ME and Fibromyalgia in Northern Ireland.

**(AQW 5110/17-22)**

**Mr Swann:** Myalgic encephalomyelitis (ME)

The Health and Social Care Board (HSCB) has commissioned the Belfast Health and Social Care (HSC) Trust to appoint a regional medical lead for myalgic encephalomyelitis (ME). The role will involve direct patient contact with clinical assessment, diagnosis and development of a management plan in collaboration with patients and their carers, community and primary care providers as well as other clinical colleagues. There are significant education and training needs amongst health and social care providers regarding ME and related conditions and addressing these is an important element of this role.

Currently no designated medical practitioners work with this patient group; however, a small number of general physicians provide unexplained fatigue clinics for patients in their individual Trust area and allied health professionals deliver specialist symptom management interventions and programmes in line with the National Institute for Health and Clinical Excellence (NICE) guidelines for ME.

Fibromyalgia

The NI Pain Forum, in collaboration with the Patient and Client Council, developed a patient pathway for fibromyalgia in 2017. This has been implemented in the Western HSC Trust and is currently under review to be taken forward by GP federations in other Trusts. The HSCB is funding pain support groups in Healthy Living Centres and associated community development organisations.

Fibromyalgia can be diagnosed and managed in community and primary care. Patients who are referred to secondary care are assessed within existing medical specialities such as rheumatology and pain rehabilitation.

Training for ME and Fibromyalgia

There is no specific stand-alone training provided for these conditions within the curricula taught by the education institutions; however, they are covered within various training programmes.

**Mr Givan** asked the Minister of Health what training on ME and Fibromyalgia is given to staff in the health sector.

**(AQW 5111/17-22)**

**Mr Swann:**

**Myalgic encephalomyelitis (ME)**

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Fibromyalgia can be diagnosed and managed in community and primary care. Patients who are referred to secondary care are assessed within existing medical specialities such as rheumatology and pain rehabilitation.

**Training for ME and Fibromyalgia**

There is no specific stand-alone training provided for these conditions within the curricula taught by the education institutions; however, they are covered within various training programmes.

**Mr Givan** asked the Minister of Health where specialist services for ME and Fibromyalgia are provided in the health service. (AQW 5112/17-22)

**Mr Swann:**

**Myalgic encephalomyelitis (ME)**

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Fibromyalgia can be diagnosed and managed in community and primary care. Patients who are referred to secondary care are assessed within existing medical specialities such as rheumatology and pain rehabilitation.

**Training for ME and Fibromyalgia**

There is no specific stand-alone training provided for these conditions within the curricula taught by the education institutions; however, they are covered within various training programmes.

**Ms Bradshaw** asked the Minister of Health to outline how having a Chief Executive who is not responsible to, or appointed by, the Board of the organisation they lead constitutes good corporate governance. (AQW 5131/17-22)

**Mr Swann:** As set out in Chapter 3 of Managing Public Money Northern Ireland, each organisation in central government – department, agency, trading fund, HSC body, NDPB or significant arm's length body must have an Accounting Officer. This person is usually the senior official in the organisation. In line with the Code of Good Practice on Corporate Governance in Central Government Departments, it is now usual for the Accounting Officer to be supported by a board whose structure should be agreed with the responsible minister(s) where it is not set in statute.

The organisation must have an Accounting Officer available for advice or decision as necessary at short notice. When the Accounting Officer is absent and cannot readily be contacted, another senior official should deputise. If a significant absence of more than 4 weeks is planned, the Accounting Officer, should invite DoF (or the sponsor department, as the case may be) to appoint a temporary acting Accounting Officer.

**Mr Carroll** asked the Minister of Health what plans his Department has to ensure that children's complex needs are met in relation to therapies, sensory activities and physiotherapy. (AQW 5163/17-22)

**Mr Swann:** While normal service provision has been significantly impacted by COVID-19, all Trusts have been working closely with families to help deliver therapeutic support for children with complex needs during lockdown on a risk assessed basis and in line with public health guidance. This has involved providing points of contacts, resource packs, advice and guidance, and utilising innovative digital solutions where appropriate.

Building on collaborative working across Health and Education pre-COVID and during lockdown, all Trusts are also engaging directly with schools as part of the education restart and health rebuild programmes to proactively plan for children returning to school in the next academic year. This work, alongside public health guidance, will inform how therapy provision can be delivered in schools in a safe manner to meet the needs of children. The outcomes of this work will be reviewed on an ongoing basis as the education restart programme is rolled out, and is being jointly overseen at a regional level by both Departments, the Health and Social Care Board, the Public Health Agency and the Education Authority.

**Mr Carroll** asked the Minister of Health when families will be provided with guidance on how Direct Payments can be used during the COVID-19 crisis.

**(AQW 5164/17-22)**

**Mr Swann:** Further guidance for HSC Trusts and individuals in receipt of Direct Payments during the COVID-19 pandemic is currently under consideration and will include specific guidance to help ensure a consistent approach across the Health and Social Care Trusts in respect of flexibility around the use of Direct Payments.

**Mr Carroll** asked the Minister of Health whether he will allocate the underspend in direct payments to be used for the provision of equipment such as, hot tubs for hydrotherapy patients, and sensory equipment such as, lights, dark den, musical toys, and iPads.

**(AQW 5165/17-22)**

**Mr Swann:** An individual in receipt of a Direct Payment decides how it will be used to meet their assessed need in agreement with their HSC Trust. Direct Payments are in lieu of Trust-arranged services and the money to pay for Direct Payments is allocated from the general Domiciliary Care budget. Therefore, there is no specific underspend solely for Direct Payments as referenced in the Member's question.

**Mr Sheehan** asked the Minister of Health whether efforts will be made to recover costs paid out to external FIT testing contractors who tested Health and Social Care staff to a different standard.

**(AQW 5168/17-22)**

**Mr Swann:** HSCTs are undertaking a review of their contractual obligations with this fit testing company. Each HSCT who utilised this company have provided assurances they are monitoring the work of this contractor.

HSCTs have confirmed that the independent contractor is carrying refit testing at no additional cost to the HSC System. Two HSCTs are using a combination of internal fit testers and other fit testing companies to enable re testing as quickly as possible.

**Mr McGrath** asked the Minister of Health whether children aged 5 years and under are tested for coronavirus or whether guidelines advise against it.

**(AQW 5172/17-22)**

**Mr Swann:** The testing of children aged 5 years and under for coronavirus has not been available to date through the National Testing Programme. While COVID-19 is generally not a disease of children, testing of children in this age group may be required for a specific or particular reason, for example as part of a pre-operative assessment, prior to undertaking an interventional procedure or if a clinician determines a test is required. In addition if a healthcare/keyworker has had to self-isolate, due to their children showing symptoms of Covid-19, then we will test the children (including children aged 5 years and under) at their request. In these instances testing can be facilitated through our HSC laboratory systems.

**Mr Allister** asked the Minister of Health whether the participation of a GP in the rota to work at the Primary Care COVID-19 centres is voluntary or a contractual obligation.

**(AQW 5181/17-22)**

**Mr Swann:** While there is no contractual obligation to work in COVID centres, GP practices across all of Northern Ireland have been asked to play their part in staffing the centres to ensure that primary care services can be maintained for all COVID and non-COVID patients during the pandemic.

**Mr Gildernew** asked the Minister of Health to list any connections David Nicholl, who has been appointed to carry out the independent inquiry into the Regulation and Quality Improvement Authority Board resignations, has with the Health and Social Care system.

**(AQW 5185/17-22)**

**Mr Swann:** David Nicholl is the Managing Director of On-Board Training and Consultancy, a dedicated provider of training and advisory services to Boards and Board Members of Public Bodies. Mr Nicholl is retained by the Health and Social Care Leadership Centre for consultative work and has been involved extensively in providing expertise in Corporate Governance and Board effectiveness, recently acting as facilitator to the Duty of Quality Workstream arising from the Inquiry into Hyponatraemia Related Deaths Programme.

**Ms Kimmins** asked the Minister of Health whether he will immediately relax restrictions for maternity appointments to allow partners to attend with the mother and partners to visit their newborn babies in hospital.

**(AQW 5192/17-22)**

**Mr Swann:** On 30 June 2020, my Department published updated guidance which applies from 6 July 2020 for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. This revised guidance sets out the current position in respect of pregnant women in that, so long as the surge level and the Northern Ireland Executive five step approach permits, aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time:

Birth partners will be facilitated to accompany the pregnant woman to dating scan, early pregnancy clinic, anomaly scan, and Fetal Medicine Department, for induction of labour, duration of labour and birth and, to visit in antenatal and postnatal wards as appropriate

The full guidance is available online on the Department's website at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

**Ms Anderson** asked the Minister of Health, pursuant to AQW 4536/17-22, for a month by month breakdown for this year to date, of the number of (i) physical inspections; and (ii) telephone inspections carried out by the Regulation and Quality Improvement Authority, compared to the same period last year.

**(AQW 5202/17-22)**

**Mr Swann:** Table 1 below provides the breakdown of inspections by month for the period January to June during 2019 and 2020

**Table 1**

Year/Month	January	February	March	April	May	June	Total
2019	239	230	220	121	171	154	1135
2020	226	224	114	9	19	26	618

During 2019 all inspections were on site. In 2020 all inspections conducted in January and February were onsite. Table 2 below provides the breakdown of inspections by onsite and remote for the period March to June 2020

**Table 2**

Type/Month	March	April	May	June	Total
Onsite	113	5	16	23	157
Remote	1	4	3	3	11
<b>Total</b>	<b>114</b>	<b>9</b>	<b>19</b>	<b>26</b>	<b>168</b>

**Mr Carroll** asked the Minister of Health to detail the total financial cost of providing 17,000 hours to the care home sector for assistance through the COVID-19 pandemic.

**(AQW 5205/17-22)**

**Mr Swann:** Updated information provided by HSC Trusts indicates that Trusts have now provided 21,400 hours of direct staffing support to cover shifts in care homes, at a total estimated cost of £450,000.

**Mr Harvey** asked the Minister of Health to advise the rationale behind the current restrictions on visitation of inpatients in hospitals and whether he has any timeline in relation to the change in these guidelines.

**(AQW 5226/17-22)**

**Mr Swann:** In response to the Government restriction of movement and to protect patients, their families and all staff, on 9 April 2020 the HSC temporarily restricted the number of visitors across hospitals. With immediate effect all intensive care and hospital visiting across Northern Ireland was stopped.

Following publication by the Northern Ireland Executive on 12 May 2020 of the five-step approach to relaxing lockdown restrictions, my Department established a Strategic Clinical Advisory Cell (SCAC) and undertook a review of the evidence relating to coronavirus infection and the impact of hospital visitors on disease transmission.

On 30 June 2020, my Department published the resulting updated guidance which applies from 6 July 2020 for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. This revised guidance will continue in force while the surge level and the Northern Ireland Executive five step approach permits, with approved visiting guidance aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time.

It is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

**Ms Flynn** asked the Minister of Health whether he intends to revisit The General Dental Services: COVID Financial Support Scheme, in particular to consider individual circumstances for women whose calculations included their time on maternity leave. **(AQW 5241/17-22)**

**Mr Swann:** The Financial Support Scheme payment calculations are based on the average monthly Item of Service (IoS) payment in 2019-20 for each General Dental Practitioner who applies to the scheme. This is considered to be the best representation of the IoS payments that a GDP would have received in the absence of Covid-19.

There have been approximately 1,200 applications to the FSS each month which means that it is not possible to consider the individual circumstances of every applicant in greater detail. However, the circumstances of individual groups of GDPs have been reviewed and adjustments applied as set out the Frequently Asked Questions for the scheme:

[http://www.hscbusiness.hscni.net/pdf/GENERAL%20DENTAL%20SERVICES%20\(GDS%20FSS\)%20FREQUENTLY%20ASKED%20QUESTIONS%20-%20020620.pdf](http://www.hscbusiness.hscni.net/pdf/GENERAL%20DENTAL%20SERVICES%20(GDS%20FSS)%20FREQUENTLY%20ASKED%20QUESTIONS%20-%20020620.pdf)

In particular, the FSS payment calculation for GDPs who were on maternity leave in 2019-20 has been further amended with a specific adjustment to exclude the months in which they received maternity payments, as well as the lowest remaining month. The individual circumstances for a number of these GDPs have also been reviewed with amendment made where appropriate.

The net result is that the average level of FSS payment to GDPs who were on maternity leave in 2019-20 is 20% higher than it would have been if the maternity leave specific adjustments had not been made and 59% higher than if no adjustments had been made.

**Ms Flynn** asked the Minister of Health for an update on the work of the Protect Life 2 Steering group; and when groups will receive a timeline or notification on the commissioning of services under Protect Life 2. **(AQW 5243/17-22)**

**Mr Swann:** An overview on the current work that has been delivered under the Protect Life 2 Strategy is available on the Department of Health website at:

<https://www.health-ni.gov.uk/sites/default/files/publications/health/actionplanataglance-may2020.pdf>

Procurement of services under Protect Life 2, for which Public Health Agency (PHA) have responsibility, will commence following a process of involvement.

To ensure appropriate input, a process of involvement will commence in October 2020. This initial process will last for a period of 8 weeks following which responses will be collated and made available for comment. Subsequently, a 12 week consultation process will take place from August 2021 following which a procurement stage will commence.

The PHA will advertise all funding opportunities on its website and through eTendersNI.

**Mr Easton** asked the Minister of Health to detail the timescale for visits to care homes to start in a safe manner. **(AQW 5279/17-22)**

**Mr Swann:** In line with the five-step approach to relaxing lockdown restrictions by the Northern Ireland Executive on 12 May 2020, my Department undertook a review of the impact of visitors to patients across all care settings on disease transmission.

This has resulted in the publication, on 30 June 2020, of updated guidance for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. It is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

This guidance applies from 6 July 2020 and will continue in force as the surge level and the Northern Ireland Executive five step approach permits, with approved visiting guidance aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time.

So long as the surge level and the Northern Ireland Executive five step approach permits, aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time:

**In respect of visits to care homes:**

- Visiting and accompanying of visitors will be limited as follows:
  - No more than 2 people will be permitted access to visit at any one time where this can be accommodated within social distancing.

**In respect of Hospital visits:**

- Visiting and accompanying of visitors will be limited as follows:
  - One visitor only per patient at any one time. In specific circumstances where the visitor requires assistance then no more than 2 people will be permitted access to visit at any one time where this can be accommodated within social distancing guidance.

**In respect of pregnant women:**

- Birth partners will be facilitated to accompany the pregnant woman to dating scan, early pregnancy clinic, anomaly scan, and Fetal Medicine Department, for induction of labour, duration of labour and birth and, to visit in antenatal and postnatal wards as appropriate.

The full guidance is available online on the Department's website at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

**Mr Easton** asked the Minister of Health to detail the timescale to allow hospital visits for relatives.  
(AQW 5280/17-22)

**Mr Swann:** In line with the five-step approach to relaxing lockdown restrictions by the Northern Ireland Executive on 12 May 2020, my Department undertook a review of the impact of visitors to patients across all care settings on disease transmission.

This has resulted in the publication, on 30 June 2020, of updated guidance for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. It is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

This guidance applies from 6 July 2020 and will continue in force as the surge level and the Northern Ireland Executive five step approach permits, with approved visiting guidance aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time.

So long as the surge level and the Northern Ireland Executive five step approach permits, aligned to the pandemic surge levels/R value based on the best scientific advice available at any given time:

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- Visiting and accompanying of visitors will be limited as follows:
  - No more than 2 people will be permitted access to visit at any one time where this can be accommodated within social distancing.

**In respect of Hospital visits:**

- Visiting and accompanying of visitors will be limited as follows:
  - One visitor only per patient at any one time. In specific circumstances where the visitor requires assistance then no more than 2 people will be permitted access to visit at any one time where this can be accommodated within social distancing guidance.

**In respect of pregnant women:**

- Birth partners will be facilitated to accompany the pregnant woman to dating scan, early pregnancy clinic, anomaly scan, and Fetal Medicine Department, for induction of labour, duration of labour and birth and, to visit in antenatal and postnatal wards as appropriate.

The full guidance is available online on the Department's website at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

**Mr Easton** asked the Minister of Health to detail the timescale to allow fathers to attend antenatal clinics with their partner.  
(AQW 5281/17-22)

**Mr Swann:** In line with the five-step approach to relaxing lockdown restrictions by the Northern Ireland Executive on 12 May 2020, my Department undertook a review of the impact of visitors to patients across all care settings on disease transmission.

This has resulted in the publication, on 30 June 2020, of updated guidance for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. It is available at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

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  - No more than 2 people will be permitted access to visit at any one time where this can be accommodated within social distancing.

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  - One visitor only per patient at any one time. In specific circumstances where the visitor requires assistance then no more than 2 people will be permitted access to visit at any one time where this can be accommodated within social distancing guidance.

**In respect of pregnant women:**

- Birth partners will be facilitated to accompany the pregnant woman to dating scan, early pregnancy clinic, anomaly scan, and Fetal Medicine Department, for induction of labour, duration of labour and birth and, to visit in antenatal and postnatal wards as appropriate.

The full guidance is available online on the Department's website at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

**Mr Carroll** asked the Minister of Health how the Chief Nursing Officer can represent both nurses and allied health professionals on the new Management Board for Rebuilding Health and Social Care Services.

**(AQW 5285/17-22)**

**Mr Swann:** The Chief Nursing Officer, Professor Charlotte McArdle leads the Nursing, Midwifery and AHP (NMAHP) Division providing professional advice on issues relating to Nursing, Midwifery and the Allied Health Professionals. She is supported in her role by a wide range of professional nursing, midwifery and Allied Health Profession officers. This leaves her ideally placed to represent the different views and interests of Nurses, Midwives and Allied Health Professionals on the new Management Board for Rebuilding Health and Social Care Services.

Where specific detailed information on Allied Health Professional issues is required the Chief Allied Health Professional Officer will be invited to join the meeting. This would be similar to other healthcare professional roles in other divisions and across the UK.

**Mr Carroll** asked the Minister of Health whether he will commit to the inclusion of the Chief Allied Health Professions Officer on the Management Board for Rebuilding Health and Social Care Services.

**(AQW 5286/17-22)**

**Mr Swann:** The Chief Nursing Officer, Professor Charlotte McArdle leads the Nursing, Midwifery and AHP (NMAHP) Division providing professional advice on issues relating to Nursing, Midwifery and the Allied Health Professionals. She is supported in her role by a wide range of professional nursing, midwifery and Allied Health Profession officers. This leaves her ideally placed to represent the different views and interests of Nurses, Midwives and Allied Health Professionals on the new Management Board for Rebuilding Health and Social Care Services.

Where specific detailed information on Allied Health Professional issues is required the Chief Allied Health Professional Officer will be invited to join the meeting. This would be similar to other healthcare professional roles in other divisions and across the UK.

**Dr Archibald** asked the Minister of Health when IVF services will be restarted for people who had their treatment cancelled due to the reduction in normal services as a result of COVID-19.

**(AQW 5313/17-22)**

**Mr Swann:** I can only provide information on publicly-funded treatment provided by the Regional Fertility Centre (RFC) in the Belfast Trust.

I launched the Strategic Framework for Rebuilding Health and Social Care Services on 9 June 2020. The focus will be on re-starting urgent services first and fertility treatment is classified as a routine elective procedure. However, I have made it clear that I consider re-instatement of fertility services to be a priority and the Trust is working to put plans in place to enable the service to recommence as soon as possible.

**Ms Hunter** asked the Minister of Health to detail the number of people presenting to (i) Altnagelvin Hospital; and (ii) Causeway Hospital, in relation to mental ill-health, broken down by age category in the last 12 months.

**(AQW 5324/17-22)**

**Mr Swann:** It is assumed that this question refers to the number of attendances at Altnagelvin and Causeway Emergency Care Departments which were in relation to mental ill-health.

Information on the number of attendances at (i) Altnagelvin; and (ii) Causeway Emergency Care Departments, in relation to mental-ill health, broken down by age category in the last 12 months is presented in the table overleaf.

**Number of attendances\* at Altnagelvin and Causeway Emergency Care Departments in relation to mental ill-health from 1st June 2019 to 31st May 2020, broken down by age category.**

Age Category	Altnagelvin	Causeway
Under 18	84	40
18 - 44	839	365
45 - 64	195	268
65 - 74	21	36
75+	9	21

Age Category	Altnagelvin	Causeway
<b>Total</b>	<b>1,148</b>	<b>730</b>

**Source:** Western and Northern Health and Social Care Trusts

\* It should be noted that the number of attendances does not equate to the number of patients treated, as it is possible for the same person to attend an emergency care department on more than one occasion in the period presented above.

**Ms Hunter** asked the Minister of Health to detail the number of mental health referrals made in each of the last 12 months, broken down by constituency.  
(AQW 5325/17-22)

**Mr Swann:** Please find information detailed below. A breakdown by constituency cannot be provided.

**Table 1. Total number of mental health referrals in the last 12 months up to 31 May 2020.**

Month	Mental health referrals in the last 12 months up to 31 May 2020
June 2019	5,748
July 2019	5,703
August 2019	5,391
September 2019	5,727
October 2019	6,259
November 2019	6,314
December 2019	5,282
January 2020	6,828
February 2020	6,349
March 2020	4,188
April 2020	2,380
May 2020	3,849

**Source:** Health and Social Care Board

**Mr McGrath** asked the Minister of Health what work he has undertaken to address mental health problems in sport.  
(AQW 5345/17-22)

**Mr Swann:** The Protect Life 2 strategy includes a specific action which recognises the important role of sport in addressing mental health problems. It notes that suicide prevention and emotional wellbeing and mental health requires work across a range of services and settings and that the combined knowledge, expertise and resources of organisations across public, private and voluntary/community sectors is essential.

The Public Health Agency has worked with Sport NI and Governing Bodies of Sport extensively over the years to promote positive mental and emotional wellbeing.

Work undertaken includes the development and support of the Sport NI – Wellbeing in Sport Action Plan and its associated Wellbeing in Sport Pilot Plan.

PHA and Sport NI are currently developing a mental health Awareness Programme to be rolled out across all sports clubs in Northern Ireland.

In 2019/20 PHA supported 48 coaches to be trained in safeTalk, ASIST and Mental Health First Aid. 81 Coaches attended other mental health/suicide awareness courses such as ENGAGE, Take 5, and Suicide Awareness Connections. Sport National Governing Bodies Safeguarding Officers also attended a mental health training information event in June 2019.

PHA have also worked with Ulster Rugby on a Health and Wellbeing Strategy that was launched in January 2016. They have supported Ulster Rugby to promote a healthy lifestyle to at risk young people through rugby related activity programmes.

The PHA has worked with the GAA since 2013, with a main focus for funding on strengthening young people's knowledge and awareness in mental health and emotional wellbeing and skilling up coaches and volunteers in effective suicide prevention strategies.

Ulster GAA are currently working with Inspire to explore an online support for club members during the summer months of the playing season. They have also developed a platform for support during COVID 19.

**Mr McGrath** asked the Minister of Health what work has been carried out by his Department to address gambling and related mental health.

**(AQW 5346/17-22)**

**Mr Swann:** At the present time there are no gambling specific services commissioned by the Health and Social Care Board in Northern Ireland. However, where problem gambling causes mental health issues, such as anxiety or depression, appropriate help and support is provided in line with clinical need and current service provision for mental health. Gambling support is also available in the community and voluntary sector, through various providers.

You will be aware that I published a Mental Health Action Plan on 19 May 2020. This Action Plan contains a specific action to develop a ten year Mental Health Strategy, reconfirming my commitment to this important step in setting the future direction of mental health services in NI. The strategy will be cross-sectoral in nature, will be patient centred and trauma informed, and will put the needs of the community at the fore.

**Ms Bradshaw** asked the Minister of Health when the drug Entrectinib, or the oral treatment Pazopanib, which have been developed for sarcoma cancer, will be made available to patients resident in Northern Ireland.

**(AQW 5349/17-22)**

**Mr Swann:** The Department has a formal link with the National Institute for Health and Care Excellence (NICE) under which NICE Technology Appraisals are reviewed locally for their applicability in Northern Ireland. Where found to be applicable they are endorsed by the Department for implementation within Health and Social Care (HSC).

Pazopanib for first-line treatment of advanced renal cell carcinoma was endorsed by the Department in November 2011 and is available to patients in Northern Ireland via routine commissioning for this condition.

Entrectinib does not have an EU or UK marketing authorisation and is an unlicensed medicine. However a final decision from the European Commission is expected shortly.

NICE published final draft guidance on 25 June 2020 recommending entrectinib for use within the Cancer Drugs Fund (England) as an option for treating neurotrophic tyrosine receptor kinase (NTRK) fusion-positive solid tumours in adults and children 12 years and older, who meet the criteria and if the conditions in the managed access agreement are followed.

If the marketing authorisation is granted entrectinib will be considered for routine commissioning in Northern Ireland in line with the normal managed entry of new medicines processes.

**Ms Bradshaw** asked the Minister of Health what additional measures are being put in place to support General Practice to assist with medical training during the forthcoming academic year, particularly with regard to delivering its commitment to support 25 per cent of the new medical curriculum being delivered in General Practice.

**(AQW 5351/17-22)**

**Mr Swann:** My Department is providing additional financial resource, via the Supplement for Undergraduate Medical and Dental Education (SUMDE) mechanism to general practices providing medical student places, as the delivery of the QUB Medical School curriculum is progressively recalibrated towards General Practice under its "C25 Programme".

In addition, my Department has provided funding, commencing in the Academic Year 2020/21, for a pilot project in two GP Federation areas within NI, to enhance the coordination and quality of medical student placements in General Practice.

**Ms McLaughlin** asked the Minister of Health whether the findings of the National Audit Office's inquiry report, Entitlement to free early education and childcare in England, will apply to Northern Ireland; and for his assessment of whether comprehensive affordable childcare is an essential ingredient for a successful and productive economy and a healthy society.

**(AQW 5359/17-22)**

**Mr Swann:** The Minister of Education has lead responsibility for childcare policy, including the draft Childcare Strategy, and will provide a substantive response to the same question which has been put to him.

**Ms Bradshaw** asked the Minister of Health, as analysis of responses to Reshaping Stroke Care - Saving Lives, Reducing Disability is now complete, to outline a timeline for the publication of this analysis and for the overall reconfiguration of stroke services arising from it.

**(AQW 5392/17-22)**

**Mr Swann:** The timescale for proceeding with reshaping stroke services will be identified in the context of the rebuilding process outlined in the Rebuilding Health and Social Care Services Strategic Framework. It is my intention that the consultation analysis will be published alongside my decision on progressing reform.

**Mr Robinson** asked the Minister of Health whether there is a timetable for the reopening of Wellbeing Centres which offer support to people experiencing a mental health crisis.

**(AQW 5398/17-22)**



**Mr Swann:** Statutory mental health services have been operating throughout the whole COVID-19 period and there has been no blanket closure of services. However, many services have operated in different ways, avoiding face to face contact where possible.

Plans are being made to resume face to face appointments when it is appropriate to do so. When this will take place will depend on individual circumstances.

**Ms Sheerin** asked the Minister of Health, in light of the provisions of paragraph 9.6 of the Guidance for Ministers in the Exercise of their Official Responsibilities, whether the Terms of Reference of the Departmental Management Board for Rebuilding Health and Social Care Services will be amended to reflect the accounting officer responsibility for compliance with the Section 75 equality duty within this function.

**(AQW 5400/17-22)**

**Mr Swann:** Accounting officer responsibilities have not been impacted by the establishment of the Rebuilding HSC Services Management Board. Accounting officers remain personally responsible for the discharge of all duties included in their appointment letter and the procedures set in Managing Public Money Northern Ireland, including the duty to comply with Section 75. All of these responsibilities continue to apply in the context of the Management Board.

**Mr Sheehan** asked the Minister of Health whether he has made a decision regarding commissioning a public inquiry into abuses and maltreatment in Muckamore Abbey Hospital.

**(AQW 5455/17-22)**

**Mr Swann:** I have not yet made a decision regarding commissioning a public inquiry to examine the allegations of abuse and maltreatment in Muckamore Abbey Hospital. I am keen to ensure that any decision I take is an informed one and I have sought detailed advice in relation to an inquiry; further advice is still being received.

I also need to ensure that any process that is put in place does not interfere with the current PSNI criminal investigation.

**Mr Sheehan** asked the Minister of Health to list those (i) formally; and (ii) informally involved in drafting the terms of reference for his Department's investigation into the recent mass resignation of Regulation and Quality Improvement Authority board members.

**(AQW 5456/17-22)**

**Mr Swann:** The Terms of Reference for the review into the Regulation and Improvement Authority Board Resignations were drafted by Department of Health officials including the Department's Deputy Secretaries.

**Mr Gildernew** asked the Minister of Health, pursuant to AQW 4954/17-22, (i) whether day opportunities for adults with learning disabilities will resume at the same time as respite services; (ii) when service users and their families will be informed of the decision; and (iii) how his Department has engaged with families and providers on this issue, including a breakdown of the respective providers.

**(AQW 5475/17-22)**

**Mr Swann:** The Health and Social Care Board (HSCB) are coordinating the development of operational recovery plans across disability services to restart services in a regionally consistent and phased manner. Incorporating the learning and new approaches developed in response to the pandemic will be central to our approach to restarting services and, indeed, to the future shape of learning disability services in Northern Ireland. Decisions to restart, prioritise and scale up services will be informed by factors such as safety, individual need, transmission rates, public health guidance, workforce readiness/re-deployment, risk assessment and estate capacity for social distancing measures within each Trust.

Timescales within this phased restart will be guided by the safety of those using the services and determined by sustained reduction in the risk of COVID-19 spreading to people using services and to staff; guidance regarding the need for social distancing measures and learning disability services having access to its full staff complement.

While we have to recognise that there are practical barriers to consultation at this time, the Health and Social Care Board have confirmed that the views of service users, families, carers and HSC staff will guide how services are scaled up over the coming months and engagement with carers and independent sector providers on these plans is underway across all Trusts.

Throughout the course of the pandemic response my Department has responded to correspondence received on this issue and have engaged with the Association for Real Change (ARC), who represent organisations from the statutory, private and voluntary sectors involved in the planning or delivery of support and services who have a learning disability, on a number of occasions via videoconference and letter.

**Mr McHugh** asked the Minister of Health, in light of the recent funding announcement of over £200 million to the Derry City and Strabane District Council which includes provision for a health hub in Strabane, (i) whether his Department has begun work on plans for this provision; and (ii) when this planning will be completed.

**(AQW 5478/17-22)**

**Mr Swann:** Derry City and Strabane District Council are the lead partner in progressing the plans for the City Deal in that area. My Department, along with the Western Health and Social Care Trust, will continue to work with the Council as they progress their plans for a health hub in the area. The timeline for completion of these plans is ultimately the responsibility of the Council.

**Mr McNulty** asked the Minister of Health, following a weekend of no emergency coverage in Newry, South Armagh and South Down, what action he will take to ensure adequate ambulance cover in the Southern and South Eastern Trust.

**(AQW 5537/17-22)**

**Mr Swann:** It is important to note that at no stage was the Northern Ireland Ambulance Service Southern Division area without cover during the period 3-5 July. There was full coverage during the dayshifts, but the nightshifts had reduced cover of 20%, 10% and 15% respectively.

To address shortages, standard plans are implemented to mitigate against reduced levels of cover. These include the provision of additional crews from other stations within the division, extended Rapid Response Paramedic hours, increased A&E support vehicles provided by non-emergency crews and increased use of voluntary and private ambulance services to deal with lower acuity calls in order to keep emergency crews free to attend more serious, life threatening calls.

While a reduced level of cover can lead to increased response times for patients waiting for an ambulance, those patients with the most life threatening conditions are always prioritised to ensure crews get to the sickest patients quickest and call handlers are available to provide telephone advice to callers.

**Ms Bradshaw** asked the Minister of Health for an update on the timescale for ensuring all daycare surgery is carried out in elective care centres.

**(AQW 5604/17-22)**

**Mr Swann:** The planned development of daycase elective care centres was underpinned by the benefits of separating planned and unscheduled care. This principle is even more important in the context of the ongoing pandemic.

In the Strategic Framework for Rebuilding HSC Services I have given a commitment to exploring the feasibility of establishing dedicated Elective Care Centres to facilitate the continuation of some planned activity in the event of increasing demand for COVID-19 treatment arising from a second wave of the pandemic. I plan to publish plans for rebuilding daycase elective care shortly.

**Mr Blair** asked the Minister of Health how he will ensure clinical input to the work of the new Management Board to oversee the Rebuilding Health and Social Care Services Strategic Framework.

**(AQO 548/17-22)**

**Mr Swann:** The new Management Board for Rebuilding Health and Social Care Services comprises senior departmental officials, Trust Chief Executives and senior officials from our other key arms-length bodies.

The Chief Nursing Officer represents the views of Nurses, Midwives and Allied Health Professionals on the Management Board and will be advised by the Chief Allied Health Professions Officer in my Department. In a similar way, the interests of the doctor and dentistry professions are represented on the Management Board by the Chief Medical Officer. I have also sought and received assurance that the Chief Allied Health Professions Officer and the Chief Dental Officer will attend the Management Board as necessary.

I am therefore confident that the interests of all HSC colleagues are represented through the current membership of the Management Board and that the Management Board will take account of and represent all relevant expert advice.

The Management Board will also be advised by expert advisors who will be invited to provide input and advice to inform Management Board deliberations as and when required.

In addition, clinical input will be at the heart of the rebuilding process. The Rebuilding Health and Social Care Strategic Framework published on the 9 June was clear that proposals should be developed using co-production principles, as far as possible.

**Dr Archibald** asked the Minister of Health what action he has taken to ensure staff are properly protected and not at risk as a result of inadequate fit testing for personal protection equipment.

**(AQO 549/17-22)**

**Mr Swann:** An audit review of fit testing for respiratory masks is ongoing on a precautionary basis within the HSC system after it emerged that one independent contractor, which conducted Fit Testing of masks during the pandemic, had inadvertently applied on some occasions a fit-testing setting not normally used in Northern Ireland. This should have been readjusted to the UK Fit Testing requirements. We are advised that any risk to staff is likely to be low.

All fit testing Certificates are being reviewed regardless of provider. Trusts have put in place a re-fit testing programme and are proactively recalling staff on a risk assessed basis.

It is anticipated retesting of staff will be concluded within the next week.

The Public Health Agency has been asked by the Department of Health to undertake a Serious Adverse Incident review

## Department for Infrastructure

**Ms Kimmins** asked the Minister for Infrastructure whether she intends to invest in the Roads Recovery Fund to improve the quality of rural roads.

**(AQW 4378/17-22)**

**Ms Mallon (The Minister for Infrastructure):** I have announced an investment of £75m in the structural maintenance of the road network in 2020/2021. Recognising the importance of investment in the roads network to improve connectivity, help communities and tackle regional imbalance, I have instructed officials to allocate £12m to a Roads Recovery Fund of which £10m is to be directed towards rural roads.

**Mr Boylan** asked the Minister for Infrastructure, regarding the recent announcement of the Rural Roads Fund (i) whether this will be additional funding on top of the Roads Recovery Fund; and (ii) how this fund will be allocated.

**(AQW 4666/17-22)**

**Ms Mallon:** I have announced an investment of £75m in the structural maintenance of the road network in 2020/2021. Recognising the importance of investment in the roads network to improve connectivity, help communities and tackle regional imbalance, I have instructed officials to allocate £12m to a Roads Recovery Fund of which £10m is to be directed towards rural roads.

In distributing the resources available for the Roads Recovery Fund, allocations are made to the four Roads Divisions on the basis of need, using a range of weighted indicators tailored to the activity. Divisions use these indicators when apportioning across council areas to ensure, as far as possible, an equitable distribution of funds across the whole of the North.

**Mr Boylan** asked the Minister for Infrastructure to detail (i) the number of driving theory certificates that have expired, or are at risk of expiring, due to COVID-19; and (ii) whether she has plans to extend the validity of driver theory test certificates at this time.

**(AQW 5025/17-22)**

**Ms Mallon:** I am aware that some learner drivers are in the position that, through no fault of their own, their theory test pass certificate is coming close to the end of its two year period of validity, or has expired during the current pandemic.

Across all test categories, 1,126 theory test pass certificates will have expired between the end of March and the end of June, and by the end of September a further 1,312 will have expired.

I have asked officials to engage with colleagues in the Driver and Vehicle Standards Agency in Great Britain to consider what additional measures may be implemented to ensure that those candidates inconvenienced by the current Covid-19 crisis are not further penalised through the expiry of their theory test certificate. It is, however, likely that any extension to the validity period of theory test pass certificates will require an amendment to legislation and this is being actively explored.

**Mr Dunne** asked the Minister for Infrastructure whether her Department would consider improving road safety at Seapark Road, Holywood, to include (i) double yellow lines; and (ii) traffic lights at the junction with the A2 dual carriageway.

**(AQW 5029/17-22)**

**Ms Mallon:** I recognise the importance of road safety and am committed to exploring solutions that deliver better for communities and improve lives across Northern Ireland. In relation to your specific queries I would comment as follows:

- (i) Waiting restrictions such as double yellow lines are generally only provided to assist with traffic progression, or where there is a road safety concern, at locations where there are frequent and ongoing parking issues. It is recognised that during periods of more favourable weather, a substantial number of additional visitors are attracted to the Seapark area and parking issues can occur.

While my Department has the powers to introduce waiting restrictions, it would not be considered appropriate to introduce permanent restrictions to address parking issues that are likely to occur relatively infrequently throughout the year.

- (ii) The junction of Seapark Road onto the A2 Belfast to Bangor Road is typical of many locations in that it forms a priority junction where the side road traffic gives way to traffic on the main road. The provision of traffic signals is normally only considered where the flows from the side roads are significant leading to extensive delays being experienced throughout the day.

A review of the information currently available to my Department in terms of traffic volumes, personal injury collisions, queues and delays has indicated that traffic signals could not be justified at this particular time. I have however asked officials to keep this junction under review.

**Mr O'Dowd** asked the Minister for Infrastructure to detail (i) what stage the Regional Strategic Transport Network Transport Plan is at; and (ii) whether it will contain a recommendation for a rail halt in central Craigavon.

**(AQW 5042/17-22)**

**Ms Mallon:**

- (i) My Department is currently progressing the Regional Strategic Transport Network Transport Plan (RSTNTP) to draft report stage in order to allow it to be presented for public consultation. Timescales for the Transport Plan have been affected by the COVID-19 emergency which has impacted upon staff resources and work priorities.

The RSTNTP will set out future investment and improvement for our strategic transport networks, by road, rail and bus, and reflect my commitment to improving connectivity for the benefit of our economy and communities across Northern Ireland.

- (ii) The RSTNTP will help inform my priorities for future development of the main road and rail networks, including the potential for new railway stations. It would be premature to announce recommendations at this stage; however I recognise there is a public appetite for expanded railway infrastructure to improve public access to rail services. This will be carefully considered as part of the RSTNTP proposals.

**Miss McIlveen** asked the Minister for Infrastructure to detail the road and footpath resurfacing schemes scheduled for the Strangford constituency this financial year.

**(AQW 5043/17-22)**

**Ms Mallon:** While my Department does not hold information on an Assembly Constituency basis, I can advise that my officials are currently developing plans for delivery of an extensive carriageway and footway resurfacing programme which will include schemes within the Strangford Constituency. Given this ongoing work it is not possible at this time to provide details of specific scheme locations however for all areas a list of proposed schemes will be included in the various Council reports which will be published over the coming months.

**Mr Storey** asked the Minister for Infrastructure whether the Lisnahunshin Road, from Cullybackey to Rasharkin, will be included on the winter gritting schedule.

**(AQW 5056/17-22)**

**Ms Mallon:** My Department receives many requests each year for additions to the winter gritting schedules. For this reason all decisions made are based on an objective assessment process set out in the Department's Winter Service policy. This process ensures that a consistent approach to winter maintenance is adopted across the entire road network, allowing my Department to grit approximately 28% of the public road network, which carries 80% of our traffic.

Under the current policy the Lisnahunshin Road does not satisfy the requirements for inclusion on the winter gritting schedule due to low traffic volumes and the presence of two 'parallel' gritted routes. However, I can confirm my Department will continue to provide grit piles along this road for use by the general public on a self-help basis, to assist traffic movement during periods of wintery weather.

While I would like to be able to expand our gritting service to many other routes, it is simply not feasible to do this at present, due to the severe budget constraints and many other competing fiscal pressures faced by my Department. This is an issue I will continue to raise with my Executive Colleagues.

**Mr Storey** asked the Minister for Infrastructure to detail the ten roads in the North Antrim constituency where the most remedial repairs have been completed, in the last two years.

**(AQW 5057/17-22)**

**Ms Mallon:** The list of roads below in the North Antrim constituency are ranked in order based on the number of patching repairs carried out over the last two years with the road with the highest number of defects repaired listed first. It should be noted that other defect repairs, such as those to road signs and lines, kerbs and gullies have not been taken into account when compiling this list.

- Grove Rd1: A26 Grove Rd Rbt To A43 Cushendall Rd
- Kilnacolpagh Rd1: U2121 Lough Rd To C66 Carnalbanagh Rd
- Skerry Rd E1: U2159 Tuftarney Rd To A43 Glenravel Rd
- Craigadoo Rd: Tully Rd To Scottstown Rd
- Moorfields Rd3: B59 Tully Rd (Rhs) To U2098 Scottstown Rd (Rhs)
- Deerfin Rd1: C64 Tully Rd To B94 Rathkeel Rd
- Dunminning Rd: Div Bdry At U2018 Killagan Rd To B64 Station Rd
- Frys Rd1: A43 Cushendall Rd To Ecos Rbt
- Ballymena Rd3: U2028 Old Cullybackey Rd To U2027 Sand Rd
- Corkey Rd1: Carnamenagh Rd To Lough Rd

**Mr Newton** asked the Minister for Infrastructure to detail the number of people using the Comber Greenway during the years (i) 2017/18; (ii) 2018/19; and (iii) 2019/20.

**(AQW 5061/17-22)**

**Ms Mallon:** Three counters were installed on the Comber Greenway in April 2017. Estimates of the number of trips on the greenway at these counter locations are as follows:

Location	2017/18	2018/19	2019/20
Beersbridge Road	189,000	215,000	no data
Abbey Road	191,000	190,000	193,000
Comber	131,000	135,000	148,000

**Ms Hunter** asked the Minister for Infrastructure whether she will provide a funding package for ferry services, including the Magilligan to Greencastle service.

**(AQW 5069/17-22)**

**Ms Mallon:** My Department has no operational responsibility for the Magilligan-Greencastle ferry service as it is privately owned. I understand that in the past financial support has been provided by District Councils.

A support package was agreed between the Executive and DfT to provide financial support to ensure that the main GB-NI supply routes which provide food, medicines and other critical supplies were able to continue. Three ferry operators (Stena, Seatruck and P&O) were deemed eligible for three crossing routes (Larne-Cairnryan; Belfast-Cairnryan; Heysham-Warrenpoint). The Northern Ireland Executive agreed to cover 40% of the total costs.

**Mr Beggs** asked the Minister for Infrastructure (i) whether she been lobbied by groups opposed to the progress of the York Street Interchange project; and (ii) if so, to give details.

**(AQW 5071/17-22)**

**Ms Mallon:** The development of significant infrastructure projects is often the subject of public discourse. I am aware of views both for and against the York Street Interchange scheme that were examined at the Public Inquiry in November 2015 and indeed continue to be raised from time to time, in the press, through social media and by correspondence.

I have not been lobbied by particular groups on this scheme.

**Mr Buckley** asked the Minister for Infrastructure for an update on when driving instructors can resume lessons with clients.

**(AQW 5072/17-22)**

**Ms Mallon:** The Executive Office has confirmed that the Regulations do not currently prevent driving lessons from taking place, if it is safe to do so for both instructors and their customers.

Given that driving instructors work in a higher risk environment, it is crucial that public health advice is followed by them to keep them and their customers safe. The ADI National Joint Council has published guidance for driving instructors and it is advised that this is reviewed to help them prepare safely: <https://www.adinjc.org.uk/training-resources/>.

The DVA plans to reinstate some driver testing services in July for those licence categories, where testing can be done safely in line with current PHA advice and guidance on social distancing requirements. This includes motorbike driver testing, planned from 6 July and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach drivers, planned from 20 July. Driver theory tests are also being reintroduced from 6 July, with safe social distancing in place.

The department is working to safely restore practical driving tests for cars as quickly as possible with the priority of keeping staff and customers safe and the DVA will continue to be guided by PHA advice in this regard. No date for resumption has yet been set by the department. This does not need to be referred to the Executive but must be in line with PHA guidance. The DVA continues to work as quickly as possible to find a way forward that will keep customers and staff safe.

**Mrs D Kelly** asked the Minister for Infrastructure whether her Department has any plans for a scrappage scheme to remove vehicles with high exhaust emissions from our roads and help the green recovery.

**(AQW 5081/17-22)**

**Ms Mallon:** Through prioritising actions to deliver sustainable infrastructure and support a green recovery from the current health crisis, I have recently announced how available resources will be used to accelerate my transformation agenda to create new spaces and places where people can enjoy a cleaner, greener way of living and travelling. This has included further investment in low emissions buses, greenways and Park and Ride sites; the appointment of a Walking and Cycling Champion to promote active travel through collaborative initiatives with local Councils and the creation of a £20m blue/green infrastructure fund to make public transport and active travel a more attractive and efficient alternative to the use of private cars. I am not considering a vehicle scrappage scheme at this time.

In recognition of the need to reduce emissions from transport, my Department is working closely with the Department for the Economy to develop a long term energy strategy for Northern Ireland to identify actions to support the decarbonisation agenda. The DAERA Minister and I met earlier this year to discuss opportunities for partnership working. As such, officials are currently exploring a range of options and solutions to enhance our infrastructure, tackle the climate emergency and improve air quality, particularly in the context of COVID-19 recovery plans.

**Ms Bunting** asked the Minister for Infrastructure, in relation to extensions to MOT certificates, when MOT centres will reopen for those who could not receive an extension and need their vehicle for work purposes.

**(AQW 5094/17-22)**

**Ms Mallon:** On 1 June 2020, following consultation with staff and Trade Unions, the Driver and Vehicle Agency (DVA) safely reinstated a limited number of specialist tests for those vehicles that deliver essential services. This was to ensure that supply chains and the health service continue to be supported during this time of significant challenge.

On 22 June, I announced a timetable for the planned reinstatement of further vehicle testing services, initially prioritising those vehicles that cannot avail of an exemption, such as first time taxis and buses, vehicles not registered in Northern Ireland and due a test and vehicles whose MOT certificates have expired by more than 12 months, which includes SORN'ed vehicles and those sold by car dealerships. As restrictions ease, and the DVA's capacity to test vehicles increases, more services will be reinstated until such times as normal business resumes.

Before any vehicle testing services are reinstated they will be fully risk assessed to ensure the processes comply with all public health and safety guidance and in consultation with staff and Trade Unions, to ensure the safety of staff and customers during the testing process.

**Mr Boylan** asked the Minister for Infrastructure what park and rides facilities are due to be progressed in this year's budget.

**(AQW 5109/17-22)**

**Ms Mallon:** I have allocated £4m for the development of Park and Ride sites in 20/21 and am currently considering my priorities.

**Mr Dickson** asked the Minister for Infrastructure for an update on progress on the York Street Interchange project.

**(AQW 5118/17-22)**

**Ms Mallon:** I am committed to the progression of the York Street Interchange project ensuring that it is fit for purpose. I am actively considering how it sits with my wider priorities as my department moves to the next steps.

**Mr Allister** asked the Minister for Infrastructure, in respect of planning applications for Battery Energy Storage Systems, whether applicants are required to provide details of any dangerous substance that will be stored, or can be produced if there is loss of control of the process.

**(AQW 5136/17-22)**

**Ms Mallon:** Applicants applying for planning permission are required to provide sufficient information to enable the planning authority to consider and assess relevant material considerations. Where such information is not initially available or becomes apparent following consultation or receipt of representations, it can be requested from the applicant.

Notwithstanding the matters to be addressed as part of a planning application, if an applicant proposes to store hazardous substances, the Planning (Hazardous Substance) (No. 2) Regulations (Northern Ireland) 2015 provides the legislative basis for assessing and determining hazardous substance consent. Those regulations require an applicant making an application for hazardous substance consent to provide, among other things, details of each hazardous substance for which consent is sought, including the maximum quantity of each relevant substance proposed to be present. In addition to substances present, and pursuant to part 3 of those regulations, this includes substances that it is reasonable to foresee being generated if there is a loss of control.

I would also refer you to previous Assembly question AQW 2145/17-22.

**Mr Allister** asked the Minister for Infrastructure, given that Northern Ireland Electricity Networks and System Operator for Northern Ireland are private companies who may themselves have an interest in such applications, who are the statutory consultees in respect of planning applications for Battery Energy Storage Systems which address the issue of protecting the public from dangers arising from the generation, transmission, distribution or supply of electricity,

**(AQW 5137/17-22)**

**Ms Mallon:** Regulation 13 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 prescribes the consultation requirements on a planning application. The list of statutory consultees is included at Schedule 3 of the Order which also sets out the circumstances in which the council or as the case may be, the Department is required to consult any of them.

When consulted, the Department for Agriculture, Environment and Rural Affairs (DAERA) will provide information on the development's effect on the environment; the Health and Safety Executive for Northern Ireland (HSENI) will provide

information on the risk to people; DfI Roads will provide information on highway safety; licensed aerodromes will provide information on airport safeguarding and the Department for Economy (DfE) will provide comment on all energy infrastructure classed as major development.

Dangers related to the storage of hazardous substances above specific thresholds are addressed through the hazardous substance consenting regime wherein, HSENI, Northern Ireland Fire and Rescue Service and DAERA (Industrial Pollution and Radiochemical Inspectorate) will be the statutory consultees and will assess the risk to people and the environment.

**Mr Robinson** asked the Minister for Infrastructure to outline (i) planned discussions; and (ii) discussions to date with the taxi industry, to help the industry following the COVID-19 pandemic.

**(AQW 5139/17-22)**

**Ms Mallon:** My remit in relation to taxis is regulatory, and a priority for me during the current public health emergency has been to facilitate the necessary rapid two way communication with the industry on regulatory issues that need to be addressed. My officials and I have been in regular and ongoing contact with the industry, including with individual drivers and operators, augmented by open letters to the industry.

I met with representatives from the taxi industry just prior to the outbreak of COVID-19 and have engaged with representatives during the pandemic to discuss the difficulties faced by the industry. Most recently I met with a delegation of taxi drivers who were making representations on behalf of their industry at Stormont. I will continue to engage with the industry and will continue to do all that is necessary to find solutions to any of the regulatory challenges that emerge and are causing difficulty for taxi drivers during this crisis while continuing to work with Ministerial colleagues to support the industry.

**Ms Bailey** asked the Minister for Infrastructure, pursuant to AQW 260/17-22, (i) how her Department has quantified what environmental harm has been caused due to her Department's failure to implement the Review of old Minerals Permissions (ROMPs); (ii) whether this failure is in breach of the Environmental Impact Assessment Directive 2014/52/EU; and (iii) for her assessment on whether it threatens compliance with the European Commission's Pilot Case 7640/15/ENVI: Environmental Enforcement in Northern Ireland.

**(AQW 5146/17-22)**

**Ms Mallon:** The legislative provisions relating to review of old mineral permissions (ROMPs) within the Planning Act (NI) 2011 have not been commenced. This does not constitute a failure against any statutory requirement or timeframe for commencement. There is no assessment of positive or negative impacts of the absence of these legislative provisions.

The requirements of the EIA Directive (as amended) have been met through other legislative provisions in relation to the planning system, primarily through the extant Planning (Environmental Impact Assessment) Regulations (NI) 2017. There is no requirement under the EIA Directive to commence these legislative provisions. In relation to the EU Pilot Case this is an ongoing investigation and my officials, along with Whitehall colleagues, have continued to work constructively with the European Commission.

I can assure you that I am committed to protecting the environment and I have asked officials in my Department to prepare an options paper regarding ROMPs. This will require an up to date assessment of the operational effectiveness of the legislation, as well as further engagement with stakeholders to consider the practical impacts of ROMPs.

**Ms Sheerin** asked the Minister for Infrastructure whether she will address the issue facing businesses who use ADR vehicles on an island-wide basis who are being impacted by the lack of ADR testing.

**(AQW 5147/17-22)**

**Ms Mallon:** From 1 June 2020, the Driver & Vehicle Agency (DVA) introduced a statutory authorisation process that permits the continued use of ADR vehicles on the roads in Northern Ireland, provided strict conditions and control measures are in place for these heavy vehicles.

On 22 June, I announced a timetable for the reinstatement of further vehicle and driver testing services in the coming weeks. I am pleased to advise that DVA intends to resume ADR testing from 20 July and will initially be prioritising vehicles to be used or sold on an island-wide basis and for International transit.

As restrictions ease, and the DVA's capacity to test vehicles increases, more services will be reinstated until such times as normal business resumes.

**Mr McHugh** asked the Minister for Infrastructure when the consultation process into the Heavy Goods Vehicle traffic embargo through the village of Clady, Co.Tyrone, will be completed and a decision made.

**(AQW 5148/17-22)**

**Ms Mallon:** Following the formal consultation on the introduction of a 7.5 tonne weight restriction through Clady village in 2019, a number of responses were received from local businesses owners who expressed concerns as to the potential impact of the proposed restrictions on their operations.

Further consultation and consideration of the issues is ongoing before a decision is made in relation to this proposal.

**Mr Givan** asked the Minister for Infrastructure, given the pressures on the DVLA and vehicle test centres, whether she will consider a change to legislation to reduce the MOT exemption age of vehicles of historical interest.

**(AQW 5160/17-22)**

**Ms Mallon:** I announced on 2 July 2020 that I intend to introduce the exemption from periodic roadworthiness testing for Vehicles of Historic Interest in Northern Ireland. This exemption, which will align NI legislation with that in GB, will apply to those vehicles that were first registered at least 40 years ago, are no longer in production and have not been significantly modified. The exemption will not apply to those vehicles that are still in public service. I have instructed my officials to begin the process of progressing the legislation through the Assembly with the aim that the regulations can be laid and brought in to operation as soon as possible.

**Mr Beggs** asked the Minister for Infrastructure whether a full economic appraisal has been completed for the Narrow Water Bridge project.

**(AQW 5166/17-22)**

**Ms Mallon:** As outlined recently, I remain committed to advancing the Narrow Water Bridge Project. My officials have been working to update an economic appraisal of options considered in respect of future development of Narrow Water.

I look forward to discussing the outcome of this work with my counterpart in the South to consider how best we can maximise the tourism potential of this cross border region whilst protecting the natural environment in an area of historic and ecological significance.

**Mr Beggs** asked the Minister for Infrastructure to detail the average length of time to action a repair request for (i) streetlighting; and (ii) potholes, broken down by constituency.

**(AQW 5167/17-22)**

**Ms Mallon:** My Department does not maintain records by constituency.

Article 8 of the Roads (Northern Ireland) Order 1993 places a duty on my Department to maintain all public roads in reasonable condition. We fulfil this duty by complying with a set of Maintenance Standards for Safety. These standards are designed to ensure a consistent service level across the network and safe highways for all road users.

Our current standards specify a range of response times for the repair of road defects, depending on factors such as their severity and the volume of traffic on the road. They range from one calendar day for the most serious defects, to periods of five working days and four weeks for less serious defects. The least serious defects only have to be repaired in the next work programme for that route. If it becomes apparent that the relevant response time cannot be met, then my Department has the option of installing signs to warn road users of a possible danger.

For street lighting repairs, we also have a range of response times: 1 hour for emergencies; 24 hours for urgent repairs (normally group outages); and five working days for normal outage repairs.

I can assure the Member following my allocation of funding for this year, I have directed officials to work to repair our roads and street lights as quickly as possible. I am also pleased to inform the Member that I have allocated funding to allow my Department to provide a full street lighting maintenance programme for the current year.

**Mr Allister** asked the Minister for Infrastructure, in relation to planning applications for Battery Energy Storage Systems, (i) whether they are assessed using the Control of Major Accident Hazards Regulations; and (ii) if not, how.

**(AQW 5177/17-22)**

**Ms Mallon:** The Control of Major Accident Hazards Regulations (Northern Ireland) 2015 are enforced by the Health and Safety Executive NI (HSENI) and Northern Ireland Environment Agency (NIEA). My Department does not use these regulations to assess planning applications.

Where hazardous substance consent is required in connection with a planning application, applications for consent are assessed against the Planning (Hazardous Substance) (No. 2) Regulations (Northern Ireland) 2015.

**Mr Muir** asked the Minister for Infrastructure to detail plans to adapt public transport provision to reflect a likely permanent increase in remote working following the COVID-19 pandemic.[R]

**(AQW 5190/17-22)**

**Ms Mallon:** It is evident that COVID-19 has had a severe impact on our public transport service and is reflected in the suppressed passenger numbers being experienced by Translink. This is expected as the NI Executive Recovery Plan to COVID-19 continues to promote working from home which impacts on our commuter services. As we move through the Recovery Plan, we are slowly seeing an increase in passenger numbers and my focus is to continue to ensure that our public transport network has sufficient capacity to facilitate social distancing with appropriate mitigations to ensure the safety of passengers and staff. In line with this, I secured Executive agreement to make face coverings mandatory on our public transport network from 10th July 2020, adding an additional layer of protection for passengers and staff from covid 19.

In respect of future plans for public transport, it is too early to determine what the long term impact of COVID-19 will be on our public transport network. However I can confirm that my officials and Translink will continue to analyse passenger demand



with a view to responding to increased demand and informing future plans for our network. Whilst COVID 19 has changed the context within which we operate, my priority remains to deliver increased connectivity with a clear focus on public transport and active travel. In addition to planning for the future, that requires immediate action to respond to the unprecedented impact of COVID 19 on passenger numbers and the financial viability of our public transport network and I welcome the commitment of Executive colleagues in this regard.

**Mr Muir** asked the Minister for Infrastructure to detail (i) capital spend; and (ii) resource spend on (a) public transport infrastructure; and (b) roads infrastructure, broken down by the last three financial years and the budgeted spend for 2020/21.

[R]

**(AQW 5191/17-22)**

**Ms Mallon:** Details of resource and capital expenditure on roads infrastructure and public transport infrastructure for the past 3 years and the budget for 2020-21 have been provided in the tables below.

	Expenditure			Budget
	2017-18 £m	2018-19 £m	2019-20 £m	2020-21 £m
Resource				
Roads	104.3	105.3	106.9	105.5
Public Transport	48.2	53.9	54.6	58.9

	Expenditure			Budget
	2017-18 £m	2018-19 £m	2019-20 £m	2020-21 £m
Capital				
Roads	166.8	234.1	239.0	207.6
Public Transport	84.7	112.5	109.1	154.6

**Mr Boylan** asked the Minister for Infrastructure whether her Department intends for the Newry Southern Relief Road to have an opening bridge.

**(AQW 5204/17-22)**

**Ms Mallon:** Newry Southern Relief Road is one of the infrastructure projects within the Belfast Region City Deal being taken forward by my Department. Whilst the development of the project has been taken forward on the basis of a fixed bridge, I have yet to consider this matter and an opening bridge has not been ruled out at this stage.

**Mr Beggs** asked the Minister for Infrastructure for an update on her Department's plans to increase the provision of (i) cycle paths; and (ii) pedestrianised walkways, in East Antrim.

**(AQW 5208/17-22)**

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported.

I am keen to see progress on better walking and cycling infrastructure throughout Northern Ireland and am currently considering the basis upon which funding may be allocated for cycling infrastructure. My Department is working in partnership with Councils and stakeholders, in identifying and taking forward schemes that deliver on our Programme for Government outcomes and ensure lasting change for people across the North.

Specifically in East Antrim, my officials are currently developing proposals to deliver a shared use footway / cycleway along the existing hard shoulder on the Belfast Road, Larne (from Shanes Hill to Pound Street) to improve pedestrian and cycle links to the Millbrook Park and Ride. I am keen to work with the council to develop more active travel initiatives in the East Antrim area.

**Mr McNulty** asked the Minister for Infrastructure whether she will consider removing the requirement for vintage and antique cars to have an MOT carried out.

**(AQW 5212/17-22)**

**Ms Mallon:** I announced on 2 July 2020 that I intend to introduce the exemption from periodic roadworthiness testing for Vehicles of Historic Interest in Northern Ireland. This exemption, which will align NI legislation with that in GB, will apply to those vehicles that were first registered at least 40 years ago, are no longer in production and have not been significantly modified. The exemption will not apply to those vehicles that are still in public service. I have instructed my officials to begin the process of progressing the legislation through the Assembly with the aim that the new regulations can be laid and brought in to operation as soon as possible.

**Ms Kimmins** asked the Minister for Infrastructure when she plans to begin engagement with key stakeholders regarding the Newry Southern Relief Road.

**(AQW 5231/17-22)**

**Ms Mallon:** I had arranged to meet with key stakeholders in Newry regarding the Newry Southern Relief Road prior to the Covid crisis. As a result of lock down all meetings and visits had to be postponed. As COVID-19 restrictions are being lifted, all of my meetings are now being rescheduled and I am keen to meet with key stakeholders to discuss this important project.

**Ms Anderson** asked the Minister for Infrastructure for an update on her proposals regarding (i) investment in greenways; and (ii) investment in the Strathfoyle Greenway, Derry.

**(AQW 5239/17-22)**

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through this transformation, promoting active travel and reshaping our places to live in the new normal. This funding will be community led and departmentally supported. In partnership we can ensure lasting change for people across the North.

I am still considering the basis upon which funding may be allocated for greenway infrastructure but it is important that schemes will deliver on our Programme for Government outcomes. I will make a further announcement shortly.

**Miss McIlveen** asked the Minister for Infrastructure for a date for the resumption of driving tests.

**(AQW 5252/17-22)**

**Ms Mallon:** On 22 June, I announced plans to reinstate some driver testing services in July for those licence categories, where testing can be done safely in line with PHA advice and guidance on social distancing requirements. This includes motorbike driver testing, planned from 6 July and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach drivers, planned from 20 July. I have also confirmed that Driver Theory Tests will be reinstated from 6 July.

The DVA is working on proposals to reinstate practical driving tests for cars and lorries as soon as possible but there are important public health considerations to be addressed for staff and customers before these can safely resume. I recognise the inconvenience this is causing to customers and as soon as a date to resume these services has been confirmed I will ensure this is immediately communicated to our customers.

**Miss McIlveen** asked the Minister for Infrastructure when she plans to increase the number of operating hours for the Strangford Lough Ferry with a view to returning to normal service.

**(AQW 5295/17-22)**

**Ms Mallon:** The ferry service has been disrupted due to a reduction in crew availability as a result of shielding and Covid-19 pandemic.

On Monday 6 April I introduced a reduced timetable, with a last sailing from Portaferry at 5:15pm, to provide a more reliable and sustainable service for passengers. Since then improvements in crew availability have made it possible to extend hours incrementally, to provide a last sailing from Portaferry at 6:15pm from 26 May, and 7:15pm from 2 July. Regrettably due to the prevailing circumstances arising from the ongoing Covid-19 crisis, it is still not possible at this time to restore the full normal service.

While passenger numbers have gradually increased since early April, they are currently approximately 50% lower than normal levels. My officials will continue to monitor passenger demand and crew availability over the coming weeks and, whilst still cognisant of the Covid-19 constraints, will be making every effort to bring about the restoration of the normal timetable as soon as it is practicable to do so.

Officials will continue to ensure that information on the ferry service remains up to date, through the Strangford Lough Ferry Service text messaging service (Text 'FERRY' to 67300 to subscribe), the NIDirect webpage; [www.nidirect.gov.uk/articles/strangford-ferry-timetable](http://www.nidirect.gov.uk/articles/strangford-ferry-timetable), the Department's social media page and the TrafficwatchNI website.

**Miss Woods** asked the Minister for Infrastructure, in light of last week's repeated pollution incidents from the A6 construction works, to outline (i) why this is still happening; (ii) the immediate action she will take to stop further pollution events; and (iii) whether she will commission an urgent independent scientific review to assess the immediate and longer term effects from this sedimentation on protected migrating fish, their spawning and nursery habitats in the River Faughan and Tributaries Special Area of Conservation.

**(AQW 5318/17-22)**

**Ms Mallon:** I have been advised that the Northern Ireland Environment Agency (NIEA) is currently undertaking investigations into a number of reported pollution incidents in the vicinity of the A6 Dungiven to Drumahoe Dualling scheme, and until this work is complete you will hopefully appreciate it would be premature and inappropriate to make any detailed comments.

However, I can assure you that my officials continue to be proactive in managing the environmental aspects of this project and are working closely with NIEA to ensure the contractor minimises the risk of pollution incidents.

I can also advise that in response to the previous pollution incidents, officials from my Department have already been engaging with fisheries and aquatic ecology experts, NIEA and Loughs Agency to consider the merits of carrying out a

survey on the current condition of the fisheries habitat within the River Faughan catchment. This would be in addition to the baseline survey, which was carried out prior to the commencement of construction, and the commitment to carry out a post-construction survey.

**Mr Chambers** asked the Minister for Infrastructure whether NI Water can explain the occasional appearance of sanitary waste on the beach at Shore Street and Lemon's Wharf, Donaghadee.  
(AQW 5329/17-22)

**Ms Mallon:** I am advised by NI Water that, on occasion, historic debris can be stirred up from the seabed and deposited on the beach at Short Street and Lemon's Wharf. It generally occurs during periods of intense rain. NI Water has checked its assets at this location and has located no latent debris which would contribute to these unfortunate incidents.

On occasion NI Water has undertaken beach clean-ups that have been completed with approval from NIEA and NI Water has asked its contractors to carry out a litter pick up as a matter of urgency.

NI Water fights a daily battle with blocked sewers and out of sewer flooding when people flush inappropriate items such as baby wipes, cotton buds and sanitary products. Blockages and subsequent spills are completely avoidable if everyone would adopt a simple habit of binning everything other than the 3P's, pee, poo and paper.

**Mr McGuigan** asked the Minister for Infrastructure what plans her Department has to improve cycle routes and infrastructure in North Antrim.  
(AQW 5341/17-22)

**Ms Mallon:** The £20 million funding for blue / green infrastructure will support our communities through transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported.

I am keen to see progress on better walking and cycling infrastructure throughout Northern Ireland and am currently considering the basis upon which funding may be allocated for cycling infrastructure. My Department is working in partnership with Councils and stakeholders, in identifying and taking forward schemes that deliver on our Programme for Government outcomes and ensure lasting change for people across the North.

Specifically in North Antrim my Department is currently completing 1,300m of shared footway / cycleway at Grove Road, Ballymena and work is due to commence shortly on 1,400m of shared pedestrian/cycleway at Fry's Road, Ballymena representing an investment in the area of around £0.5 million. Further schemes are being considered for delivery as part of my Department's Active Travel programme, including a shared foot/cycleway link to the St Patricks Barracks development in Ballymena along the Larne Link Road from Crebilly Road.

**Mr Boylan** asked the Minister for Infrastructure to detail the number of taxi drivers currently licensed, broken down by taxi class.  
(AQW 5363/17-22)

**Ms Mallon:** The figures requested are National Statistics, in accordance with the Statistics and Registration Service Act 2007. The latest quarterly statistics were published on 27 May 2020 and detail the position as of 31 March 2020.

The information requested is included in the tables below.

#### Licensed Taxi Drivers

Total Number of Licensed Taxi Drivers	9,590
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#### Licensed Taxi Vehicles

Class A	6,713
Class B	478
Class C	1,240
Class D	145
<b>Total Number of Licensed Taxi Vehicles</b>	<b>8,576</b>

**Ms Kimmins** asked the Minister for Infrastructure why there has been no progress regarding the extension of planning permission at risk of expiring during COVID-19.  
(AQW 5440/17-22)

**Ms Mallon:** I have, and continue, to give this matter careful consideration. In line with the Executive's Recovery Pathway, construction work has largely recommenced and permissions can therefore be started. I am also mindful of the need for the construction sector to access as much work as possible as quickly as it can, and that the option of renewing a planning permission before it expires is also available.

At this point in time, I believe the case for primary legislation to amend the Planning Act (NI) 2011 to extend extant planning permissions has reduced. I am aware of your concern about renewal applications. My Chief Planner has written to the Councils throughout this crisis to provide advice and guidance. In response to this concern he wrote to the councils in March, and again in May, advising that, if unable to commence the permission, the best option is for applicants to seek to renew before expiry. He also asked councils to use their best efforts to process and determine these as expeditiously as possible.

I will continue to do all I can to ensure that the planning system can continue to operate as effectively as possible and that the impacts of this pandemic are kept to a minimum.

**Mr Robison** asked the Minister for Infrastructure, as plastic screens have been installed and passengers are requested to sit in the rear of the taxi, whether taxi passengers and drivers will be required to wear masks, in common with other forms of public transport.

**(AQW 5559/17-22)**

**Ms Mallon:** The Executive has agreed that the cross-departmental group established to consider face coverings will engage with the taxi industry and tour coach operators to explore extending this requirement to them. While the mandatory nature at this stage has not been extended to these sectors, it is important to note the public health guidance strongly recommends wearing face coverings in enclosed spaces where social distancing is not possible.

## Department of Justice

**Mr Frew** asked the Minister of Justice whether her Department will introduce trauma informed practice within the Northern Ireland Probation Service.

**(AQW 5053/17-22)**

**Mrs Long (The Minister of Justice):** The introduction of trauma informed practice within the Northern Ireland Probation Service is an operational matter for the Probation Board for Northern Ireland (PBNI). I am committed to respecting the operational independence of PBNI. You may, therefore, wish to direct your question to the PBNI.

However, PBNI has advised that in order to contribute to the rehabilitation of service users, a model of trauma informed practice has been implemented. This has involved PBNI establishing a Trauma-Informed Practice Working Group in 2019 to oversee the implementation of trauma informed practice within PBNI, delivering trauma awareness training to over 80% of all staff in 2019-20, facilitating a North / South conference on the theme of 'Trauma Informed Practice' to share research, practice and learning with criminal justice partners across the island of Ireland and being a lead partner in an international trauma research group to inform and contribute to the evidence based practice on trauma work within PBNI.

**Mr McHugh** asked the Minister of Justice, following recent publication of research by Parenting NI which found a small number of parents are using the COVID-19 situation as an excuse to reduce or remove a fathers' access to their children, what measures are being implemented to ensure parents have their access rights upheld.

**(AQW 5100/17-22)**

**Mrs Long:** Arrangements for children are among the most difficult cases that come before the courts and the current health emergency has no doubt created additional anxieties for parents seeking to maintain contact with their children. Enforcement of contact orders is, however, primarily a matter for the judiciary and, as the Parenting NI Research noted, the Lord Chief Justice issued detailed guidance on contact arrangements during the pandemic. The guidance provided that normal arrangements should be maintained wherever possible and that any changes agreed as a result of health concerns should adhere to the spirit of normal arrangements by, for example, ensuring remote contact.

It is disappointing to hear that some parents have not adhered to arrangements, most particularly because of the potential impact on the welfare of the children. I hope however that parents who have been affected are reassured by the Lord Chief Justice's guidance which notes the court will consider whether each parent acted reasonably and sensibly when considering future orders and that parents may be able to make up time missed with their children.

Parents who feel concerned about contact should also be assured that they can still request a hearing. On receipt of the requisite forms the judge will determine whether the matter is urgent or necessary and will either deal with the matter administratively or arrange a hearing which will generally take place remotely.

More generally, my Department has been working with the Department of Health to identify measures which might be put in place to improve relations between parents and aid early resolution of disputes so as to reduce acrimony and type of negative behaviours referred to in the Parenting NI research.

**Ms Hunter** asked the Minister of Justice for an update on a proposed new build prison at HMP Magilligan.

**(AQW 5103/17-22)**

**Mrs Long:** Work is ongoing on the development of a revised Outline Business Case (OBC) for the Redevelopment of Magilligan Prison. The revised OBC will reflect alternative delivery models which were considered as part of the Estates 2020 discussion document which was launched in December 2018.

I am committed to the redevelopment of Magilligan Prison and retaining a prison at that site. However, the delivery of the Magilligan Redevelopment Project is dependent on the provision of capital funding which will be considered as part of wider Executive budget discussions.

**Mr Easton** asked the Minister of Justice to detail the plans in place to allow safe visits by members of a prisoner's family. (AQW 5107/17-22)

**Mrs Long:** The Northern Ireland Prison Service (NIPS) have taken a range of necessary and proportionate steps to keep people in custody and staff safe and to minimise the risk of infection during the coronavirus pandemic. This included the suspension of visits on 23 March and the subsequent introduction of virtual visits.

Whilst virtual visits have proved to be very successful and popular, the Prison Service recognises that in-person visits are important in maintaining family contact and supporting rehabilitation and resettlement.

NIPS is actively planning how visits can be gradually re-introduced in a way that continues to mitigate against the significant potential risks if people in custody become infected. This may include changes to the frequency of visits and the introduction of measures to mitigate infection risks and support social distancing.

I fully understand that the families of people in custody are keen to see them again in-person, I think it is correct and that they will understand that the most important priority is health and wellbeing.

Once the plan for the re-introduction of visits has been completed these arrangements will be communicated to people in custody and their families.

**Miss Woods** asked the Minister of Justice (i) how many children aged 10 to 16 years old have been convicted of an offence in the last ten years; and (ii) for a breakdown of the figures by (a) age; (b) year; and (c) offence.

(AQW 5151/17-22)

**Mrs Long:** The information requested, so far as is possible, has been provided in the following tables. The first set of tables below relate to children convicted at court. Due to the small numbers concerned in some cases, to prevent the identification of individuals, some figures have been suppressed. Additionally, figures have been provided at offence category level, in relation to the category of the main offence at conviction and, for offence type tables, figures for defendants aged 10 – 13 have been aggregated. Over the period, the number of children dealt with at court has more than halved.

#### Young People aged 10 – 16 convicted at courts 2010 – 2019

Year	Age at result date							Total
	10	11	12	13	14	15	16	
2010	*	*	17	50	100	299	461	931
2011	-	-	11	50	87	183	426	757
2012	-	*	4	#	98	190	309	636
2013	-	4	9	34	93	206	405	751
2014	-	-	17	46	73	198	398	732
2015	-	-	-	32	63	213	333	641
2016	-	-	4	21	55	161	194	435
2017	-	*	-	#	79	185	307	588
2018	-	-	7	7	56	135	228	433
2019	-	*	#	36	73	112	195	422

#### Convictions at courts for defendants aged 10 - 13 by main offence category, 2010 – 2019

Offence Category	2010	2011	2012	2013	2014
VAP	26	12	19	18	28
Sexual	-	-	-	-	-
Robbery	*	*	*	-	-
Theft	9	7	6	11	*
Burglary	*	7	*	*	9
Criminal Damage	15	28	6	9	22

Offence Category	2010	2011	2012	2013	2014
Drugs	*	*	-	*	-
Possession of Weapons	*	-	*	-	-
Public Order	9	*	*	*	-
Motoring	*	*	-	-	-
Fraud	*	-	-	-	-
Miscellaneous	*	*	*	-	*
<b>Total</b>	<b>71</b>	<b>61</b>	<b>39</b>	<b>47</b>	<b>63</b>

Offence Category	2015	2016	2017	2018	2019
VAP	11	9	6	*	17
Sexual	*	-	-	-	-
Robbery	-	-	-	*	-
Theft	*	5	#	*	6
Burglary	*	*	*	*	*
Criminal Damage	12	5	4	7	10
Drugs	-	-	-	-	*
Possession of Weapons	-	-	-	-	*
Public Order	*	*	*	*	*
Motoring	*	-	-	-	-
Fraud	-	-	-	-	-
Miscellaneous	*	*	*	-	*
<b>Total</b>	<b>32</b>	<b>25</b>	<b>17</b>	<b>14</b>	<b>42</b>

#### Convictions at courts for defendants aged 14 by main offence category, 2010 - 2019

Offence Category	2010	2011	2012	2013	2014
VAP	28	25	19	23	20
Sexual	*	*	*	*	-
Robbery	*	*	*	*	-
Theft	12	23	24	23	11
Burglary	4	6	8	*	*
Criminal Damage	32	9	22	24	17
Drugs	*	-	-	*	5
Possession of Weapons	-	-	*	*	*
Public Order	13	14	12	9	9
Motoring	*	*	*	*	-
Fraud	-	-	*	-	-
Miscellaneous	5	5	4	5	7
<b>Total</b>	<b>100</b>	<b>87</b>	<b>98</b>	<b>93</b>	<b>73</b>

Offence Category	2015	2016	2017	2018	2019
VAP	23	19	26	18	37
Sexual	*	*	-	*	*

Offence Category	2015	2016	2017	2018	2019
Robbery	-	-	-	-	-
Theft	5	*	12	*	8
Burglary	*	*	*	*	*
Criminal Damage	19	21	27	19	19
Drugs	*	*	-	*	*
Possession of Weapons	-	*	-	*	*
Public Order	4	-	5	6	*
Motoring	*	*	*	-	*
Fraud	-	-	-	-	-
Miscellaneous	4	4	4	*	-
<b>Total</b>	<b>63</b>	<b>55</b>	<b>79</b>	<b>56</b>	<b>73</b>

#### Convictions at courts for defendants aged 15 by main offence category, 2010 - 2019

Offence Category	2010	2011	2012	2013	2014
VAP	64	48	56	51	38
Sexual	*	5	*	*	*
Robbery	*	#	*	*	*
Theft	42	27	27	30	34
Burglary	16	12	14	18	8
Criminal Damage	74	30	29	47	61
Drugs	8	5	*	9	*
Possession of Weapons	6	*	-	*	*
Public Order	40	26	26	26	30
Motoring	19	7	11	8	*
Fraud	*	*	*	-	-
Miscellaneous	25	17	17	9	18
<b>Total</b>	<b>299</b>	<b>183</b>	<b>190</b>	<b>206</b>	<b>198</b>

Offence Category	2015	2016	2017	2018	2019
VAP	47	57	63	28	32
Sexual	*	*	*	5	*
Robbery	*	-	-	-	*
Theft	28	14	14	17	22
Burglary	16	8	*	7	4
Criminal Damage	51	46	61	53	31
Drugs	10	*	12	7	11
Possession of Weapons	4	#	*	*	*
Public Order	23	11	9	5	4
Motoring	5	6	6	*	-
Fraud	-	-	-	*	-
Miscellaneous	25	9	16	6	4
<b>Total</b>	<b>213</b>	<b>161</b>	<b>185</b>	<b>135</b>	<b>112</b>

**Convictions at courts for defendants aged 16 by main offence category, 2010 - 2019**

Offence Category	2010	2011	2012	2013	2014
VAP	88	91	77	87	92
Sexual	*	*	*	*	4
Robbery	#	5	10	#	8
Theft	78	59	54	66	54
Burglary	43	32	13	16	15
Criminal Damage	77	65	58	97	112
Drugs	10	14	8	17	14
Possession of Weapons	7	9	4	4	6
Public Order	62	75	42	65	51
Motoring	49	33	18	19	14
Fraud	*	*	*	-	-
Miscellaneous	39	40	21	27	28
<b>Total</b>	<b>461</b>	<b>426</b>	<b>309</b>	<b>405</b>	<b>398</b>

Offence Category	2015	2016	2017	2018	2019
VAP	87	42	91	51	49
Sexual	*	*	*	*	*
Robbery	#	-	*	-	*
Theft	48	33	43	38	32
Burglary	12	12	19	12	8
Criminal Damage	74	47	47	64	53
Drugs	18	6	11	18	12
Possession of Weapons	6	#	*	#	*
Public Order	42	19	42	14	17
Motoring	21	18	14	7	10
Fraud	-	-	-	-	-
Miscellaneous	18	11	33	17	8
<b>Total</b>	<b>333</b>	<b>194</b>	<b>307</b>	<b>228</b>	<b>195</b>

**Note:**

- 1 Figures relate to defendant age at the date cases were dealt with in court.
- 2 Figures relate to initial disposal at court only. Results of appeals are not included. 3. Figures relate to cases prosecuted by PPS on behalf of PSNI, PBNI, NCA, Airport Constabulary, or Harbour Police.
- 4 Figures relate to category of main offence at conviction. Each case is counted only once, though there may have been convictions for more than one offence.

\* means a figure of less than or equal to 3 has been treated under rules of disclosure.

# means a figure greater than 3 has been treated to prevent identification of small numbers elsewhere.

Over the period 2010 – 2019, many young people in the justice system were dealt with by way of out of court disposal, such as cautions, informed warnings or youth Conference Plans. Figures for numbers of cases where an out of court disposal was issued to a defendant aged 10 – 16 have been provided in the following table. Again there has been a significant fall (over 64%) in the number of children being dealt with through such diversionary disposals. Much of this is due to the commitment of my Department and criminal justice partners to early intervention and targeted support for children at risk of offending, with the aim of keeping them out of the formal justice system as far as possible whilst addressing their underlying needs.



**Out of court disposals for defendants aged 10 - 16, 2010 - 2019**

Year	Age at diversion completed							Total
	10	11	12	13	14	15	16	
2010	14	63	151	256	406	615	629	2,134
2011	11	36	82	208	323	484	659	1,803
2012	11	25	63	165	316	398	578	1,556
2013	5	30	53	168	247	369	510	1,382
2014	*	#	44	97	187	300	464	1,119
2015	*	#	39	99	211	302	384	1,044
2016	5	15	33	105	193	250	284	885
2017	*	#	38	102	148	227	271	798
2018	*	#	39	90	135	181	251	710
2019	-	9	50	77	153	237	238	764

**Note:**

- 1 Figures relate to defendant age at the date diversions were completed.
  - 2 Figures include cases that resulted in cautions, informed warnings, Youth Conference Plans and community based restorative justice.
  - 3 Figures relate to cases prosecuted by PPS on behalf of PSNI, PBNI, NCA, Airport Constabulary, or Harbour Police.
- \* means a figure of less than or equal to 3 has been treated under rules of disclosure.
- # means a figure greater than 3 has been treated to prevent identification of small numbers elsewhere.

**Ms S Bradley** asked the Minister of Justice to provide an update on the effectiveness of the advice issued by the Lord Chief Justice in relation to the safe management of contact orders during COVID-19.  
(AQW 5250/17-22)

**Mrs Long:** The guidance approved by the Lord Chief Justice includes advice regarding contact arrangements and recognises that it is important that children should maintain their usual routine of spending time with each of their parents in compliance with a Contact Order unless to do so would put the child, or others at risk with regards to Government and Public Health Authority (PHA) guidance.

The decision whether a child is to move between parental homes is for the child's parents to make after a sensible assessment of the circumstances, including the child's present health, the risk of infection and the presence of any recognised vulnerable individuals in one household or the other.

The Lord Chief Justice has suggested that if direct contact cannot be achieved alternative arrangements should be made to establish and maintain regular contact between the child and the other parent, for example remotely – by Face-Time, WhatsApp Face-Time, Skype, Zoom or other video connection or, if that is not possible, by telephone.

Where a party to the proceedings feels a matter of contact is urgent they may request a hearing by lodging the requisite Form. On receipt of the form the judge will determine whether the matter is urgent or necessary and if it can be dealt with administratively or will require a hearing.

The Lord Chief Justice has initiated a programme of work to incrementally recover court business. This is being informed by Public Health Guidance. These arrangements will be kept under review and will be revisited as circumstances develop.

The effectiveness of these arrangements is a matter for the independent judiciary and it would not be appropriate for me to comment.

**Mr Beattie** asked the Minister of Justice to outline (i) what action her Department will be taking to address Parental Alienation and contact denial as it pertains to the justice system; (ii) what actions her Department will be taking to ensure that custody and visitation court orders are upheld; and (iii) how her Department intends to address how legal aid is being used in the family courts to stall such court orders.  
(AQW 5253/17-22)

**Mrs Long:** Policy on alienation is a matter for the Department of Health and where it is suspected in family proceedings, it is for social workers to advise the court which will consider evidence of alienation alongside all other evidence when deciding what is in the best interests of the child. I understand the Department of Health is already taking steps to increase awareness of alienation as part of the new cross-departmental Family and Parenting Support Strategy. I will continue to work

collaboratively with Minister Swann to scope and support any future actions including around early intervention. Although enforcement of contact orders is largely a matter for the judiciary, I hope early interventions initiatives will reduce difficulties around adherence to contact arrangements in the longer term. I expect the Domestic Abuse and Family Proceeding Bill will also help. The Bill makes behaviour that is coercive or controlling or which amounts to psychological or emotional abuse a criminal offence. Abusive behaviour can be indirect and where the victim is under 18, a child sees, hears or is present during an incident of abusive behaviour or is used to abuse a victim, the Bill will provide for the offences to be treated as aggravated and increased sentencing may apply.

The Department is also working on reform of legal aid remuneration and has initiated a new project to research and develop a robust fee structure, focusing on the introduction of standardised fees for cases in relation to Article 8 and 50 of The (Northern Ireland) Order 1995 at the Family Proceedings Court and High Court. One of the key drivers of the Family Fees Project is the Access to Justice Review, which recommended the introduction of standard fees as a measure to incentivise parties and legal representatives to secure early agreement while dis-incentivising protracted court proceedings and against issues being brought back to court unnecessarily.

**Mr Beattie** asked the Minister of Justice, pursuant to AQW 4790/17-22, to advise (i) when this review will begin, and (ii) how long the review will take.

**(AQW 5254/17-22)**

**Mrs Long:** It is envisaged the review will begin later this month and conclude in October.

**Mr McCrossan** asked the Minister of Justice for an update on the future of Castledearg police station.

**(AQW 5256/17-22)**

**Mrs Long:** The management of the PSNI estate is an operational matter for the Chief Constable, for which he is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Northern Ireland Policing Board.

You may, therefore, wish to direct your question to the PSNI.

**Mr McGrath** asked the Minister of Justice to outline (i) when the findings of the Consultation on Hate Crime legislation in Northern Ireland will be published; and (ii) how soon after will she bring forward hate crime legislation, specifically race hate crime, to the Assembly.

**(AQW 5264/17-22)**

**Mrs Long:** Judge Desmond Marrinan is undertaking an independent Review of Hate Crime Legislation in Northern Ireland, on behalf of my Department. He is currently analysing responses to his public consultation, which ran from January to April 2020, public outreach events and stakeholder meetings. I expect to receive Judge Marrinan's final report at the end of November 2020.

The remit of the review includes consideration of whether existing hate crime legislation represents the most effective approach for the justice system to deal with criminal conduct motivated by hatred, malice, ill-will or prejudice. This includes hate crime and abuse, including that which takes place on-line, for all current protected categories of hate crime which includes race as well as any new categories that may be recommended.

Any recommendations relating to devolved matters, that require new legislation or amendments to current legislation, will be considered further and steps to bring forward legislative changes will be scheduled into the Department's legislative programme in due course. Given the timescales involved, it is unlikely that any legislation will be brought to the Assembly during the current mandate.

It is possible that not all recommendations will require new or amended legislation. I will want to consider these and, where practicable, implement them as soon as possible.

**Mr McGrath** asked the Minister of Justice how are child sexual crimes recorded as an online offence and whether she believes this system is working to its full potential.

**(AQW 5265/17-22)**

**Mrs Long:** Recording of crime is a matter for the PSNI. However, the Criminal Justice Inspection Northern Ireland report into child sexual exploitation, published on 30 June, includes two strategic recommendations relating to how the criminal justice agencies identify and protect children and understand the scale and nature of sexual exploitation in Northern Ireland. I will ensure that our response to the recommendation involves reviewing matters such as collection, recording and publication of information in relation to relevant offences.

**Ms Bunting** asked the Minister of Justice how many prisoners, broken down by proscribed organisation, were released on license as a result of the Belfast Agreement.

**(AQW 5267/17-22)**

**Mrs Long:** Prisoner releases resulting from the Belfast (Good Friday) Agreement are provided for by the Northern Ireland (Sentences) Act 1998. This legislation, and the appointment of the Sentence Review Commissioners under the terms of

the Act to oversee and regulate the early release of qualifying prisoners and to advise on the subsequent recall of those so released, remained reserved matters when policing and justice functions were devolved to the Northern Ireland Assembly on 12 April 2010. Such releases and recalls are therefore a matter for the Secretary of State for Northern Ireland.

**Ms Bunting** asked the Minister of Justice whether she will give consideration to making child sexual exploitation a specific offence.

**(AQW 5268/17-22)**

**Mrs Long:** As illustrated in the report of Criminal Justice Inspection Northern Ireland into child sexual exploitation (CSE), published on 30 June, there are a wide range of offences which can be perpetrated within the context of child sexual exploitation. In response to an earlier report by Professor Karen Marshall into CSE, the Department consulted on a range of legislative measures to strengthen the law and better protect children from sexual abuse. A summary of responses to that consultation has been prepared and will be published as soon as possible. It is my intention to include some of the proposals in a Justice Bill for introduction later in this mandate.

**Ms Bunting** asked the Minister of Justice how many prisoners have been released on compassionate grounds as a result of a terminal diagnosis, since 1998.

**(AQW 5269/17-22)**

**Mrs Long:** Three prisoners have been released on compassionate grounds as a result of a terminal illness diagnosis since 1998.

**Ms Bunting** asked the Minister of Justice (i) how many prisoners have been released on licence in each of the last five years; (ii) how many have had their licences revoked, resulting in a return to prison; and (iii) for what offence(s).

**(AQW 5270/17-22)**

**Mrs Long:** The number of (i) prisoners released on licence in each of the last five years and (ii) the number that had their licence revoked over the same period, resulting in a return to prison, are outlined in the table below.

	Year				
	2015	2016	2017	2018	2019
Number released on licence	655	630	532	766	509
Number returned to prison following revocation of licence	176	185	200	185	200

With regard to part (iii) of your question, offenders are not returned to prison exclusively on the basis of further offending or alleged offending. The Department of Justice revokes a licence wherein it is satisfied that this is necessary to protect the public from the risk of harm or serious harm. A range of factors underpin each decision to revoke a licence. Accordingly, an answer to this part of the question cannot be provided.

**Ms Bunting** asked the Minister of Justice, of those prisoners released on licence under the Belfast Agreement, (i) how many have had their licence revoked; (ii) when the licence was revoked; and (iii) for what offence(s), broken down by proscribed organisation.

**(AQW 5271/17-22)**

**Mrs Long:** Prisoner releases resulting from the Belfast (Good Friday) Agreement are provided for by the Northern Ireland (Sentences) Act 1998. This legislation, and the appointment of the Sentence Review Commissioners under the terms of the Act to oversee and regulate the early release of qualifying prisoners and to advise on the subsequent recall of those so released, remained reserved matters when policing and justice functions were devolved to the Northern Ireland Assembly on 12 April 2010. Such releases and recalls are therefore a matter for the Secretary of State for Northern Ireland.

**Mr McGrath** asked the Minister of Justice whether she will undertake to review how statistics on sexual crimes against children are published.

**(AQW 5300/17-22)**

**Mrs Long:** Recording of crime is a matter for the PSNI. However, the Criminal Justice Inspection Northern Ireland report into child sexual exploitation, published on 30 June, includes two strategic recommendations relating to how the criminal justice agencies identify and protect children and understand the scale and nature of sexual exploitation in Northern Ireland. I will ensure that our response to the recommendation involves reviewing matters such as collection, recording and publication of information in relation to relevant offences.

**Mr McGrath** asked the Minister of Justice to detail how many offences were recorded for the year 2019/20 as sexual offences against children with an online crime flag.

**(AQW 5301/17-22)**

**Mrs Long:** In 2019/20 there were 265 sexual offences where the victim was under 18 and where the offence was flagged as occurring online.

**Mr McGrath** asked the Minister of Justice to detail how many offences the PSNI have recorded on sexual communication with a child, over the last five years; broken down by year.

**(AQW 5302/17-22)**

**Mrs Long:** The information requested is provided in the following table.

	2015/16	2016/17	2017/18	2018/19	2019/20
Sexual Communication with a Child	35	19	82	127	186

**Mr McGrath** asked the Minister of Justice to outline work undertaken by her Department to combat Online Child Sexual Abuse Activist Groups over the last five years; broken down by year.

**(AQW 5303/17-22)**

**Mrs Long:** The Department does not have a role in combating activist groups. The investigation of online sexual crime is a matter for the PSNI. I fully support the professional skills and knowledge that the police apply daily in safeguarding our young people and bringing the perpetrators of sexual crime to justice.

**Mr McGrath** asked the Minister of Justice to detail how many obscene publication offences against children were recorded for the year 2019/20.

**(AQW 5304/17-22)**

**Mrs Long:** There were 451 obscene publication offences against children recorded during 2019/20.

**Miss Woods** asked the Minister of Justice (i) for her assessment of the level of race hate crime in Northern Ireland; and (ii) to detail her Department's strategy to address it.

**(AQW 5316/17-22)**

**Mrs Long:** Hate crime in any form is unacceptable, including racist hate crime. Unfortunately there are some people who, instead of showing mutual respect, hold prejudices or hatred towards others because of their colour, language or culture. Addressing race hate, which can manifest into crime, is a wider societal issue requiring collaborative approach and partnership working across government and the voluntary sector to increase reporting and support and reduce harm and vulnerability.

PSNI publish statistics on Incidents and Crimes with a Hate Motivation. The most recent statistics up to March 2020 (published in May 2020) show the level of hate crime with a racist motivation in Northern Ireland.

Total Number of Incidents		Total Number of Crimes	
April 2018 – March 2019	April 2019 – March 2020	April 2018 – March 2019	April 2019 – March 2020
1124	936	699	626

Whilst there is a lower level of racist hate crimes reported in 2019/20, following an increase in 2018/2019, I appreciate that this does not necessarily indicate that the level of racist hate crime is reducing as under-reporting continues to be a challenge.

To support and encourage victims in reporting incidents, the Hate Crime Advocacy Service, which is funded jointly by PSNI and my Department, continues to provide emotional and practical support to all victims of Hate Crime and Hate Incidents. Two advocates are specifically employed within the Migrant Centre to provide this support to victims of racist attacks and to assist their reporting of such incidents to the police.

At a strategic level I am committed to delivering Outcome 7 of the draft Programme for Government 2016-2021 (PfG) – We have a safe community where we respect the law and each other - including in relation to working across government to develop new approaches to dealing with harm and vulnerability, including hate crime.

In delivering this commitment, the Department of Justice appointed Judge Desmond Marrinan to carry out an independent Review of Hate Crime Legislation in May 2019. This review will help to ensure effective legislation is in place and fit for purpose to protect victims of hate crime, including race hate crime. Judge Marrinan is due to report back to me by end November 2020 with his findings and recommendations.

To ensure the effective connectivity between the strategic and operational response to community safety, my Department has recently developed a Community Safety Framework which focuses on the collective delivery of safer community objectives set out in the PfG and partner strategies. This work is overseen by a newly established multi-agency Community Safety Board which was established in April 2020 to provide a responsive, adaptable and, where appropriate, placed based approach to community safety issues.

This Framework and delivery model will provide a link with existing structures such as the multi-agency Hate Crime Delivery Group and Policing and Community Safety Partnerships, to ensure, for example, the provision of problem-solving and locally based solutions.

**Ms Bailey** asked the Minister of Justice, in light of the persistent anti-social behaviour that residents in the Holylands area of South Belfast face, and after another weekend of severe disturbance, whether she intends to bring forward a community trigger mechanism for a review into the statutory response to anti-social behaviour, similar to that under Sections 104 and 105 of the Anti-social Behaviour, Crime and Policing Act 2014 in England and Wales.

**(AQW 5357/17-22)**

**Mrs Long:** My Department recognises the negative impact which anti-social behaviour (ASB) can have on our communities and in particular the ongoing distress caused to those residents in the Holylands and wider University area due to the behaviour of a persistent minority.

You will be aware of the work that my Department is taking forward, in conjunction with other partners, to review legislative powers to address ASB which are available in other jurisdictions and to consider their appropriateness to be introduced in Northern Ireland.

Views on the introduction of a statutory power to create a community trigger mechanism were not sought as part of the consultation process which focused on powers for relevant agencies. As noted in the Consultation Response document - summary of responses - published in December 2019, four respondents, including the Green Party, referred to consideration of the community trigger power. This provides victims of anti-social behaviour the power to require agencies to carry out a case review to the anti-social behaviour they reported where they feel they did not get a satisfactory response.

The policy lead for a number of the legislative powers included in the consultation sits within other Departments, for example noise powers, closures powers and bye-laws prohibiting the consumption of alcohol in designated places. Therefore work to process the findings of the legislative review is being taken forward on a collaborative basis by a newly formed multi agency Anti-social Behaviour Delivery Group, which is led by my Department. That Group will consider a range of necessary powers based on evidence, including the Community Trigger, to manage the operational response to ASB.

**Ms Hunter** asked the Minister of Justice to outline how her Department is addressing (i) anti-social behaviour; (ii) racism; and (iii) sectarianism in East Derry.

**(AQW 5362/17-22)**

**Mrs Long:** I recognise the harm anti-social behaviour (ASB), racism and sectarianism can do to communities and individuals, and the importance of partnership working to deliver a swift and co-ordinated response to problematic behaviours before they needlessly get out of control.

At a strategic level, my Department seeks to address these issues by taking a preventative approach including promoting lawfulness and educating individuals on the consequences of risk taking behaviour; by addressing volume crime and ASB, recognising the harmful effect sustained incidents can have to peoples mental and physical health, as well as loss of confidence in community and individual engagement; by addressing the harm and vulnerability caused and working with agencies uniquely placed to identify those most vulnerable in society and who require protection; and through enforcement via the provision of necessary powers and tools to the relevant agencies, to be used where prevention and targeted interventions have not worked or are not appropriate due to the severity or nature of the incident.

At a local level, my Department provides funding to Policing and Community Safety Partnerships (PCSPs) with £363,256.38 allocated for 2020/21 to Causeway Coast and Glens PCSP to tackle the community safety issues identified by it through collective working and sharing of information. This funding will assist this area in developing planned, purposeful and structured interventions to address ASB, racism and sectarianism in their local area in conjunction with communities, statutory, community and voluntary organisations.

For example, I understand this work includes the establishment of a Causeway Response Network to develop early interventions to address ASB incidents and the underlying factors of this behaviour, such as alcohol and drug consumption; working with local Community Planning on a programme of embedding a culture of lawfulness and improving confidence in the rule of law; the formation of a multi-agency Support Hub which helps people identified as vulnerable access the right support at the right time to improve their situation and wellbeing; takes practical action by identifying and removing racist and sectarian graffiti and introducing Neighbourhood Watch initiatives; and works alongside the Causeway Coast and Glens Good Relations Programme to ensure community engagement and address race and sectarian issues.

**Mr Givan** asked the Minister of Justice to outline what enforcement takes place regarding the breaking and implementation of court orders with regard to parental contact.

**(AQW 5365/17-22)**

**Mrs Long:** The welfare of the child is the paramount consideration in family courts.

The guidance approved by the Lord Chief Justice includes advice regarding contact arrangements and recognises that it is important that children should maintain their usual routine of spending time with each of their parents in compliance with a

Contact Order unless to do so would put the child, or others at risk with regards to Government and Public Health Authority (PHA) guidance.

The decision whether a child is to move between parental homes is for the child's parents to make after a sensible assessment of the circumstances, including the child's present health, the risk of infection and the presence of any recognised vulnerable individuals in one household or the other.

The Lord Chief Justice has suggested that if direct contact cannot be achieved alternative arrangements should be made to establish and maintain regular contact between the child and the other parent, for example remotely – by Face-Time, WhatsApp Face-Time, Skype, Zoom or other video connection or, if that is not possible, by telephone.

Where a party to the proceedings feels a matter of contact is urgent they may request a hearing by lodging the requisite form. On receipt of the form the judge will determine whether the matter is urgent or necessary and if it can be dealt with administratively or will require a hearing.

Breach of contact orders made under the Children (Northern Ireland) Order 1995 can be dealt with by way of contempt of court proceedings or initiated under enforcement powers in the Magistrates' Courts (Northern Ireland) Order 1981.

The guidance approved by the Lord Chief Justice states that if any court directed contact arrangements are missed or found to be unreasonable, the court may take this into consideration when making further orders, and it may be possible to 'make up' time with the child after the restrictions are lifted.

The Lord Chief Justice has initiated a programme of work to incrementally recover court business. This is being informed by Public Health Guidance. These arrangements will be kept under review and will be revisited as circumstances develop.

**Mr Givan** asked the Minister of Justice what consideration has been given to the mental wellbeing of children and parents who have care orders in place and have had no physical contact during COVID-19 restrictions.

**(AQW 5367/17-22)**

**Mrs Long:** The welfare of the child is the paramount consideration in family courts.

The guidance approved by the Lord Chief Justice includes advice regarding contact arrangements and recognises that it is important that children should maintain their usual routine of spending time with each of their parents in compliance with a Contact Order unless to do so would put the child, or others at risk with regards to Government and Public Health Authority (PHA) guidance.

The decision whether a child is to move between parental homes is for the child's parents to make after a sensible assessment of the circumstances, including the child's present health, the risk of infection and the presence of any recognised vulnerable individuals in one household or the other.

The Lord Chief Justice has suggested that if direct contact cannot be achieved alternative arrangements should be made to establish and maintain regular contact between the child and the other parent, for example remotely – by Face-Time, WhatsApp Face-Time, Skype, Zoom or other video connection or, if that is not possible, by telephone.

Where a party to the proceedings feels a matter of contact is urgent they may request a hearing by lodging the requisite form. On receipt of the form the judge will determine whether the matter is urgent or necessary and if it can be dealt with administratively or will require a hearing.

Breach of contact orders made under the Children (Northern Ireland) Order 1995 can be dealt with by way of contempt of court proceedings or initiated under enforcement powers in the Magistrates' Courts (Northern Ireland) Order 1981.

The guidance approved by the Lord Chief Justice states that if any court directed contact arrangements are missed or found to be unreasonable, the court may take this into consideration when making further orders, and it may be possible to 'make up' time with the child after the restrictions are lifted.

The Lord Chief Justice has initiated a programme of work to incrementally recover court business. This is being informed by Public Health Guidance. These arrangements will be kept under review and will be revisited as circumstances develop.

**Mr Stewart** asked the Minister of Justice, in light of the COVID-19 restrictions, what consideration has been given to those who have had a safe driving course within their sentence which can no longer be carried out due to classes being cancelled.

**(AQW 5381/17-22)**

**Mrs Long:** The Courses for Drink Drive Offenders Scheme is provided for under Articles 36 to 39 of the Road Traffic Offenders (NI) Order 1996. Courses in Northern Ireland are delivered by a service provider under a contract with the Department for Infrastructure (DfI).

Upon application by an offender in court, the Judge may order that a driving disqualification period be reduced upon completion of a 'Drink Drive Rehabilitation' course. However this is only where the court is satisfied that a place on a suitable course is available to the offender. Unfortunately there is nothing within the legislative parameters that would permit the court to extend the time to complete the course to enable applicants to defer their participation.

DfI have advised that under the present Covid-19 restrictions the service provider is unable to facilitate any rehabilitation courses at this time. If an offender receives a certificate of non-compliance from the service provider there is provision in the legislation that this may be appealed to the magistrates' court.

It is understood that the 'Drink Drive Rehabilitation Scheme' may be available again to new entrants from the 3 August 2020 subject to confirmation by DfI and the service provider.

**Mr Givan** asked the Minister of Justice (i) for clarification on how remote family cases are frequently being listed and immediately adjourned; (ii) if heard, are also being adjourned; and (iii) the reasoning for listing such cases.

**(AQW 5446/17-22)**

**Mrs Long:** The Lord Chief Justice has initiated a programme of work to incrementally recover court business. Administrative reviews are being phased in to increase the types of Children Order proceedings and Matrimonial cases being dealt with. Cases are listed for review and following this the judge will determine whether the case should proceed to hearing, make directions or adjourned.

**Mr Givan** asked the Minister of Justice for clarification on when an online review takes place in a family case in a closed court setting, why all other parties attending other cases are also online for the entirety and can hear other cases, whereas in the High Court the judicial officer only admits those in the case and closed the online room; and why this is not operating in all family cases.

**(AQW 5447/17-22)**

**Mrs Long:** In the face of unprecedented challenges, the Northern Ireland Courts and Tribunals Service (NICTS) has introduced new ways of working and extended the use of video conferencing technology to deliver remote hearings.

Guidance has been issued to NICTS staff on the correct use of the video conferencing technology including how to 'lock' the online courtroom to ensure only those authorised can participate in the proceedings.

If unauthorised persons have inadvertently accessed a court hearing they should immediately draw this to the attention of the judge or court clerk.

I have asked that NICTS staff be reminded of the correct procedures and the guidance be reissued.

**Ms Dillon** asked the Minister of Justice when she intends to publish her Department's summary of responses to the consultation on the Sentencing Review.

**(AQW 5492/17-22)**

**Mrs Long:** A public consultation entitled "Sentencing Review Northern Ireland" was launched on 28 October 2019. The Review considered a wide range of sentencing issues and closed on 3 February with over 200 responses received. A summary of responses is being prepared for publication in August.

## Department for the Economy

**Miss McIlveen** asked the Minister for the Economy (i) how many staff car parking spaces her Department and its agencies have in Belfast city centre; and (ii) whether she is taking any action to reduce this number.

**(AQW 3338/17-22)**

**Mrs Dodds (The Minister for the Economy):**

- (i) Staff in the Department for the Economy have access to 102 car parking spaces in Belfast city centre.
- (ii) Since the Department was created in May 2016, the number of Belfast city centre car parking spaces that staff have access to has reduced by approximately 20%.

**Ms Dolan** asked the Minister for the Economy to assist employers in providing alternative job offers to employees with the purpose of avoiding the possibility of redundancies.

**(AQW 3795/17-22)**

**Mrs Dodds:** My Department has no remit in helping employers provide alternative job offers to employees no longer required in their current role and who are thus facing redundancy.

However, my Department's Careers Service is available to assist anyone who wishes to avail of advice on accessing up to date labour market information to inform decisions about reskilling, training, apprenticeships, and further and higher education.

**Miss Woods** asked the Minister for the Economy to detail (i) what changes to the Coronavirus Job Retention Scheme from 1 August 2020 have been communicated to her Department; (ii) her assessment of how any changes to the scheme would

impact the hospitality, tourism and retail sectors; (iii) whether she will consider putting in place measures; and (iv) whether she will bid for departmental resources to facilitate topping-up government contributions should they fall below 80%.

**(AQW 4346/17-22)**

**Mrs Dodds:** The Chancellor announced changes to the Coronavirus Job Retention Scheme (CJRS) on 29 May 2020 including flexibility to bring furloughed employees back part time in July, and a new taper requiring employers to contribute to furloughed salaries from August. Full details can be found at <https://www.gov.uk/guidance/claim-for-wages-through-the-coronavirus-job-retention-scheme>.

Communication between the Executive and HM Treasury occur through the Department of Finance. Therefore, my Department would not expect to receive direct communication regarding the Job Retention scheme.

The Coronavirus Job Retention Scheme has been widely welcomed by the tourism and hospitality industry and has been critical to avoiding large scale redundancies across the industry. However, the Chancellor's recent announcement that, from 1st August 2020 employers will be required to contribute towards the cost of the Scheme, will present a major challenge for many businesses. Contributing to the costs of the Scheme will be difficult for an industry which has had no source of income since mid-March 2020. Many tourism and hospitality businesses have seen their reserves completely eroded and many are now in a position where they are carrying significant debt. The only way that these businesses will be able to operate and retain staff will be through generating sufficient income to cover their labour and other revenue costs from 1st August 2020 onwards. The Executive's decision to permit tourist accommodation to open with effect from 20th July 2020 is an important step towards facilitating the recovery of our tourism and hospitality industry.

For the retail sector, the economic impact of COVID-19 has varied between businesses as essential retailers, such as food retailers and pharmacies, have been able to operate with customers on-site, whereas non-essential retailers have had to close. The Coronavirus Job Retention Scheme has been a valuable measure to prevent closure and job losses within retail. Provided safety measures are in place, non-essential retailers are permitted to re-open from 12 June which is a significant step forward in our economic recovery and should minimise any impact of the tapering of the Coronavirus Job Retention Scheme.

Regarding any measures or funding to mitigate the changes to the scheme, this is an evolving situation and my Department, along with Executive colleagues

will continue to work to identify means of offering support to the economy during this difficult time with the aim of accelerating our economic recovery.

**Mr McNulty** asked the Minister for the Economy to detail the work her Department has undertaken during this COVID-19 crisis to specifically support cross-border workers.

**(AQW 4388/17-22)**

**Mrs Dodds:** Policy responsibility for cross-border workers resides with the First Minister and deputy First Minister and as such I recommend that you contact them directly regarding specific measures being put in place to support such workers during the COVID-19 pandemic.

Residents of Northern Ireland, if unemployed, are entitled to claim Universal Credit, regardless of where they work. Employers in the Republic of Ireland may claim 70% of salary costs for employees, including those living in Northern Ireland, through the Irish Government's Temporary COVID-19 Wage Subsidy Scheme.

**Mrs Cameron** asked the Minister for the Economy whether further guidance will be issued to employers when updated shielding advice is published, as this may affect some employees who are advised to remain at home for a further period.

**(AQW 4507/17-22)**

**Mrs Dodds:** This is not within the remit of my Department.

**Mr M Bradley** asked the Minister for the Economy to detail (i) how many businesses within the Causeway Coast and Glens council area have been granted the £25k businesses support grant; and (ii) how many are still awaiting payment.

**(AQW 4616/17-22)**

**Mrs Dodds:** As of 9 June 2020, 195 grants under the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme have been issued to businesses within the Causeway Coast and Glens Borough Council area. There is one remaining application in the council area yet to be processed.

A further breakdown of the number of applications, successful applications and applications being processed is published in the 'Operation of the scheme by council, constituency and sector' section on the following webpage - <https://www.nibusinessinfo.co.uk/content/coronavirus-£25000-retail-hospitality-tourism-and-leisure-grant>. This data is updated on a regular basis.

**Mr Muir** asked the Minister for the Economy whether she intends to provide grant assistance to leisure and entertainment businesses with non-domestic properties net asset value over £51,000.

**(AQW 4626/17-22)**



**Mrs Dodds:** There are no immediate plans to introduce such a grant, however, this is an evolving situation and my Department, along with Executive colleagues, continue to consider all potential options to identify further means of offering support to as many local businesses as possible during the Covid-19 pandemic.

**Mr O'Dowd** asked the Minister for the Economy to detail (i) the membership list of the Strategic Engagement Forum; and (ii) how often it has met.

**(AQW 4673/17-22)**

**Mrs Dodds:** There is no group associated with the Department with the title 'Strategic Engagement Forum', however, on 28th March 2020, the Executive established the Northern Ireland Engagement Forum (the Forum).

Forum membership was determined by the Labour Relations Agency (LRA), who have chaired all meetings of the Forum since its formation. The Forum boasts a diverse range of stakeholders, drawn from business organisations, trade unions and key statutory bodies.

(i) The membership of the Forum is comprised of the following organisations and individuals:

- Junior Ministers Kearney and Lyons (Observer status)
- Confederation of British Industries (CBI),
- Northern Ireland Chambers of Commerce (NICoC),
- Federation of Small Businesses (FSB),
- Institute of Directors (IOD),
- Manufacturing NI,
- NI Retail Consortium,
- Northern Ireland Committee – Irish Congress of Trades Unions (NIC-ICTU),
- Union of Shop, Distributive and Allied Workers (USDAW),
- UNISON,
- Northern Ireland Public Service Alliance (NIPSA),
- Irish National Teachers Union (INTO),
- UNITE,
- Public Health Authority,
- Health and Safety Executive NI,
- Society of Local Authority and Chief Executives (SOLACE),
- Officials from Department for the Economy,
- Northern Ireland Food and Drinks Association (NIFDA) have visiting rights to meetings.

The Forum is facilitated by the LRA and is chaired by Marie Mallon. The LRA Chief Executive and two other officials also attend.

(ii) As at 15 June 2020, the Forum has met formally thirteen times.

**Mr McGlone** asked the Minister for the Economy, pursuant to AQW 4009/17-22, what further review has been undertaken to develop financial support for manufacturing businesses with a total Net Annual Value over £15,001.

**(AQW 4688/17-22)**

**Mrs Dodds:** This is an evolving situation and my Department, along with Executive colleagues, continue to consider all potential options to identify further means of offering support to as many local businesses as possible during the Covid-19 pandemic.

As previously referenced in AQW 4009/17-22 the NI Micro-Business Hardship Fund provided £40 million of funding to microbusinesses who did not qualify for the existing schemes and require financial support due to the impact of Covid-19. This scheme was open to manufacturing businesses should they meet the eligibility criteria.

Additionally there are a range of UK wide measures that have been made available to manufacturing businesses, including the Coronavirus Job Retention Scheme, which allows businesses to access support to continue paying part of their employees' salary. HMRC will pay 80 per cent of wages for furloughed staff, up to £2,500 per month until October 2020.

The Coronavirus Business Interruption Loan Scheme provides financial support to SMEs with turnover up to £45m, and the Bounce Back Loan Scheme opened on 4 May 2020 and operates to support the smallest UK businesses.

Further info on all UK wide support can be found at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>

**Mr Allister** asked the Minister for the Economy what guidance has been produced for the personal care sector in relation to re-opening.

**(AQW 4698/17-22)**

**Mrs Dodds:** This is not within the remit of my Department

**Mr Boylan** asked the Minister for the Economy whether she intends to establish a recovery strategy for transport-related sectors, including taxi drivers and bus operators.

**(AQW 4719/17-22)**

**Mrs Dodds:** This is not within the remit of my Department

**Mr Boylan** asked the Minister for the Economy whether she has committed to working with the Minister for Infrastructure to develop costed proposals for (i) the haulage sector; and (ii) the taxi sector, during COVID-19.

**(AQW 4818/17-22)**

**Mrs Dodds:**

#### **The Haulage sector**

Along with others within the Executive I have been in regular contact with counterparts in the Department for Transport (DfT) emphasising the importance of our connectivity to GB. While DfT, alongside the Minister for Infrastructure, we able to announce a positive outcome in securing support to help the ferry industry, ultimately there was not the evidence available to get HM Treasury to buy in to a DfT scheme to support the UK wide haulage sector. Going forward DfT and NI officials will closely monitor the situation around road haulage.

The Department for Infrastructure (DfI), with policy responsibility for the transport industry in Northern Ireland, was leading in these conversations with the UK Government. As we move forward it is important to clarify that there is no statutory role for my Department to lead any intervention. It is not a responsibility of the Department for the Economy (DfE) to deliver financial support for the haulage and logistics sector and my Department does not have the vires for such support.

It remains a key objective of the Executive to ensure the maintenance of critical supply routes with GB for a host of important reasons. If these routes come under further stress my Department will again work with both DfI and DfT to help maintain those key links.

#### **The Taxi Industry**

Schedules 1 and 3 to the Budget Act 2020 allocate funding to the DfI for "transport licensing, enforcement and regulation", as well as "support for transport services including grants in respect of rail and road passenger services including fare concessions". Taxis are clearly regarded as "transport services" and so, for the avoidance of doubt, these are clearly DfI policy areas.

The Executive and UK Government has introduced an unprecedented range of financial support to help those impacted by Covid-19. Many of these are open to all sectors and, for example, I understand that over 30 taxi firms were able to access the business support grants available locally. In addition taxi firms and self-employed taxi drivers who met the relevant criteria are able to access national support packages including the Coronavirus Job Retention Scheme and the Self-Employment Income Support Scheme, which have both been extended to October 2020.

**Mr McCrossan** asked the Minister for the Economy whether her Department is considering a financial hardship fund for shareholders of small limited companies.

**(AQW 4846/17-22)**

**Mrs Dodds:** There are no immediate plans to introduce a such a fund, however, my Department, along with Executive colleagues, continue to explore all potential options to identify further means of offering support to as many local businesses as possible during the Covid-19 pandemic.

The Coronavirus Job Retention Scheme (CJRS) is available to employers and individuals, including owner-managers operating under a limited company, who pay themselves a salary through a PAYE scheme. Employers claim for 80 per cent of the usual monthly wage costs of furloughed employees up to £2,500 a month, This means owner-managers can furlough themselves and claim for 80 per cent of their usual monthly PAYE wage costs, up to £2,500 a month.

Further information can be found here:

<https://www.nibusinessinfo.co.uk/business-support/coronavirus-job-retention-scheme-uk-wide>

**Mrs D Kelly** asked the Minister for the Economy to detail the financial support measures available to taxi operators and the taxi industry.

**(AQW 4851/17-22)**

**Mrs Dodds:** The Department for Infrastructure (DfI) has responsibility for "transport licensing, enforcement and regulation", as well as "support for transport services including grants in respect of rail and road passenger services including fare concessions". Taxis are clearly regarded as "transport services".

Within this context I have set out below my own Department's actions, as well as those of the Executive and UK government, in providing financial support to this industry.

**Financial Support measures for the Taxi Industry**

The Executive and UK Government has introduced an unprecedented number of interventions and packages of financial support to help those who have been affected by the consequences of Covid-19.

Information on current and evolving support options are being updated continuously on the NI Business Info website: <https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>

I understand that over 30 taxi firms which met the eligibility criteria, were able to access the business support grants available in Northern Ireland. In addition taxi firms and self-employed taxi drivers who met the relevant criteria are able to access national support packages including the Coronavirus Job Retention Scheme (CJRS) and the Self-Employment Income Support Scheme (SEISS), which have both been extended to October 2020.

**Mr O'Toole** asked the Minister for the Economy, as no indicative dates have been given by the Executive in its roadmap out of lockdown, to detail how she expects businesses to pay towards national insurance contributions and pension contributions as part of the Coronavirus Job Retention Scheme changes, when they do not know whether they will reopen by 1 August.

**(AQW 4880/17-22)**

**Mrs Dodds:** The Coronavirus Job Retention Scheme (CJRS) has been a valuable measure to prevent closure and job losses across our economy with approximately 211,700 workers in Northern Ireland being furloughed up to the end of May. It should be noted that the Department of Finance is the lead department for the Executive with regards to HM Treasury operations. The Minister of Finance and his officials have been in ongoing contact with Treasury raising issues about how the schemes are designed and operate. The Minister of Finance has said that the tapering of the CJRS from August is premature and that it could lead to redundancies, particularly in the hardest hit industries.

I have been advised that the Minister of Finance will continue to press the Treasury to ensure that adequate support is provided for all those who need it during this difficult time. The Executive is also examining what further steps we can take in the time ahead.

Indicative dates for business re-opening have now been published and widely publicised. Non-essential retailers were permitted to re-open from 12 June and indicative dates for further relaxation of lockdown measures relating to hospitality and tourism have been agreed. As we move through the Executive's Pathway to recovery, more businesses are permitted to open provided safety measures are in place. These steps are a significant step forward in our economic recovery and will go some way to mitigate against any impact of the tapering of the CJRS. However, I acknowledge that some business may still have lower revenue after opening and others remain closed.

**Mr Dickson** asked the Minister for the Economy whether she will be seeking to participate in the new Re-open EU website and application, which provides travellers with information about COVID-19 rules and restrictions in European countries, so that NI hospitality and tourism businesses are not disadvantaged.

**(AQW 4885/17-22)**

**Mrs Dodds:** Whilst tourism is a Devolved Matter, participation in this scheme involves engaging in EU fora where it would be for the UK Government to engage at Member State level. The UK is no longer part of the EU, and therefore the UK Government would not expect to be included in a map representing member states.

You will be aware of the expansive work that has been on-going by the Tourism Working and Steering Groups established by me to support and facilitate the re-opening of Northern Ireland's tourism and hospitality sectors and of the significant progress that has been made in recent days in that regard.

In addition to this work, I continue to participate in regular meetings with the Minister for Tourism of the Department for Digital, Culture, Media and Sports together with the Tourism Ministers from the other Devolved Administrations. We are committed to doing all we can to support the tourism sector of each of our respective regions and of the UK as a whole. We will continue to work together to ensure that the UK remains an internationally competitive destination for business and leisure. We are committed to ensuring a safe travel environment that helps rebuild consumer confidence in our tourism sectors, by strengthening regional and international coordination.

I can confirm that information is regularly shared on our travel, border and health measures with key partners, including the European Commission, as part of the UK's international cooperation during the Coronavirus crisis.

I will continue to work with my UK counterparts. In turn, the UK Government will continue to work with the travel industry and with other countries through forums such as the OECD and G20 to coordinate the international response.

**Mr Dickson** asked the Minister for the Economy, pursuant to AQW 4386/17-22, whether she will introduce specific regulations to ensure redundancy is calculated based on regular contractual pay, rather than Job Retention Scheme pay.

**(AQW 4886/17-22)**

**Mrs Dodds:** Due to the complexity in calculating Redundancy Payments, it is theoretically possible for an employer to use furlough pay as part of this equation. However, I am firmly of the view that employers should assess redundancy pay using employees' weekly pay prior to furlough as this is how they would be paid contractually.

There are no specific regulations to enforce this at present. However, I would assure you that this is a situation which I will keep under review and, with that in mind, if you become aware of cases where employers are basing redundancy payments on furloughed rather than normal pay, please bring them to my or my officials' attention.

Furthermore, I have instructed the Northern Ireland Redundancy Payments Service (RPS) to calculate the redundancy and insolvency payments for which it is responsible based on the relevant weekly wage period prior to initiation of the Job Retention Scheme.

I would not expect an employer to take advantage of the Job Retention Scheme, which has brought benefit to employers and employees alike, to make someone redundant on less favourable terms than they would otherwise have received. Employers should note that any redundancy payment may be subject to determination by an Industrial Tribunal.

If an employer decides to only pay a furlough amount during a period of notice and subsequently becomes insolvent, RPS will consider a manual calculation of earnings covering this time to give the employee the difference between their actual pay and their furloughed pay.

**Mr Givan** asked the Minister for the Economy to outline the rationale behind the postponement of tribunal hearings until the end of October, given the easing of many COVID-19 restrictions.

**(AQW 4938/17-22)**

**Mrs Dodds:** The postponement of tribunal hearings is a matter solely for the President of the Industrial Tribunals and Fair Employment Tribunal. It is my understanding that the President has postponed the hearings listed from 1 July 2020 to 31 October 2020 because the tribunal building has been closed since late March. The President had already postponed hearings from 20 March 2020 to 1 July 2020, as set out in her previous Presidential Guidance dated 20 March 2020 and 27 March 2020.

I understand that the President has decided that Review Preliminary Hearings will take place remotely, as soon as the building reopens and Employment Judges can get access to case files which are held in the building, to relist all hearings which have been postponed. They will take place in the order set out in her latest Presidential Direction and Guidance dated 11 June 2020, under the heading "GUIDANCE ON THE WAY FORWARD", to ensure fairness to all parties. It is my understanding that the President decided to relist the postponed cases in that manner following consultation with the Employment Lawyers' Group. Hearings will take place remotely, in person and by way of a hybrid model. It is anticipated that full hearings will be listed as soon as possible after the building reopens.

Plans are at an advanced stage to re-open Killymeal House.

**Mr Middleton** asked the Minister for the Economy how many businesses in the Foyle constituency have received (i) the £10,000 Small Business Support Grant; and (ii) the £25,000 Retail, Hospitality, Tourism and Leisure Grant.

**(AQW 4975/17-22)**

**Mrs Dodds:** For the £10,000 Small Business Support Grant, 1,190 businesses in the Foyle Parliamentary Constituency have been paid grants as of 19 June 2020.

For the £25,000 Retail, Hospitality, Tourism and Leisure Grant scheme, 146 businesses have been paid grants in the Foyle Parliamentary Constituency as of 18 June 2020.

Information on the number of businesses in the Foyle Parliamentary Constituency that have applied for and received payment of the £25,000 grant scheme, are published in the 'Operation of the scheme by council, constituency and sector' section on the following webpage - <https://www.nibusinessinfo.co.uk/content/coronavirus-£25000-retailhospitality-tourism-and-leisure-grant>.

Based upon applications received, this details applications by decision status

(paid/rejected/being processed), and provides a facility to interrogate by District

Council area, Parliamentary Constituency, and supported sector. This data is updated on a regular basis.

**Mr Dunne** asked the Minister for the Economy to detail future funding arrangements and support for disability employment projects that are currently delivered through the European Social Fund.

**(AQW 4992/17-22)**

**Mrs Dodds:** The funding for projects supported by the Northern Ireland European Social Fund Programme 2014-2020 continues until March 2022. My Department is the Managing Authority for the Programme but the projects also receive match funding from other sources, including the Department for Communities, which has a clear policy remit in this area. Officials in my Department and the Department for Communities are working closely together to consider the most appropriate way forward in relation to planning for future provision for the period after March 2022. The Executive's overall position on future funding is that we require at least full replacement spending power and that the devolved competence is respected. The Department of Finance is leading in working to ensure this commitment is fulfilled and we suffer no loss of spending power as a result of leaving the EU. Our expectation is that investments in regional economic development, skills (including for the most disadvantaged) and rural development would continue to be priority areas for this replacement funding.

**Mr Durkan** asked the Minister for the Economy to detail the number of unsuccessful applicants to the £10,000 Small Business Support Grant Scheme, broken down per constituency.

**(AQW 5083/17-22)**

**Mrs Dodds:** The table below provides a breakdown, by Parliamentary Constituency, of the e-mails sent to businesses who applied for a small business grant but did not meet the eligibility criteria.

Parliamentary Constituency	Number of rejection e-mails sent to ineligible businesses
Belfast East	66
Belfast North	84
Belfast South	101
Belfast West	87
East Antrim	62
East Londonderry	79
Fermanagh and South Tyrone	111
Foyle	93
Lagan Valley	75
Mid Ulster	83
Newry and Armagh	117
North Antrim	91
North Down	53
South Antrim	78
South Down	67
Strangford	82
Upper Bann	102
West Tyrone	90
<b>Total</b>	<b>1521</b>

There are a number of reasons for ineligibility:

- The property is vacant.
- The property is valued as domestic.
- The Total Net Annual Value (NAV) of the property is outside the eligibility band i.e. over £15,000.
- The property is not in receipt of Small Business Rate Relief.
- The company was not operating on 17th March 2020 when the scheme was announced.
- Applicant received a grant on another property.
- Applicant was the landlord not the occupying business.
- Property is exempt from rates.
- Property was not valued on the 7th Valuation List.
- Property type excluded e.g. churches, MLA/MP offices etc.

An additional 6,312 e-mails were issued to applicants where the information submitted in their application was not sufficient to identify the property against which they were applying, therefore the application could not be processed. For example the details provided did not match a rate account or they matched a closed rate account or domestic rate account.

It is worth noting that, in many cases more than one application was made by the same applicant. Only one application would be processed in this scenario.

**Mr McGlone** asked the Minister for the Economy how many site inspections of food processing plants have been carried out by the Health and Safety Executive, each week since 14 May 2020.

**(AQW 5085/17-22)**

**Mrs Dodds:** There have been 21 inspections of food processing plants carried out by the Health and Safety Executive for Northern Ireland since Thursday 14th May 2020.

The breakdown of inspections per week is as follows:

- Week 1 (14th and 15th May 2020) – 4 inspections in meat/pork processing plants
- Week 2 (18th-22nd May 2020) - 4 inspections in meat processing plants
- Week 3 (25th – 29th May 2020) – 2 inspections in meat/pork processing plants
- Week 4 (1st – 5th June 2020) - 2 inspections in dairy processing plants
- Week 5 (8th – 12th June 2020) – 5 inspections in meat processors, bakeries and general food processing plants
- Week 6 (15th – 19th June 2020) – 4 inspections in bakery and drinks producers

**Mr McGrath** asked the Minister for the Economy for an update on Project Stratum, including, specifically, in the Newry, Mourne & Down Council area.

**(AQW 5088/17-22)**

**Mrs Dodds:** Project Stratum continues on schedule. The closing date for receipt of tenders passed on 5th May, and the evaluation of bids is underway. Contract award is expected in late September 2020. My Department's engagement with industry indicates that approximately 6 months will be required for network design and delivery preparation prior to deployment. It is anticipated, therefore, that deployment of infrastructure will commence a number of months after contract award, with completion by 31 March 2024.

The target intervention area consists of just under 79,000 premises of which 12,126 are within the Newry, Mourne and Down Council area. While the precise number and location of premises that will directly benefit will not be known until after contract award, the aspiration of my Department continues to be to maximise broadband coverage throughout Northern Ireland from the funding available, so that as many premises as possible benefit from this public intervention.

**Mr Dickson** asked the Minister for the Economy whether her Department has sufficient staff to complete all required EU withdrawal work before the end of the transition period.

**(AQW 5119/17-22)**

**Mrs Dodds:** My Department faces significant resourcing challenges on EU Exit work. As a direct impact of Covid 19, the majority of large-scale recruitment to the NICS had been temporarily halted. As we move to a more stable position around Covid 19, my officials have identified a series of critical vacancies which will be resourced through the usual NICS recruitment processes. These will be expedited, but I remain alive to the inherent risks in this area.

**Mr Dickson** asked the Minister for the Economy how many people in her Department are currently working on EU withdrawal work.

**(AQW 5120/17-22)**

**Mrs Dodds:** There are currently 111.98 FTE (full time equivalent) staff working across my Department and its ALBs on EU withdrawal work.

**Mr McGrath** asked the Minister for the Economy, regarding the exclusion of vacant properties from the £25,000 Retail, Hospitality, Tourism and Leisure Grant, whether consideration was given to those properties undergoing renovation, and if so, what the rationale was for excluding them.

**(AQW 5127/17-22)**

**Mrs Dodds:** If renovation works are significant enough, a property may be removed entirely from the Valuation List, in which event it is not rateable and could not be considered eligible for the grant.

Where renovation works are not significant enough to remove the property from the Valuation List, it remains rateable. However, it may be entitled to Non-Domestic Vacant Rating Relief (NDVR) if it meets the test for beneficial occupation, which is that the property is unoccupied, unfurnished and not used for storage. Generally, where a property is being renovated, Land and Property Services (LPS) will consider that it meets the test for beneficial occupation and award the Non-Domestic Vacant Rating Relief.

As this grant scheme was designed to assist business operating as at 15th March 2020, properties recorded by LPS as vacant and in receipt of NDVR were not automatically eligible for a grant. The underlying rationale is that if the property is vacant, there is no business trading from the premises.

Any businesses who were undergoing renovations and still paying Small Business Rate Relief at 15th March 2020, could still have been eligible for the grant, subject to not being declared vacant and meeting wider eligibility criteria.

**Mr McGrath** asked the Minister for the Economy to outline the number of properties in the South Down constituency that currently have access to broadband speeds of less than 10Mbps; and whether these properties are centralised in a particular area.

**(AQW 5128/17-22)**

**Mrs Dodds:**

- (i) In its latest Connected Nations Report, Ofcom indicates that 4,420 premises within the South Down Constituency are currently unable to access speeds of 10 Mbps or greater.

As you may be aware, my Department has developed Project Stratum to utilise funding of £165million to improve broadband connectivity, using future-proofed technologies, for premises currently unable to access speeds of 30 Mbps or greater. From analysis of data received through the project's Open Market Review and subsequent public consultation, my Department has identified 9,211 premises within the South Down constituency that do not have access to speeds of 30 Mbps or greater. It will not, however, be possible to confirm which specific premises will be improved, until after contract award, expected in late September 2020. The overarching aspiration of the project continues to be to maximise broadband coverage across the target intervention area, to ensure that as many premises as possible benefit through access to improved infrastructure.

- (ii) My Department does not hold details of the location of premises currently unable to access speeds of 10 Mbps or greater. However, Ofcom has published a map that allows the user to explore the locations of areas currently unable to access speeds of 10 Mbps or greater. I have included a link for your convenience:

<https://checker.ofcom.org.uk/broadband-coverage>.

**Mr Allister** asked the Minister for the Economy to outline the criteria by which Citydeal funding is allocated and do allocations to date not suggest a Belfast-centric approach.

**(AQW 5135/17-22)**

**Mrs Dodds:** My Department is not involved in setting the criteria for the allocation of funding within a City or Growth Deal. The identification of projects and subsequent proposed allocation of funding is determined by the Deal Owner. In the case of the Belfast Region City Deal (BRCD) that is the six local councils who came together to develop the Deal.

BRCD identified the criteria for the scope and nature of the projects it wanted included in its Deal and which would benefit the entire region. This ensured there were projects across the six council areas. The projects were subsequently set out in the Heads of Terms which was agreed with UK Government in March 2019. BRCD must now assure itself that each of the projects to be brought forward for approval to the relevant NICS Department represent Value for Money, delivering benefits for the entire geographical area of the Deal.

The Belfast City Region Deal presents a tremendous opportunity to drive sustained growth across the region and I am very supportive of it. My Department will continue to work with each of the local councils and their partners in the development of the tourism, innovation, digital and skills projects.

**Dr Archibald** asked the Minister for the Economy, in light of the public and sectoral concerns raised, whether she will expand the membership of the Economic Advisory Group to ensure it is inclusive of key stakeholders and reflects fully the needs and views of all sectors in planning for economic recovery.

**(AQW 5140/17-22)**

**Mrs Dodds:** As has been the case for many years now the EAG is there to provide independent advice, aimed at challenging and developing public policy and strategic thinking on the local economy. The members are leaders in their field with experience in global markets.

The approach to EAG continues to be in line with the Independent Review of Economic Policy, which recommended "the establishment of a small advisory body, comprising expertise on regional economic development (drawn from business and economics), to provide independent advice to the Economy Minister".

As a result, the EAG was never intended to be a forum made up of representatives from all sections of the economy and society.

Expanding the membership would be reverting back to a system that the IREP recommended moving away from.

My Department already has a cross sector engagement forum, which includes representatives from the business community, the voluntary & community sector, and from a wide range of sectors such as universities, retail, colleges, food, trade union and local chambers of commerce.

This has been running since June 2017 to allow the Department to seek stakeholder views and to discuss how best to work together as EU Exit advances, and going forward will be a key asset in informing our approach to rebuilding a stronger economy.

There is also already significant involvement from a wide range of stakeholders with significant energy and related expertise in the development of my new Energy Strategy.

I am confident that the work of all of these groups, alongside the contribution of EAG will provide a broad range of comprehensive expert advice to my Department.

**Ms Bailey** asked the Minister for the Economy for an update on how universities have responded to the COVID-19 pandemic.  
**(AQW 5144/17-22)**

**Mrs Dodds:** The university sector in Northern Ireland responded promptly to the COVID-19 pandemic, with the universities and university colleges convening a number of measures, such as the establishment of major incident teams and the activation of contingency measures, in order to manage and deal with the pandemic in its early stages.

In terms of the action which has been undertaken, the institutions worked at pace, in very difficult and unprecedented circumstances, to ensure as far as possible that students would not be disadvantaged through the required response to the pandemic. You will be aware that all the institutions closed their campuses in mid-March, in line with government advice. The institutions worked hard to move to online teaching, where it was possible to do so, to protect the interests of students and staff. Examinations and face-to-face assessments were cancelled, and each institution introduced alternative assessments allowing students to continue with their learning.

Each institution has ensured that students and staff are kept updated on the measures being undertaken, through the issue of updates via email and the respective websites. Indeed, the institutions have been in regular contact with my Department, informing officials of any major developments and providing assurances regarding the maintenance of high quality teaching and learning.

**Miss Woods** asked the Minister for the Economy for her assessment of the potential redundancies in the hospitality sector as a result of COVID-19; and what measures her Department will put in place to mitigate these.

**(AQW 5152/17-22)**

**Mrs Dodds:** I am acutely aware of the severe impact which COVID-19 has had on our tourism and hospitality industry.

The mitigations implemented at a national and local level (eg grant schemes, business rates relief, loan schemes etc) will have played an important part in helping to sustain many tourism and hospitality businesses through the recent difficult months.

In addition, the decisive action taken by the NI Executive to accelerate the timeframe for re-opening the industry will play a key role in enabling businesses to generate the revenue needed to retain jobs across Northern Ireland.

Re-opening is a significant step forward. However, the road ahead will be very challenging and I have, therefore, established a Tourism Recovery Steering Group to help chart a path to recovery. The work of the Steering Group, and the collective effort of key public and private sector stakeholders, will be fundamental to the effort to save as many tourism and hospitality jobs as possible over the next months and beyond.

However, I very much regret that redundancies are inevitable. It concerns me to hear about the situation faced by staff across the tourism and hospitality industry who have been made redundant, or who face redundancy. I have the utmost sympathy for anyone in that situation in these difficult times.

I firmly believe that employers who have been able to take advantage of the Government's Job Retention Scheme, which has brought benefit to employers and employees alike, should treat staff fairly and respect employee rights. Specifically, in this situation, those rights relating to lay-offs, redundancy consultation, notice period and redundancy pay.

Employees who believe they have been unfairly treated, or their terms of contract breached, may be able to complain to an Industrial Tribunal. Anyone who finds themselves in this position may wish to consider contacting the Labour Relations Agency - Workplace Information Service on 03300 555 300 for confidential and impartial information.

In addition, the Law Centre NI provides free, independent, specialist legal advice on employment rights. The Law Centre can be contacted on their advice line on 028 9024 4401 or by email: [employmentadvice@lawcentreni.org](mailto:employmentadvice@lawcentreni.org).

Individuals may also wish to access the redundancy support and advice provided by my Department's Careers Service, which will provide personalised job searching support including advice on how to transfer existing skills and experience to current job opportunities. Advisers have up to date labour market information provided by the Department's economists which they use with the client to inform discussions about reskilling, training, apprenticeships further and higher education. Contact details for the Careers Service are available at <https://www.nidirect.gov.uk/campaigns/careers>. Those directly affected as a result of Covid-19 can also contact the Service by webchat or by phoning 0300 200 7820.

In addition, the Department for Communities will work with individuals facing redundancy and provide information about benefits and help with costs such as travel to interview expenses and help to search for and find a new role.

**Ms McLaughlin** asked the Minister for the Economy when AQW 3559/17-22 will be answered.

**(AQW 5155/17-22)**

**Mrs Dodds:** AQW 3559/17-22 To ask the Minister for the Economy for her assessment of the impact on the finances of universities of (i) COVID-19; and (ii) Brexit, given the loss of overseas students following both, was answered on the 26 June 2020.

**Ms McLaughlin** asked the Minister for the Economy to detail the number of jobs created as a result of foreign direct investments from investors who had not previously invested in Northern Ireland, who were supported by Invest NI, broken down by constituency, in each of the last three years.

**(AQW 5158/17-22)**



**Mrs Dodds:** Information on the number of jobs created by Invest NI supported businesses cannot be released for individual businesses, as this information is commercially sensitive. Splitting the information down to constituency level would mean that some businesses may be identified. Therefore, this response is based on the number of jobs that the businesses in question intend to create as a result of their initial investment in Northern Ireland.

Between 2017-18 and 2019-20 Invest NI secured projects by businesses that were new to Northern Ireland that would lead to the creation of 3,351 new jobs. As these businesses are new to Northern Ireland it will typically take 3 to 5 years to implement the projects and fill the associated posts. The table below shows the anticipated jobs split by constituency area.

**Invest NI New Jobs Assisted through First Time Inward Investors by Parliamentary Constituency (2017-18 to 2019-20)**

PCA	2017-18	2018-19	2019-20	Total
Belfast East	141	124	9	274
Belfast North		156	453	609
Belfast South	510	464	428	1,402
Belfast West	110			110
East Antrim		9		9
East Londonderry		2		2
Fermanagh And South Tyrone	3	5	11	19
Foyle	11	256	15	282
Lagan Valley	40	86		126
Mid Ulster				0
Newry And Armagh				0
North Antrim			25	25
North Down	16			16
South Antrim		20		20
South Down	5		6	11
Strangford			11	11
Upper Bann	7			7
West Tyrone				0
Not Yet Determined			428	428
<b>Total</b>	<b>843</b>	<b>1,122</b>	<b>1,386</b>	<b>3,351</b>

**Notes**

- 1 Not Yet Determined relates to those projects that have not yet decided on a location.
- 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.

**Mr Muir** asked the Minister for the Economy whether she will bring forward legislation to support the Right to Disconnect, to ensure that employees are not obliged to be contacted and work at given times, out of hours.

**(AQW 5189/17-22)**

**Mrs Dodds:** There are currently Regulations in place safeguarding working time limits in Northern Ireland.

The Working Time Regulations (Northern Ireland) 2016 make a positive contribution to the Northern Ireland employment relations framework, laying down minimum conditions relating to weekly working time, rest entitlements and annual leave, and making special provision for working hours and health assessment in relation to night workers.

Under the Working Time Regulations (Northern Ireland) 2016, a worker is entitled to an uninterrupted rest period of 11 hours between each working day and one uninterrupted weekly rest period of not less than 24 hours in each seven-day period.

The weekly rest period can be taken as either two periods of at least 24 hours in each 14-day period or one uninterrupted period of no less than 48 hours in each 14-day period.

I have no plans at present to amend current working time legislation for Northern Ireland. In the immediate term, Departmental resources will be focused on Northern Ireland's economic recovery as it emerges from lockdown.

However, I am always open to working with Executive Colleagues, the Assembly and stakeholders regarding wider plans for ensuring our employment legislation framework meets the needs of our regional economy.

**Ms McLaughlin** asked the Minister for the Economy to publish a comprehensive list of the reasons given to Invest NI by potential investors who were invited to consider investing in the Derry City and Strabane Council area but chose not to, for each of the last three financial years.

**(AQW 5196/17-22)**

**Mrs Dodds:** Invest NI promotes Northern Ireland as an attractive and viable location for inward investment opportunities to new investors, along with the parent companies of existing foreign owned investors. Northern Ireland's investment proposition combines the strengths of our talented and loyal workforce, advanced telecoms infrastructure, high skilled business clusters, pro-business environment, competitive operating costs and proximity to major markets.

Investor requirements will vary depending on the nature of the project but will typically include a consideration of the aforementioned factors. An area with a profile that clearly and closely aligns with investor needs is better placed to attract potential investment.

Ultimately, the investor will make the decision as to if, and where, they establish operations based on their specific business needs and having considered the options available to them. There may also be a range of corporate considerations and commercial reasons taken into account that may mean a planned overseas investment does not proceed, not all of which are necessarily shared in granular detail with Invest NI.

**Mr O'Toole** asked the Minister for the Economy, in light of the announcement by the Scottish Executive to make an additional £75 million available to Scottish institutions to support research, what support her Department is providing to universities who face a drop in income due to the COVID-19 pandemic.

**(AQW 5198/17-22)**

**Mrs Dodds:** I approved £2.6m funding to enable NI universities to collaborate with Republic of Ireland (RoI) institutions in Science Foundation Ireland's Covid-19 Rapid Response Research & Innovation Funding Call. This will give NI researchers an important opportunity to engage with counterparts in RoI to make significant and impactful breakthroughs that will address the manifold challenges posed by the COVID-19 virus.

I also approved £2.0m funding for paid extensions for students on the DfE Postgraduate Award Scheme, to ensure they do not suffer economic hardship as a result of Covid 19 and are able to complete their PhDs.

In response to my bid for additional funding to offset universities' lost commercial income, the Executive has recently approved £1m. I have made the case to the Joint BEIS/DfE Ministerial Taskforce that the needs of NI universities should be taken in account when considering any proposed UK-wide research stabilisation package. BEIS has now announced the outline of the resulting funding package, which can be found at <https://www.gov.uk/government/news/government-to-protect-uk-research-jobs-with-major-support-package>.

**Mr Dickson** asked the Minister for the Economy (i) whether she has referred to specific scientific advice in deciding whether to advocate for a reduction in the social distancing rule from two metres to one metre; and (ii) will she publish this advice.

**(AQW 5209/17-22)**

**Mrs Dodds:** I advocated the reduction of social distancing to one metre based on published World Health Organisation advice. The final decision on the reduction of social distancing to one metre, with mitigations, was made by the Executive after receiving advice from the Chief Medical Officer.

**Mr McNulty** asked the Minister for the Economy in relation to the £10,000 Small Business Support Grant Scheme, to detail (i) the total number of applications received; (ii) the number of successful applications; (iii) the number of unsuccessful applications; (iv) the number of applications yet to be determined; and (v) whether she is confident she has enough finance to pay the remaining claims.

**(AQW 5210/17-22)**

**Mrs Dodds:** A total of 24,768 applications were made to the Small Business Grant Scheme, 22,535 through the main application portal and a further 2,233 through an online portal for rental properties.

As of 26th June 2020, 23,658 payments of the Small Business Support Grants have been made to businesses in Northern Ireland. This includes payments made against applications and payments issued automatically where the bank details were held by Land and Property Services (LPS). To note, this figure does not account for failed, returned or voided payments.

A total of 1,521 e-mails have been sent to businesses who applied for a Small Business Grant but did not meet the eligibility criteria. To note, many other applications could not be processed as they held incomplete or incorrect information, or were duplicate applications. Any such applications are not included in this figure.

There are 432 outstanding applications. For the most part these remain unpaid because LPS is uncertain whether the applicant is eligible. There are a number of reasons why this might be the case but primarily it is either because there is uncertainty over whether the applicant is the eligible business trading from a premises, or because we cannot determine if the

business is independent of another business which has already been paid a grant. Remaining applicants will be assessed and eligible applicants processed as quickly as possible.

The projected spending on the scheme is within the allocated budget set by the Executive. This includes funds for any outstanding applications and outcomes for any appeals.

**Mr McNulty** asked the Minister for the Economy in relation to the £25,000 Retail, Hospitality, Tourism and Leisure Grant, to detail (i) the total number of applications received; (ii) the number of successful applications; (iii) the number of unsuccessful applications; (iv) the number of applications yet to be determined; and (v) whether she is confident she has enough finance to pay the remaining claims.

**(AQW 5211/17-22)**

**Mrs Dodds:** By closure on Wednesday 20 May 2020, the £25,000 Retail, Hospitality, Tourism and Leisure had attracted 3,624 applications. Subsequently, 22 applications received under the separate rental scheme were included, raising the total to 3,646 applications.

As of Friday 26 June 2020, a total of 2,940 applications have been approved for payment, with 2,936 paid to date through Account NI to a value of £72.15 million (125 applications were paid at a reduced rate of £15,000 having previously availed of the £10,000 scheme).

A total of 704 applications were rejected on the grounds of duplication or ineligibility.

There are six applications received that remain to be paid. A residual number of pre-applications received under the rental scheme may yet progress to full application stage for processing and payment.

The projected spending on the scheme is within the allocated budget set by the Executive. This includes funds for any outstanding applications and outcomes for any appeals.

**Miss Woods** asked the Minister for the Economy (i) what measures her Department is taking to protect jobs and employment rights of those who are shielding; (ii) whether she will provide further guidance on shielding for employees and employers; and (iii) to outline the work of her Department in conjunction with the Department of Health on this matter.

**(AQW 5228/17-22)**

**Mrs Dodds:** Responsibility for policy relating to shielding persons falls to the Department of Health.

I can confirm that, as far as my Department is concerned, shielding persons are entitled to the same employment rights as everyone else and have the right to complain to an Industrial Tribunal if they believe those rights have been infringed or their employment contract has been breached.

Guidance for employers and employees is published on the website of the Labour Relations Agency and is updated regularly. This includes the information that an employee is protected by law against unfair treatment and dismissal because of: pregnancy; age; or a health condition that is considered a disability under the Disability Discrimination Act.

**Ms McLaughlin** asked the Minister for the Economy to detail (i) the total grants awarded by Invest NI to foreign direct investors that had not previously invested in Northern Ireland; and (ii) the total monies loaned to companies by Invest NI to foreign direct investors that had not previously invested in Northern Ireland; in each council area, in each of the last three years.

**(AQW 5233/17-22)**

**Mrs Dodds:**

- (i) The table below shows the amount of grant assistance offered by Invest NI between 2017-18 and 2019-20 to businesses that were new to Northern Ireland split by Council area.

**Invest NI Grant Assistance Offered to First Time Inward Investors by Council Area (2017-18 to 2019-20)**

DCA	2017-18 £m	2018-19 £m	2019-20 £m	Total £m
Antrim and Newtownabbey		0.15		0.15
Ards and North Down	0.10		0.10	0.20
Armagh City, Banbridge and Craigavon	0.03		0.04	0.07
Belfast	5.92	4.97	5.50	16.39
Causeway Coast and Glens		0.03		0.03
Derry City and Strabane	0.08	1.54	0.10	1.72
Fermanagh and Omagh	0.01	0.06		0.08

<b>DCA</b>	<b>2017-18 £m</b>	<b>2018-19 £m</b>	<b>2019-20 £m</b>	<b>Total £m</b>
Lisburn and Castlereagh	0.15	0.67		0.82
Mid and East Antrim		0.04		0.04
Mid Ulster			0.07	0.07
Newry, Mourne and Down	0.03			0.03
Not Yet Determined			1.53	1.53
<b>Total</b>	<b>6.33</b>	<b>7.45</b>	<b>7.34</b>	<b>21.12</b>

**Notes**

- 1 Not Yet Determined relates to those projects that have not yet decided on a location.
  - 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- (i) Only two new to Northern Ireland businesses were offered loans by Invest NI during this period. In 2017-18 a £1.25 million loan was offered to a business located in the Belfast Council area and in 2018-19 a £15,000 loan was offered to a business located in Antrim and Newtownabbey.

Not all of the grant / loan support detailed above is necessarily paid out by Invest NI. Financial support is offered at the start of a project based on a company's commitment to complete certain elements of that project and funding is only released when these commitments have been met in line with the plan agreed by Invest NI and the business.

**Ms McLaughlin** asked the Minister for the Economy to detail (i) the total grants awarded by Invest NI to foreign direct investors that had not previously invested in Northern Ireland; and (ii) the total monies loaned by Invest NI to foreign direct investors that had not previously invested in Northern Ireland; in each constituency, in each of the last three years. **(AQW 5234/17-22)**

**Mrs Dodds:**

- (ii) The table below shows the amount of grant assistance offered by Invest NI between 2017-18 and 2019-20 to businesses that were new to Northern Ireland split by constituency area.

**Invest NI Grant Assistance Offered to First Time Inward Investors by Constituency Area (2017-18 to 2019-20)**

<b>PCA</b>	<b>2017-18 £m</b>	<b>2018-19 £m</b>	<b>2019-20 £m</b>	<b>Total £m</b>
Belfast East	0.74	0.99	0.05	1.78
Belfast North		1.02	3.13	4.15
Belfast South	3.43	2.95	2.33	8.71
Belfast West	1.65			1.65
East Antrim		0.09		0.09
East Londonderry		0.03		0.03
Fermanagh And South Tyrone	0.01	0.06	0.07	0.15
Foyle	0.08	1.54	0.10	1.72
Lagan Valley	0.25	0.67		0.92
North Antrim				0.00
North Down	0.10			0.10
South Antrim		0.10		0.10
South Down	0.03		0.04	0.08
Strangford			0.10	0.10
Upper Bann	0.03			0.03
Not Yet Determined			1.53	1.53
<b>Total</b>	<b>6.33</b>	<b>7.45</b>	<b>7.34</b>	<b>21.12</b>

**Notes**

- 1 Not Yet Determined relates to those projects that have not yet decided on a location.
  - 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- (iii) Only two new to Northern Ireland businesses were offered loans by Invest NI during this period. In 2017-18 a £1.25 million loan was offered to a business located in Belfast West constituency and in 2018-19 a £15,000 loan was offered to a business located in South Antrim.

Not all of the grant / loan support detailed above is necessarily paid out by Invest NI. Financial support is offered at the start of a project based on a company's commitment to complete certain elements of that project and funding is only released when these commitments have been met in line with the plan agreed by Invest NI and the business.

**Ms S Bradley** asked the Minister for the Economy what plans she has to financially assist those remaining businesses who are adversely impacted by COVID-19 but have not been supported to date.

**(AQW 5249/17-22)**

**Mrs Dodds:** The impacts of the Covid-19 crisis continue to be felt across the Northern Ireland economy. The national support schemes as well as the local measures put in place have been critical in maintaining the local economy. However, given the scale and impact of the crisis on the economy, I recognise that there has been insufficient funding to support every business.

As part of its immediate response, the NI Executive allocated funding for three business support measures in efforts to protect jobs, prevent business closures and promote economic recovery. I understand the frustrations that not all business have been eligible for the Business Grant Support Schemes or the Micro-Business Hardship Fund. The eligibility criteria for the schemes was designed to maximise the number of eligible businesses within the funding envelope available to the Northern Ireland Executive and to provide support to businesses facing hardship as quickly as possible. I welcome that through these schemes we have been able to provide over £310million in support to date.

In addition to the three business support measures, a wide range of local support has been put in place by the Executive, including a four month business rates holiday for all businesses with the sectors hardest hit by the coronavirus pandemic paying no rates for the full financial year up until 31 March 2021. Those sectors include Childcare, retail, hospitality, tourism and leisure.

There are further UK wide support options available to businesses in Northern Ireland. These include, the Coronavirus Job Retention Scheme (CJRS), which covers 80% of employees' usual salaries, up to a cap of £2,500 a month, while they are furloughed.

The Coronavirus Business Interruption Loan Scheme (CBILS) administered by the British Business Bank and the Bounce Back Loan scheme which will help small and medium-sized businesses to borrow between £2,000 and £50,000.

This is an evolving situation and my Department, along with Executive colleagues, continue to consider all potential options to identify further means of offering support to as many local businesses as possible during the Covid-19 pandemic.

Further information on all UK wide and local support options available to businesses can be found at:

<https://www.nibusinessinfo.co.uk/business-support/coronavirus>

**Mr Blair** asked the Minister for the Economy, following Sensata Technologies' decision to close its factory in Carrickfergus, costing 270 jobs, and to make 160 jobs redundant at its Antrim site, what measures are being put in place to support the former workers of the company.

**(AQW 5276/17-22)**

**Mrs Dodds:** My Department's Careers Service made contact with Sensata Technologies on Monday 29th June to make them aware of the advice and guidance services available to support the employees facing redundancy. The Careers Service was advised that a staff consultation process is currently taking place and it would likely be nearer the end of the summer before careers services were required.

Sensata Technologies were advised that Careers Service support is currently available via webchat, telephony and email to all employees at any stage throughout the consultation process and beyond, to support them to find alternative employment and that careers advisers can provide personalised job search support, including advice on how to transfer existing skills and experience to current job opportunities, and advice on reskilling, training, apprenticeships and options in further and higher education.

The Careers Service will maintain contact with Sensata over the coming weeks.

I understand that the Department for Communities (DfC) officials have also contacted Sensata to outline how employees can access benefits, if required. These include Universal Credit, the Discretionary Support Scheme and the New Style Job Seekers Allowance.

**Mr Wells** asked the Minister for the Economy how much was paid to the owners of windfarms and individual turbines in constraint payments in each of the last three financial years.

**(AQW 5294/17-22)**

**Mrs Dodds:** The System Operator for Northern Ireland (SONI) has provided me with the following answer:

“From 1 October 2018 to 27 June 2020, approximately £1 million was paid to windfarm owners in Northern Ireland as a result of network constraints.”

Since the new Single Electricity Market launched in October 2018, SONI's market systems and the elements that make up “constraint payments” have changed. It is therefore not possible to provide a meaningful answer to your question for payments prior to 1 October 2018. There has only been one full SEM financial year (1 October 2018 to 30 September 2019) since the launch of the market so SONI has provided the answer as a “total to date” rather than a breakdown by year.

**Mr Allister** asked the Minister for the Economy whether the Advisory, Conciliation and Arbitration Service (ACAS) guidance, that employers cannot compel those shielding due to COVID-19 to take holiday leave, applies in Northern Ireland, and, if not, whether she will take steps to apply same.

**(AQW 5306/17-22)**

**Mrs Dodds:** While the ACAS guidance does not apply directly to Northern Ireland, the position on this matter is the same in Northern Ireland. That is, while employers have the right to require employees and workers to take holiday leave at a specified time, subject to the relevant notice requirements, this does not apply to those who are on sick leave, including sick leave because they are shielding, or family leave, such as maternity leave.

**Mr Allister** asked the Minister for the Economy, pursuant to AQW 1761/17-22, and in relation to an upsurge in noise emissions at the Kells Main substation, what her Department has been advised as to the outcome of NIEN's noise investigations and as to an explanation for the intolerable noise increase in recent days.

**(AQW 5307/17-22)**

**Mrs Dodds:** I am advised that NIE Networks (NIEN) recognises that there is an issue with noise emissions from the Kells Main substation and fully appreciates the concerns raised by the community. NIEN remains committed to implementing a solution to address the issue and is engaging with the Environmental Health Department of Antrim and Newtownabbey Borough Council in that regard.

NIEN will do all that it can to progress this as soon as possible but have indicated that it is not something that can be fixed in haste. Given the strategic importance of the substation it is important to ensure that any solution does not compromise its operation as this could adversely impact upon the reliability of electricity supply both locally and across the wider customer base in Northern Ireland.

NIEN is investigating whether the system has been operating abnormally in recent days and if this has had any affect at Kells Main. It is continuing to openly engage with local community groups and political representatives and is happy for any further questions to be addressed to it directly.

**Dr Archibald** asked the Minister for the Economy to detail (i) the current rate of unemployment, as of June 2020; and (ii) any projected increase in unemployment when the furlough scheme is withdrawn.

**(AQW 5309/17-22)**

**Mrs Dodds:** The latest NI seasonally adjusted unemployment rate for the period February-April 2020 was estimated from the Labour Force Survey at 2.3%. The latest NI seasonally adjusted claimant count stood at 65,151 in May 2020.

On 30 June 2020, my Department published its latest macroeconomic and sectoral assessment of the impacts of Covid-19 on the local economy. It estimates that the claimant count could plausibly exceed 100,000 before the end of 2020 or shortly afterwards.

**Dr Archibald** asked the Minister for the Economy to detail the extent of internal planning and external engagement she has undertaken to form a green recovery plan.

**(AQW 5311/17-22)**

**Mrs Dodds:** My Department's medium-term economic recovery plan outlines an objective to grow a more competitive, inclusive and greener economy. The 'Rebuilding a Stronger Economy' document recognises that climate change is a cross cutting issue which will be integral to the development of policies to deliver this objective.

A key next step set out within Rebuilding a Stronger Economy is the development of a new Energy Strategy, which will be a key mechanism in shaping how we can use the decarbonisation of energy to grow our economy. The strategy is supported by a Project Board, Joint Steering Group, Government

Stakeholders Group, Electricity Stakeholders Group and Gas Stakeholders Group, with an Expert Panel on the Future of Energy soon to be established.

To develop potential options, a further five working groups have been set up to cover the themes of consumers, energy efficiency, heat, power and transport. Input has been received from 161 different organisations and individuals through the Call for Evidence, with 89 responses specifically addressing the economic opportunities that will arise from the decarbonisation of energy, and over 300 stakeholders are now part of the Energy Strategy network.

In the longer term, my Department will lead on the development of a new Economic Strategy which will support the Programme for Government. The Economic Strategy will seek to provide long term steps to meet the objectives of becoming a more competitive, regionally balanced and greener economy that works for everyone.

Development and implementation of the Strategy cannot be done in isolation and it will require a partnership approach to delivery. Engagement will be undertaken with key stakeholders as part of the Strategy's development process. This will include engagement on developing a greener economy.

**Dr Archibald** asked the Minister for the Economy following the announcement that Tourism NI has joined with tourism bodies of England, Scotland and Wales on the We're Good To Go industry standard and consumer mark to provide reassurance that safe working guidelines during COVID-19 have been adopted, whether there are plans to do similar with tourism bodies across the island of Ireland.

**(AQW 5312/17-22)**

**Mrs Dodds:** On 23 June 2020, the Department for the Economy in partnership with Tourism NI released guidance to help tourism and hospitality businesses reopen as safely as possible during the COVID-19 pandemic. This guidance been prepared with input from the NI Tourism Recovery Working Group and in consultation with Public Health Agency (PHA) and the Health and Safety Executive NI (HSENI) and key Executive Departments.

Following the release of the guidance, the 'We're Good to Go' industry standard was introduced in partnership with tourism bodies in Scotland, England and Wales to provide assurance to businesses, customers and communities that safe working practices have been adopted with regards COVID-19.

During the process of developing the guidance, officials from Tourism NI worked closely with their counterparts in Fáilte Ireland to ensure that the guidance and the Industry Standard were as closely aligned as possible, while recognising the different legislative frameworks.

Fáilte Ireland has launched its own COVID-19 Safety Charter and, while the two schemes are independent, joint activity is planned by Tourism NI, Fáilte Ireland and Tourism Ireland to reassure visitors of the measures taken to ensure their safety.

**Mr Newton** asked the Minister for the Economy to detail (i) whether Queen's University, Belfast or Ulster University have conducted experiments on live animals in the last 3 years; (ii) if so, what type(s) of animals have been used in the experiments; (iii) how many experiments took place; and (iv) the purpose of the experiments undertaken.

**(AQW 5315/17-22)**

**Mrs Dodds:** The Department does not hold this information.

**Miss Woods** asked the Minister for the Economy to detail (i) the timescale of the strategic review of petroleum licencing; (ii) the terms of reference for the review; and (iii) what model will be used to conduct the review.

**(AQW 5317/17-22)**

**Mrs Dodds:**

- (i) The strategic review of petroleum licensing is an iterative process with the next steps and timescale for delivery dependent on consideration of the results of independent research; the research tender was published on 9 June 2020 and will run for 5 weeks. It is not possible, at this time, to estimate the timescale for completing the review process, however, my Department is committed to the timely delivery of the strategic review.
- (ii) The petroleum licensing regime dates back to the 1960's and the Review is intended to ensure that the licensing framework remains fit for purpose, given the environmental and climate change challenges we now face. The underpinning terms of reference for the Review have been designed to ensure that the licensing regime continues to be effective in delivering key Programme for Government objectives, including that we prosper through a strong, competitive, regionally balanced economy and that we live and work sustainably – protecting the environment. Alongside this, the strategic issues of climate change, and the setting of challenging decarbonisation targets for the UK, including Northern Ireland, have been factored into the Review. My Department's planned new Energy Strategy will also provide an important context for decisions in relation to future Petroleum Licensing policy.
- (iii) The Review is being undertaken in accordance with the Executive's Guide to Policy Making in Northern Ireland. No specific assessment model has been chosen for the independent research into the economic, societal and environmental impacts of onshore petroleum exploration and production in Northern Ireland; the specification for the research has been designed to allow researchers to propose their own methodology, subject to my Department's approval.

**Ms McLaughlin** asked the Minister for the Economy to detail the timetable for completion and publication of her Department's planned Longitudinal Education Outcomes (LEO) database for Northern Ireland.

**(AQW 5322/17-22)**

**Mrs Dodds:** Preparatory work has been undertaken on establishing the LEO database for Northern Ireland and work is ongoing to establish data sharing arrangements with a number of partners, including Her Majesty's Revenue and Customs, the Department of Education (NI) and the Department for Communities. Reaching agreement with these partners is key to establishing a timetable for the creation of the database since they will be supplying some of the crucial data.

Once the legal basis for data sharing has been agreed with all partners and their data have been received by my Department, a timetable for the completion of the database can be confirmed. The LEO database will not itself be published, but will become a resource for research and statistics which will be published.

The brokering of those data sharing arrangements with partners can be time-consuming as it is often met with understandable caution. The Department would welcome support from you and others on the Economy Committee in establishing this important data linking initiative.

**Ms McLaughlin** asked the Minister for the Economy (i) whether Invest NI partners with, or promotes any funds for capital investment in, Northern Ireland businesses seeking to recover from COVID-19 or expand in the future; and (ii) if so, what rates of interest are being charged by those funds.

**(AQW 5323/17-22)**

**Mrs Dodds:** Through its suite of Access to Finance funds, Invest NI partners in seven funds providing circa £200 million of finance to SMEs across both debt and equity markets. The funds are designed to support both early stage and established SMEs which are growing or exporting, or which demonstrate the potential for growth.

The funds, which operate on a fully commercial basis, are managed by independent NI based FCA approved fund managers who retain responsibility for all investment decisions.

The funds are providing support to portfolio companies during the Covid-19 crisis. This includes strategic support to help SMEs position themselves for recovery and potentially additional equity or debt funding. Repayment holidays have been agreed by the debt funds where appropriate.

The equity funds take a shareholding in the SME in exchange for funding, whilst the loan funds negotiate commercial interest rates, taking account of the risk level involved. Flat interest rates are typically in the range of 6-8% and an annual charge is also negotiated by two of the loan funds. The loans are generally unsecured and complement existing secured bank debt.

The Invest NI loan and equity Funds remain available and accessible to NI businesses.

**Mr O'Dowd** asked the Minister for the Economy how many Invest NI-backed jobs have been created in Upper Bann in this last 5 years, broken down by (i) year; (ii) location; and (iii) total investment in each project.

**(AQW 5339/17-22)**

**Mrs Dodds:**

- (i) With the introduction of its Business Strategy 2017-2021, Invest NI aligned its reporting with the broad Outcome Based Accountability (OBA) approach adopted within the draft Programme for Government (PfG). By doing so, we measure the wider impact of all of our support, based on Key Performance Indicators (KPI's) gathered annually from a large cohort of businesses with which we work most closely and track progress towards the outcomes within the Business Strategy. The table below shows the number of additional jobs created in the Upper Bann constituency in 2017, 2018 and 2019 by businesses supported by Invest NI.

**Invest NI Additional Jobs Created in Upper Bann Constituency (2017, 2018 and 2019)**

PCA	2017	2018	2019
UPPER BANN	1,125	971	1,183

**Note:** "Additional Jobs" are based on all jobs created by Invest NI supported businesses that increased their employment during the period under review.

Prior to the latest Business Strategy we reported on jobs created directly from our financial support delivered through a narrower range of interventions designed to stimulate job creation. The table below shows the number of jobs created in 2015-16 and 2016-17.

**Invest NI Assisted Jobs Created in Upper Bann Constituency (2015-16 to 2016-17)**

PCA	2015/16	2016/17
UPPER BANN	779	550

**Note:** "Assisted Jobs" are based on those jobs for which Invest NI customers have received a direct offer of employment related support.



Upper Bann is the second highest constituency in Northern Ireland in terms of jobs created over the five year period.

It should be noted that the tables above are not directly comparable as different reporting methods have been applied.

- (ii) Information on the number of jobs created by Invest NI supported businesses cannot be released for individual businesses whilst their offer of support is still live, as this information is commercially sensitive. Splitting this information down further than constituency level would mean that some businesses may be identified.
- (iii) The table below shows the amount of investment that Invest NI has secured through projects approved in the Upper Bann constituency in each of the last five years. This investment includes support offered by Invest NI.

**Investment Secured (£m) by Invest NI in Upper Bann Constituency (2015-16 to 2019-20)**

PCA	2015-16	2016-17	2017-18	2018-19	2019-20
Upper Bann	33.95	29.33	33.78	27.39	45.14

**Mr Allister** asked the Minister for the Economy how many responses there have been to the recent consultation based upon the Cornwall-Insight report; and when the results of the consultation will be published.

**(AQW 5353/17-22)**

**Mrs Dodds:** The Department received 127 responses to the recent consultation based upon the Cornwall-Insight report. The results of the consultation will be made public in due course.

**Dr Archibald** asked the Minister for the Economy to detail the full membership of all five Energy Strategy Working Groups **(AQW 5354/17-22)**

**Mrs Dodds:** The membership of the Energy Strategy Working Groups is at organisation level and therefore the specific individuals can vary over time. The organisations represented on each Working Group are:

- Consumers Working Group (Lead – Department for the Economy)
  - Council
  - NIE Networks
  - SONI
  - SSE
  - Northern Ireland Renewable Industry Group (NIRIG)
  - Heat Working Group (Lead – Department for the Economy)
    - Department for the Economy
    - Department for Communities
    - Utility Regulator
    - Consumer Council NI
    - Local Government – Fermanagh and Omagh District Council
  - NI Housing Executive
  - NIE Networks
  - Phoenix Gas
  - Health and Safety Executive NI
  - Geological Survey of NI
  - OFTEC (Oil Firing Technical Association)
  - Transport Working Group (Lead – Department for Infrastructure)
    - Department for Infrastructure
    - Department for the Economy
    - Invest NI
    - Utility Regulator
    - Consumer Council NI
    - Local Government – Belfast City Council
    - NIE Networks
    - Energia
    - Mutual Energy
    - Translink
    - Sustrans
- Department for the Economy
- Department for Communities
- Utility Regulator
- Consumer Council NI
- Local Government - TBC
- National Energy Action
- NIE Networks
- System Operator for Northern Ireland (SONI)
- Power NI
- firmus energy
- Energy Efficiency Working Group (Lead – Department for the Economy)
  - Department for the Economy
  - Department for Communities
  - Department of Finance
  - Strategic Investment Board
  - Invest NI
  - Utility Regulator
  - Consumer Council NI
  - Local Government – Derry City and Strabane District Council
  - NI Housing Executive
  - Power Working Group (Lead – Department for the Economy)
    - Department for the Economy
    - Department for Infrastructure
    - Department for Agriculture, Environment and Rural Affairs
    - Utility Regulator
    - Local Government – Mid and East Antrim Borough

**Ms Anderson** asked the Minister for the Economy (i) what outreach work has been conducted with local businesses, who are feeling uninformed and unprepared, for their customs and regulatory obligations at the end of the Brexit transition period; and (ii) when this work will be intensified.

**(AQW 5361/17-22)**

**Mrs Dodds:** My Department had been in regular contact with a range of local businesses and business representative groups to discuss the implications from the implementation of the customs and regulatory obligations arising from the Protocol. This work was interrupted in March to deal with the Covid-19 crisis.

I am very keen to intensify preparatory work with local businesses as soon as there is clarity on what businesses will need to prepare for. I will continue to press urgently for clarity from the UK Government and the Joint Committee on how the arrangements will work in practice, and what businesses will be required to do to comply with the new arrangements.

**Mr Dickson** asked the Minister for the Economy what steps have been taken in terms of monitoring lone worker potential health and safety risks that may arise due to social distancing or reduced staffing.

**(AQW 5377/17-22)**

**Mrs Dodds:** Employers have a legal duty to ensure the health, safety and welfare of all employees as far as is reasonably possible, including lone workers. Any lone worker health and safety matters should be identified in a risk assessment by an employer. General advice can be found at <https://www.hse.gov.uk/lone-working/>. In the current pandemic this may include issues such as working at home or away from the normal work location. Employers should consider measures to keep in touch with employees, monitor workloads and ensure they can do their work safely.

Employers have the same health and safety responsibilities for those working from home as for any other workers. Advice can be found at <https://www.hse.gov.uk/toolbox/workers/home.htm>.

Lone workers, like any worker, must take care of their own health and safety and that of others who may be harmed by their actions at work. Lone workers must cooperate with their employers and other workers to help everyone meet their duties under the law.

**Mr Dickson** asked the Minister for the Economy to outline (i) what communication is taking place; and (ii) data is being shared, with local government in respect of forward planning for potential redundancies.

**(AQW 5378/17-22)**

**Mrs Dodds:** This AWQ has been transferred to the Department for Communities to respond to.

My Department regularly partners with other government departments and local government to provide a tailored redundancy service for employers and their employees. While there is no formal data sharing arrangements in place with local government, analysis about those sectors most impacted by Covid-19 and furlough data has been shared to inform joint plans going forward. My Department is also represented on local government Local Works Forums. In terms of planning ahead, my Department is exploring new ways of working such as virtual delivery of redundancy support via webinars to supplement our face to face socially distanced capacity to deliver redundancy support. We have already partnered with Armagh, Banbridge and Craigavon Council and the Department deliver our first virtual redundancy clinic for Thompson Aero Seating Ltd.

**Ms McLaughlin** asked the Minister for the Economy (i) whether apprenticeships in Northern Ireland have the same difficulties as in England, including a significant non-completion rate; and (ii) what steps are being taken to address this.

**(AQW 5406/17-22)**

**Mrs Dodds:** Due to differences in programme design, targeted outcomes and methodologies underpinning official statistics, it is not possible to make credible comparisons between the apprenticeship position in other parts of the United Kingdom, like England, and our own Northern Ireland based provision (ApprenticeshipsNI and Higher Level Apprenticeships).

That said, the latest available statistics show that since the ApprenticeshipsNI 2013 programme began, 28,469 participants left the programme. Of these, 61% achieved all targeted qualifications.

In relation to Higher Level Apprenticeships, mainstream provision was introduced in September 2017. The latest available statistics show an achievement rate of 83.7%.

A focus on retention and qualification achievement is reflected in the robust performance management arrangements that my Department has in place with training suppliers who include Further Education colleges, universities and non-statutory/contracted suppliers.

A Delivery Oversight Board, chaired by my Department's Director of Apprenticeships, Careers and Vocational Education Division, is tasked with assessing the overall performance of apprenticeship training suppliers in Northern Ireland. To this end, the Board oversees the performance of apprenticeship training suppliers and recommends remedial action where it deems it appropriate.

Much of the work of the Board relates to quality and compliance inspection arrangements (including monitoring performance against key performance indicators).

My Department places significant emphasis on the systematic improvement and development of the quality and delivery of all of its apprenticeship provision. It is noteworthy that the most recent Chief Inspector's Report (2016/18) reported that the apprenticeship brand in Northern Ireland is strong.

**Ms McLaughlin** asked the Minister for the Economy to detail (i) her response to the findings of the Social Mobility Commission's report on Apprenticeships and Social Mobility that access to apprenticeships is particularly difficult for the most disadvantaged members of the community; and (ii) how she intends to ensure apprenticeships will be easier to access and that more support will be provided to those in the greatest need of assistance.

**(AQW 5407/17-22)**

**Mrs Dodds:** My Department recognises that skills are a key driver of economic growth and provide a powerful tool to promote individual opportunity and social inclusion. This is especially true for apprenticeships that meet specific skills needs and provide a route into many careers across the economy.

Whilst the Social Mobility Commission's report on Apprenticeships and Social Mobility raises some important points, it presents analysis on the English apprenticeship system, which owing to recent reforms is distinct from the system we have here in Northern Ireland, particularly with regard to the Apprenticeship Levy.

The report indicates that the Levy arrangements in England have contributed to reduced apprenticeship uptake, particularly at 'lower' levels. This has not been the case in Northern Ireland. Around 6,000 new apprenticeships are created by employers across Northern Ireland each year, supported by my Department across a wide range of sectors and at all levels.

My Department supports apprenticeships by funding the cost of off-the-job training through both the ApprenticeshipsNI and Higher Level Apprenticeship programmes. Apprenticeship funding is paid directly to further education colleges, universities and contracted non-statutory training providers operating across Northern Ireland, several of which are located in areas of deprivation. Both the ApprenticeshipsNI and Higher Level Apprenticeship programmes include facilities for extra support and assistance, where participants require it, ensuring fair and inclusive access.

Increasing access to apprenticeships is a critically important area and that is why my officials continue to explore this area to examine what more can be done to widen access to expand the pathways to a greater range of participants, particularly under-represented groups and those from disadvantaged backgrounds.

In the current climate, I recognise that ensuring inclusive access to apprenticeships has never been more critical. They will play a significant contribution in maintaining the skills pipeline and supporting the renewal of the Northern Ireland economy. This is why my Department is currently developing a range of proposals to protect and support existing apprenticeships and the ongoing provision of apprenticeship opportunities to ensure the Apprenticeship system responds to the impact of the COVID-19 crisis.

**Ms Rogan** asked the Minister for the Economy to detail the number of hotel beds, broken down by constituency.

**(AQW 5432/17-22)**

**Mrs Dodds:** The number of Northern Ireland hotel bed-spaces broken down by council area is detailed in the table below. Tourism Northern Ireland does not hold this information at constituency level.

#### Northern Ireland Hotel Bed-Spaces by Council

Council Area	Number of bed-spaces
Antrim and Newtownabbey	1,334
Ards and North Down	762
Armagh City, Banbridge and Craigavon	542
Belfast City	10,306
Causeway Coast and Glens	1,938
Derry City and Strabane	1,838
Fermanagh and Omagh	1,074
Lisburn and Castlereagh City	640
Mid and East Antrim	1,228
Mid Ulster	585
Newry, Mourne and Down	1,289
<b>Total</b>	<b>21,536</b>

**Ms Rogan** asked the Minister for the Economy to detail the number of bed and breakfast establishments, broken down by constituency.

**(AQW 5433/17-22)**

**Mrs Dodds:** The number of Northern Ireland bed and breakfast establishments broken down by council area is detailed in the table below. Tourism Northern Ireland does not hold this information at constituency level.

**Northern Ireland Bed & Breakfast Establishments by Council Area**

Council Area	Number of Establishments
Antrim and Newtownabbey	29
Ards and North Down	34
Armagh City, Banbridge and Craigavon	35
Belfast City	57
Causeway Coast and Glens	192
Derry City and Strabane	62
Fermanagh and Omagh	45
Lisburn and Castlereagh City	18
Mid and East Antrim	56
Mid Ulster	32
Newry, Mourne and Down	73
<b>Total</b>	<b>633</b>

**Mr Beggs** asked the Minister for the Economy to acknowledge that, to date, taxi drivers, many coach drivers and HGV drivers have not been eligible for the COVID-19 support scheme provided to protect employment; and to advise whether she plans to bring forward further schemes for those who have previously been excluded.

**(AQW 5450/17-22)**

**Mrs Dodds:** This is not the sole responsibility of my Department, nor do I acknowledge that any individual sector of employment or workers, have been excluded from the range of financial support options that have been introduced to address the impact of COVID-19.

**HGV Drivers**

The Department for Infrastructure (DfI), with lead policy responsibility for the transport industry in Northern Ireland, has been leading in conversations with the UK Government, specifically the Department for Transport (DfT), in trying to secure support from HM Treasury for a DfT scheme to support the UK wide

haulage sector. Thus far, this has been unsuccessful, however, going forward, DfT and NI officials will closely monitor the situation around road haulage.

It is important to clarify that there is no statutory role for my Department to lead any intervention. It is not a responsibility of the Department for the Economy (DfE) to deliver financial support for the haulage and logistics sector and my Department does not have the vires for such support.

**Coach and Taxi drivers**

DfI has lead responsibility for “transport licensing, enforcement and regulation”, as well as “support for transport services including grants in respect of rail and road passenger services including fare concessions”. Taxis and Coaches are clearly regarded as “transport services” and so, for the avoidance of doubt, these are clearly DfI policy areas.

The Executive and UK Government has introduced an unprecedented range of financial support to help those impacted by Covid-19. Many of these are open to all sectors and, for example, I understand that over 30 taxi firms were able to access the business support grants available locally, whilst approximately 20 companies listed as coach / bus hire or tour businesses availed of these grants, receiving either £10k or £25k, depending on their circumstances.

In addition, coach and taxi firms, as well as self-employed drivers, who met the relevant criteria, have been able to access national support packages including the Coronavirus Job Retention Scheme and the Self-Employment Income Support Scheme, which have both been extended to October 2020.

It will be for the Executive, as well as the UK Government, to decide if additional financial support can be made available to support the local economy, and the respective employment and business sectors within this.

**Mr McNulty** asked the Minister for the Economy when they expect pubs that currently do not prepare and serve food will be able to open, whilst observing social distancing guidelines.

**(AQW 5454/17-22)**

**Mrs Dodds:** The Executive has taken decisive action in facilitating the re-opening of most of our tourism and hospitality industry. Seeking to ensure the safety of our citizens has been, and will continue to be, the primary focus for the Executive. In all instances, decision making has been informed by scientific evidence and medical advice. Guidance has also been developed to assist tourism and hospitality businesses.

At present, pubs and bars are permitted to serve food indoors on a table service basis, with alcohol being ancillary to this. In addition, pubs and bars with outdoor spaces, such as beer gardens, have the option to sell alcohol only in these spaces, again on a table service basis.

My Department is considering, in consultation with relevant Departments and stakeholders, the position in respect of pubs and bars whose primary purpose is the sale of alcohol. I will bring forward proposals for the re-opening of this sector to the Executive in due course.

**Mr McGlone** asked the Minister for the Economy, pursuant to AQW 4123/17-22, how many of the ten unannounced inspections recorded deficiencies in those food processing plants; and what enforcement actions were taken by the Health and Safety Executive.

**(AQW 5459/17-22)**

**Mrs Dodds:** HSENI did not identify any breaches requiring formal enforcement action (enforcement notices or prosecution) in relation to COVID-19 control measures relating to the ten inspections.

A total of 76 improvements were identified by HSENI Inspectors across the 10 sites. In line with normal procedure, at each site where potential improvements were identified, these were raised by the Inspectors during the inspection and followed up by letter or e-mail to the management of the business detailing any actions to strengthen their COVID-19 (or other health or safety) controls. Timescales were set for action to be taken and followed up by Inspectors. At all sites remedial actions have been taken in line with the direction provided.

**Dr Archibald** asked the Minister for the Economy whether she intends to repeal the Swedish derogation to the Agency Workers' Regulations.

**(AQW 5470/17-22)**

**Mrs Dodds:** While I have no imminent plans to repeal the Swedish derogation, I am aware that the Swedish Derogation was repealed in Great Britain with effect from April 2020. I will consider this matter as part of a wider plan to ensure that our employment legislation takes account of the needs of workers, while balancing the needs of business at this difficult time.

**Mr Muir** asked the Minister for the Economy when she intends to bring forward new grant support initiatives to assist businesses previously excluded from Coronavirus Grant Support Schemes.

**(AQW 5483/17-22)**

**Mrs Dodds:** I recognise that the impacts of the Covid-19 crisis continue to be felt across the Northern Ireland economy. Whilst I welcome that around £320million has been provided in support through the three existing business support measures, I recognise that there remains gaps in coverage and not all businesses have been able to avail of that support.

This is an evolving situation and I remain committed, along with Executive colleagues to provide support to as many local businesses as possible. Any decision on the further business support measures will require consideration and consensus by the Executive. I am working with the Minister of Finance to bring forward further options for discussion and decision by the Executive.

## Northern Ireland Assembly Commission

**Mr Allister** asked the Assembly Commission what steps have been taken to honour the commitments in paragraph 3.7 of Annex C of New Decade, New Approach.

**(AQW 5178/17-22)**

**Mr Butler (The Representative of the Assembly Commission):** On 9 January 2020 the UK and Irish Governments published 'New Decade, New Approach' ('NDNA'), a "deal which the UK Government and Irish Government are inviting the parties to endorse as a basis for restoring the Executive".

Paragraph 3.7 of NDNA states:

*"3.7. The parties recognise that additional funding should be made available to parties who form the Opposition. In the context of the agreed programme of measures to enhance the sustainability of the institutions, the relevant Assembly authorities should also commission a review of the adequacy and effectiveness of the Statement of Entitlements for an*

*Official Opposition as set out in the Fresh Start Agreement. An appropriate independent person should be appointed to conduct such a review, and the review should have regard to relevant*

comparators. This review should be submitted to the relevant Assembly authorities within 6 months of the first meeting of the Assembly. If further resources are deemed appropriate the Assembly Commission should seek additional resources. The review should recommend increased allowances for Opposition parties and should explore the creation of additional funding for the Offices of the Leaders of Opposition parties.”

NDNA was not published with an associated implementation plan, and whilst the action at paragraph 3.7 was not specifically attributed to the Assembly Commission, on 19 February 2020 the Commission met to consider a paper on the agreement. The Assembly Commission agreed that the review of funding to be made available to parties who form the Opposition is a matter for consideration by the Commission, but that the review of the Statement of Entitlements for an Official Opposition as set out in the Fresh Start Agreement appeared to be a matter for consideration by the Assembly and Executive Review Committee (AERC).

The Assembly Commission agreed that Commission officials would liaise with the AERC to consider a joint approach and joint Terms of Reference between the Commission and AERC to facilitate implementation of this action at paragraph 3.7 of NDNA.

I understand that the AERC met on 26 June 2020 to consider this approach from the Assembly Commission, and that discussions between the Commission and AERC on how to progress the action set out in paragraph 3.7 of NDNA are ongoing.

**Mr Allister** asked the Assembly Commission to detail the total subsidy for catering in each of Parliament Buildings' canteens, bars and dining rooms in each year since January 2016.

**(AQW 5305/17-22)**

**Mr Butler (The Representative of the Assembly Commission):** The Assembly Commission's Support Services contract covers catering, cleaning and related services. All of these services have been fully operational for MLAs, their staff, Assembly staff, the media and visitors to Parliament Buildings since January 2016.

The Assembly Commission requires that catering services are provided during business hours and for events / functions. Where the cost of providing catering services exceeds the revenue generated through food and drink sales, the Assembly Commission incurs the operating cost as per the contractual arrangements. This operating cost is sometimes referred to as a subsidy.

The Assembly Commission continues to work closely with the contractor to monitor and to review the delivery of these services and to minimise costs, where possible

The operating costs for catering services at Parliament Buildings is shown below. It is not possible to provide a breakdown by individual catering outlet due to the nature of the contract.

Month	2016	2017	2018	2019	2020 (to date)
Total	£277,177	£288,294	£270,720	£181,139	£137,428

**Mr Beggs** asked the Assembly Commission what plans are in place for the Assembly to celebrate the centenary of Northern Ireland in 2021, as part of the decade of centenaries.

**(AQW 5374/17-22)**

**Mr K Buchanan (The Representative of the Assembly Commission):** The Assembly Commission agreed an approach in 2012 in relation to how anniversaries within the decade of centenaries would be marked within Parliament Buildings. This approach is guided by a set of principles including that all events will be inclusive, of a sensitive tone and respectful of our shared history and differing views on it.

In October 2018, all parties on the Assembly Commission agreed the anniversaries which would be marked in this mandate and this includes the centenaries in 2021 of the creation of Northern Ireland/ partition and the first sitting of the Northern Ireland Parliament. In line with the agreed approach, the Assembly Commission is required to agree by consensus early next year the nature of the events it will organise and will do so in the context of the events which have previously been held during the decade of centenaries.

**Mr Allister** asked the Assembly Commission to detail (i) the statutory basis on which it is proposed to make a determination on Members' expenses; and (ii) the basis on which it is believed such a determination supersedes an existing determination made under the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011.

**(AQW 5393/17-22)**

**Mr O'Dowd (The Representative of the Assembly Commission):** On 30 June 2020, the Assembly agreed to confer a function on the Assembly Commission to determine the allowances payable to Members under section 47(2A)(b) and 47(10A) (a) of the Northern Ireland Act 1998 (“the 1998 Act”).

Section 47(2A) of the 1998 Act provides that:

“The Assembly may make provision—

- (a) determining the salaries or allowances payable to members of the Assembly under this section, or
- (b) providing for those salaries or allowances to be determined by a person other than the Assembly in accordance with the provision”.

Section 47(10A) sets out the nature of the provision which may be made under 47(2A)(b). Section 47(10A) provides that the provision which may be made:

“...includes provision—

- (a) by a resolution of the Assembly conferring functions on the Northern Ireland Assembly Commission, or
- (b) by an Act of the Assembly (which may include provision establishing an office or body, provision conferring functions on an office-holder or body and ancillary provision).”

The issue considered by the Assembly Commission was whether, the Assembly having passed the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 (“the 2011 Act”), it could now make provision under the other limb of section 47(10A) – by conferring a function on the Assembly Commission.

The Assembly Commission also considered whether the power for the Assembly itself to make determinations under section 47(2A)(a) was altered by the passage of the 2011 Act.

The Assembly Commission was advised that because section 47 of the 1998 Act is an excepted matter, the Assembly could not expressly or impliedly legislate to limit the powers conferred on it by that provision. Therefore, the 2011 Act could not remove the Assembly’s power to confer functions on the Assembly Commission. Looked at another way, if the Assembly made a determination under section 47A(2A)(a), or conferred that function on the Assembly Commission under section 47(10A)(b), it would not prevent it passing an Act under section 47(10A)(b) at some future point.

Under the framework in the 1998 Act, the Assembly Commission is clear that it is for the Assembly to decide on the mechanism for determining the salaries and allowances payable to Members. This was not altered (indeed it could not be altered) by the 2011 Act. The power of the Assembly to make determinations itself, or to confer power to make determinations on the Assembly Commission, is unchanged by the 2011 Act.

**Mr Allister** asked the Assembly Commission (i) whether it is proposed to bring forward a bill to amend the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011; and (ii) if so, in what regards.  
**(AQW 5395/17-22)**

**Mr Butler (The Representative of the Assembly Commission):** The Assembly Commission has agreed to bring forward a Bill to amend the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 and that the Bill may make provision to:

- Amend the functions of the Independent Financial Review Panel (the Panel) to include only the determination of salaries and pensions payable to Members;
- Amend the name of the Panel to reflect a change in its functions;
- Require the body to publish and consult on a draft of any determination it proposes to make;
- Require that the body make a determination not less than 12 months before an election;
- Require that the body should consult the Assembly Commission or an appropriate Assembly committee before deciding that ‘exceptional circumstances’ require a further determination;
- Amend the list of persons disqualified from being appointed or serving as members of the body; and
- Make provision for temporary appointments to the body.

**Mr Allister** asked the Assembly Commission (i) how are complaints against Members currently processed given the absence of a Commissioner for Standards; (ii) why has a new Commissioner for Standards not been appointed; (iii) what steps are being taken to appoint a Commissioner for Standards; and (iv) to what timescale.  
**(AQW 5426/17-22)**

**Mr O’Dowd (The Representative of the Assembly Commission):** Section 19(1) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 (“the 2011 Act”) provides that “The Commissioner shall be appointed by resolution of the Assembly.” Section 19(3) provides that “A person may not be appointed as the Commissioner if that person has already held office as the Commissioner.”

Therefore, as the period of office of the former Commissioner ended during the period when the Assembly was not sitting, a replacement Commissioner could not be appointed. During this time, any complaint against a Member has been acknowledged and the complainant advised that the complaint would be retained until such time as a replacement Commissioner is appointed.

A fair and open recruitment competition to identify a Commissioner has been completed as required by section 19(4) of the 2011 Act and a motion seeking the Assembly's agreement to appoint a Commissioner is included on the Order Paper for the sitting of the Assembly on 21 July 2020.



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# Northern Ireland Assembly

Friday 17 July 2020

## Written Answers to Questions

### Department of Agriculture, Environment and Rural Affairs

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs, in light of the European Commission deadline, to provide an update on his Department's submission of plans for the designation of border control posts in relation to the operation of the Protocol on Ireland/Northern Ireland.

**(AQW 5513/17-22)**

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** The publication of the UK Government's command paper on 20 May 2020, provided the necessary clarification to proceed to implement the Northern Ireland Protocol. As the lead Department for the implementation of our obligations in relation to the Northern Ireland Protocol on Sanitary and Phytosanitary (SPS) checks, my officials have had engagement with port officials following initiation of the programme on 26 May. Since then my Department has been working at pace, in conjunction with stakeholders at the ports and the wider UK government to develop the information required to formally request the designations under Regulation (EU) 2017/625 on Official Controls (OCR).

I want to again place on record my strong opposition to the Northern Ireland Protocol and in particular its implementation in a manner that would be detrimental to the Northern Ireland economy and Northern Ireland's place within the internal market of the United Kingdom. There are elements of the Protocol, which regardless of implementation, are likely to negatively impact on Northern Ireland in the absence of significant assistance from the United Kingdom Government.

Notwithstanding those major concerns I recognise that there is a legal responsibility flowing from the Protocol to ensure SPS checks will be carried out on goods entering Northern Ireland. I am aware DEFRA have made applications to the European Commission requesting an extension to the current designations and the scope of entry points in Northern Ireland to include Belfast, Larne, Foyle and Warrenpoint ports and a number of our airports. While I am committed to this I have asked my officials to consider the delivery options for the facilities at the Points of Entry, due to the lack of certainty around a number of key areas including the level of checks required.

I am working on the assumption that if both the European Commission and the United Kingdom Governments are committed to a minimalist approach, it is reasonable to assume there will be a very small number of checks. I will of course supply the details of my official's findings for the delivery options as soon as possible.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs when we can expect to see the draft Clean Air Strategy for Northern Ireland as referenced in New Decade, New Approach.

**(AQW 5567/17-22)**

**Mr Poots:** Air pollution can have a serious effect on people's health. It also has negative impacts on our environment.

In December 2016, the previous DAERA Minister, Michele McIlveen, gave a commitment to develop an air quality strategy. Since then, the Department has been working on developing a draft Clean Air Strategy discussion document. This work involved close collaboration with other Departments and officials worked together to finalise the draft discussion document on the Clean Air Strategy.

Once the draft discussion document is complete, I will consider the options for issuing the draft Clean Air Strategy discussion document for public consultation later in the year.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs whether the island of Ireland will be treated as a single unit for live breeding stock health certificates under the Irish Protocol.

**(AQW 5590/17-22)**

**Mr Poots:** At present, all livestock intended for breeding – with the exception of horses - move from Northern Ireland to the Republic of Ireland, and vice versa, accompanied by a veterinary Intra Trade Animal Health Certificate (ITAHC).

This arrangement would remain unchanged under the terms of the Protocol on Ireland/Northern Ireland

The movement of horses from Northern Ireland to the Republic of Ireland and vice versa, without the need for veterinary certification, is currently facilitated by the Tripartite Agreement (TPA) which involves the UK, France and the Republic of Ireland.

The European Commission has indicated that the TPA will no longer apply to the United Kingdom at the end of the transition period, however a recent EC stakeholder preparedness notice states that it will continue to apply to NI with the implementation of the Protocol for Ireland/Northern Ireland. My officials are currently considering the impact of this Protocol on the movements of horses post transition and will keep the industry informed of any developments.

**Mr McCrossan** asked the Minister of Agriculture, Environment and Rural Affairs whether the £25 million hardship funding for farmers includes the suckling cow sector.

**(AQW 5593/17-22)**

**Mr Poots:** The £25m COVID-19 support package announced by the NI Executive on the 19th May is the most comprehensive allocation made by any UK or EU administration for the agriculture and horticulture sectors during the Coronavirus emergency. After it was announced, I consulted with numerous industry representatives and stakeholders, who provided me with their analysis of the impacts of the pandemic and their proposals for allocation of the £25m.

During those discussions, there was a clear acceptance of the need to target support based on evidence at those sectors hardest hit financially as a direct result of the COVID-19 pandemic.

On 30 June I announced that £21.4m from the £25m COVID-19 support package would be directed towards businesses in the beef, dairy, sheep, potato and ornamental horticulture sectors. This support will make a contribution towards the losses incurred but will not cover all costs or impacts.

Farmers within the suckling cow sector that presented beef cattle, cull cows or bulls for slaughter between 29 March and 16 May will be eligible for a payment of £40 per head and a second payment of £33 per head will be made if the same types of cattle were slaughtered between 16 February and 30 June.

I am also aware that the autumn period is a critical time for the suckling cow sector with a large proportion of farmers marketing weaned calves and store beef cattle. We cannot rule out the possibility of further market disturbance during this period as a result of the COVID-19 pandemic. For this reason I have retained a budget of just over £7m based on the residual funding of £3.6m (from the £25m) and the £3.6m that was reprioritised within my Department. This will allow me to address additional issues and challenges Covid-19 may present for this sector and others in the weeks and months ahead.

**Miss Woods** asked the Minister of Agriculture, Environment and Rural Affairs (i) for an update on the re-designation of Conlig Lower Reservoir as a coarse fishery; (ii) how many requests his Department has received to redesignate Conlig Lower Reservoir since 2017; (iii) to detail any outstanding steps required in order to redesignate Conlig Lower Reservoir; and (iv) whether redesignation of reservoirs requires any legislative changes.

**(AQW 5664/17-22)**

**Mr Poots:**

- (i) My Department's Inland Fisheries Branch is developing a substantial legislative programme to be taken forward over the next twelve to eighteen months and the re-designation of Conlig Lower Reservoir as a coarse fishery will be included if no objections to this proposal are received.
- (ii) My Department has received two written requests on 18 July 2019 and 16 January 2020 to re-designate Conlig Lower Reservoir. There were also numerous requests in telephone conversations with staff when discussing other angling related issues.
- (iii) A key next step in the designation process shall be consultation with Conlig Lower's owner, Northern Ireland Water.
- (iv) The re-designation of Conlig Lower to a coarse fishery will require legislative changes and will be considered in the legislative programme to be taken forward over the next twelve to eighteen months.

## Department for Communities

**Ms Sugden** asked the Minister for Communities, further to government response of COVID-19, how Jobs and Benefits Offices will process new claims for Jobseekers Allowance which currently require claimants to attend an interview at their local office.

**(AQW 3798/17-22)**

**Ms Hargey (The Minister for Communities):** All appointments at local Jobs & Benefits offices have been postponed from 16 March 2020 as a response to COVID-19. This means that customers who would normally attend Jobs and Benefits Offices for their New Claim interview are no longer required to do so. In order to ensure that claimants are not disadvantaged by the circumstances surrounding COVID-19 my Department is providing a contingency arrangement during this unprecedented period.

My Department will continue to provide a Telephony Support service to those wishing to make a claim to New Style JSA. In order to maximize efficiency and to negate the requirement for the claimant to attend a Jobs and Benefit Office for a New Claim interview, my Department has introduced a telephony based model, from 19 March 2020, whereby the Benefit Processing Centre will contact the claimant after they have made a request to claim New Style JSA via the Telephony Support service.

The Benefit Processing Centre will establish the claimant's identity, advise them of options and if required complete the claim to New Style Jobseekers Allowance with the customer whilst they are on the telephone. The Benefit Processing Office will accept the oral evidence provided by customer during the call as sufficient to process the claim and award any entitlement due.

**Ms Armstrong** asked the Minister for Communities to detail the communications she and her departmental officials have had with the Minister for Economy on when the current exclusion of the sports sector from the £10,000 small business grants for the purposes of COVID-19 will be lifted; and when sporting clubs will have access to the £25,000 leisure, tourism and hospitality grants.

**(AQW 3951/17-22)**

**Ms Hargey:** I can advise that on 3 April 2020, Minister Hargey wrote to the Minister for the Economy, Diane Dodds MLA, asking that she consider including sporting businesses, such as Governing Bodies and clubs, in the Small Business Support Grant Scheme and to ensure that larger entities, that fall into the relevant NAV threshold, could apply to the Retail, Hospitality, Tourism and Leisure fund.

Minister Dodds advised in a letter to the Executive on 15 April, that she intended to include the sports businesses in the £25,000 scheme. The sports sector remains excluded from the Small Business Support Grant.

My officials have engaged on a regular basis with colleagues in the Department for Economy (DfE) in relation to the various COVID-19 relief grant schemes. That engagement will continue around identifying potential gaps where businesses, including Governing Bodies and clubs, are not eligible for any form of financial support.

**Mr McNulty** asked the Minister for Communities to detail the (i) number of claimants for Universal Credit during (a) March 2020 compared to March 2019; and (b) April 2020 compared to April 2019; and (ii) number of claimants who have been refused Universal Credit during March and April 2020 whose primary place of employment is the Republic of Ireland.

**(AQW 3983/17-22)**

**Ms Hargey:** The Department publishes quarterly statistics on people and households who are in receipt of Universal Credit. The most recent quarterly statistical bulletin was published on Wednesday 26 February 2020 and provides information up to November 2019. That report along with previous reports, is available at [www.communities-ni.gov.uk/articles/universal-credit-statistics](http://www.communities-ni.gov.uk/articles/universal-credit-statistics).

The official statistics bulletin that will provide statistics on the March – April 2020 period is not due to be published until August. However, due to the significant interest in Universal Credit applications since March, the Department has published Management Information on the Departmental website providing information on claims, advances and payments for the period from 2 March 2020 to 26 April 2020. That information is available at:

<https://www.communities-ni.gov.uk/publications/management-information-related-universal-credit-claims-payments-and-advances>.

It is important to note that the Management Information does not replace the official statistics that will be published in due course. It should also be noted that the Management Information for March and April 2020 is not directly comparable with the official statistics for 2019 which have been through a formal testing and quality assurance process.

The department does not hold information in relation to (B-ii)

**Mr McGrath** asked the Minister for Communities whether she will review the need for a men's refuge shelter.

**(AQW 5419/17-22)**

**Ms Ní Chuilín:** The Housing Executive's Supporting People Team is producing a three year strategy for 2020-2023 which will consider the existing needs and emerging demands on Housing Support Services. It will be informed by and be in support of other strategies, including the Housing Executive Homelessness Strategy, wider strategies of health and criminal justice and aligned to outcomes identified in the Draft Programme for Government.

Following the successful team work with the PSNI Public Protection Branch, the Housing Executive's Homelessness Strategy and Policy Unit (HSPU) have been meeting with the Men's Advisory Project (MAP) and Men's Action Network (MAN) to discuss how it can work more closely to meet the needs of males experiencing domestic violence. As a result, HSPU has planned a series of meetings in relation to improving the service provided to males experiencing violence within their home. HSPU appreciate that the introduction of the new Domestic Abuse and Family Proceedings Bill will incur additional legal requirements in relation to the Housing Executive's statutory responsibility and it will endeavour to work with all groups to ensure an equitable service to all.

**Mr Butler** asked the Minister for Communities what steps have been taken to ensure that post-pandemic we achieve and maintain a zero rough sleeper target.

**(AQW 5425/17-22)**

**Ms Ní Chuilín:** Housing Executive is working to consider the way forward in terms of finalising an exit strategy for the current arrangements which actively looks to reset the approach to dealing with rough sleeping, learn from the current initiatives and also outlines the contingency plans to meet any future threat. This work is something that the Housing Executive will take forward with the Department and its partners, building on what has been learned across the whole sector.

We actively encourage our voluntary and statutory partners to advise us if they become aware of any individuals that are rough sleeping and will work with them and the relevant individuals to make accommodation available.

**Ms Armstrong** asked the Minister for Communities what discussions she has had with the Minister of Finance regarding proposals to deliver shared housing funded by the £500m funding for shared and integrated education.  
(AQW 5587/17-22)

**Ms Ní Chuilín:** Shared Housing is an important part of the overall housing programme my Department is committed to delivering. In that regard, officials from my Department have engaged with colleagues in DoF to avail of the financial flexibilities which allow Fresh Start funding for shared and integrated education to be used for the delivery of Shared Housing.

DoF has transferred approximately £16.9m funding this financial year. This includes a capital allocation of £14.4m to support the building of homes and £2.5m resource which will support the delivery of Good Relations plans within those neighbourhoods and the local community. My Department is currently delivering 36 shared housing schemes through the Shared Housing Programme and this additional funding will allow that programme to expand in response to public appetite for shared neighbourhoods.

## Department of Education

**Mr Stalford** asked the Minister of Education to provide an update on Restart Funding for schools as set out in his letter to principals on 7 July 2020, specifically what flexibilities his Department will allow in relation to supervisory and teaching staff and budgets for the same.

(AQW 5704/17-22)

**Mr Weir (The Minister of Education):** As we enter the recovery phase I appreciate the concerns schools may have regarding the need for additional resources to allow for a safe reopening and I do not underestimate the challenges that still lie ahead in this fluid and changing environment. I fully acknowledge that additional support may be needed.

As outlined in my letter to Schools the Department of Education is currently working with the Education Authority to quantify and monitor the financial pressures associated with the Restart Programme and I will engage with my Executive colleagues in an effort to secure additional funding to facilitate the safe reopening of schools.

My Department is keeping all of these issues under review and any change in circumstances or funding arrangements will be communicated to schools as a priority.

## Department of Finance

**Ms McLaughlin** asked the Minister of Finance whether he will prioritise the shortening of supply lines and localised procurement from Northern Ireland manufacturers of personal protection equipment.

(AQW 5320/17-22)

**Mr Murphy (The Minister of Finance):** I fully support any actions that will provide security of supply for Personal Protective Equipment (PPE) required in the fight against COVID-19 or any future health crisis. Indeed, until end June 2020, my Department has co-ordinated 954 PPE orders placed for the Non Health Sector Departments with an aggregated value of £8m.

My Department recognises the work of local manufacturers who have re-purposed their operations to produce critical equipment and clothing during this pandemic and will develop procurement guidance to outline the factors which should be considered when developing future procurement strategies for PPE contracts, such as supply chain resilience, ethical sourcing and delivery timescales.

It will be key that commissioners implement this guidance when developing procurement strategies to meet their PPE needs.

**Mr Durkan** asked the Minister of Finance for an update on what action the NICS Pension Scheme have taken in relation to the Collective Consultation Working Group statement of 22 January 2020.

(AQW 5386/17-22)

**Mr Murphy:** Policy representatives for the Civil Service Pension Scheme have been engaged in technical discussions on proposals to remedy age discrimination at the Collective Consultation Working Group (CCWG), which is co-ordinated by my Department and the recognised forum for employer/employee consultation on public service pension policy. A formal consultation exercise on these proposals will now follow. The scheme expects to update members on consultation arrangements in the coming weeks.

**Mr Muir** asked the Minister of Finance, pursuant to AWQ 4588-17-22, (i) what percentage of NICS staff are primarily desk-based and, therefore, could potentially work remotely; and (ii) to detail any guidance given on remote working to NICS staff, covering both those who benefit from remote working and those who would prefer a return to the office.

**(AQW 5480/17-22)**

**Mr Murphy:**

- (i) The Department of Finance does not hold information on the percentage of NICS staff that are primarily desk-based and, therefore, could potentially work remotely.
- (ii) A range of guidance on Working from Home has been provided for staff and managers through the Coronavirus Hub. Recently this was drawn together into one document with links to where more detailed advice on particular aspects can be obtained. This is iterative guidance and will be updated as the situation evolves. The document is available on the Department of Finance Internet site at <https://www.finance-ni.gov.uk/publications/covid-19-working-home-guidance>  
  
Guidance has also been provided in relation to return to the workplace. This is also available on the Department of Finance Internet Site at <https://www.finance-ni.gov.uk/publications/nics-recovery-plan-guidance>

**Mr Muir** asked the Minister of Finance (i) why, in the June Monitoring Round, £25m of Financial Transaction Capital (FTC) was replaced with £25m of grant funding for the new Ulster University, Belfast campus; and (ii) how much of the original £25m of FTC was originally expected to be paid back to the Executive, either through loan repayments or equity investments.

**(AQW 5481/17-22)**

**Mr Murphy:** While the original intention was to provide £126 million of FTC, the Department for the Economy (DfE) has now made a case for providing £25 million as a capital grant now, with the remainder provided as a FTC loan.

Both the grant funding and the loan are subject to the outcome of the appraisal process. Therefore the £25m capital grant allocation is ring-fenced funding and which will only be provided to the Ulster University once the appraisal has been successfully completed.

The FTC loan will be repayable over a 30 year period, with a five year capital repayment moratorium, at a rate of 0.25%.

**Ms Bunting** asked the Minister of Finance what progress has been made on the development of three year budgetary and funding cycles.

**(AQW 5698/17-22)**

**Mr Murphy:** As you are aware, I am supportive of multi-year budgets as they support delivery by facilitating longer term planning.

The Executive's funding envelope will be determined by the outcome of Treasury's Spending Review which is expected to be announced in the autumn. The period for which the Executive can agree a budget will be restricted by the period covered by the Spending Review.

At this time we have no indication whether there will be a single year or multi-year Spending Review settlement. However, I continue to press Treasury for a multi-year settlement as that will allow us to put in place a local multi-year budget.

## Department of Health

**Ms Armstrong** asked the Minister of Health when the Regional Fertility Centre based at the Royal Victoria Hospital will reopen; and when appointments and treatments will begin for patients.

**(AQW 5288/17-22)**

**Mr Swann (The Minister of Health):** I can only provide information on publicly-funded treatment provided by the Regional Fertility Centre (RFC) in the Belfast Trust.

I launched the Strategic Framework for Rebuilding Health and Social Care Services on 9 June 2020. The focus will be on re-starting urgent services first. However, I have made it clear that I also consider re-instatement of fertility services to be a priority and the Trust is working to put plans in place to enable the service to recommence as soon as possible.

**Mr McGlone** asked the Minister of Health to detail the COVID-19 payments made in each of the last three months to independent domiciliary care providers contracted in (i) the Southern Health and Social Care Trust; and (ii) the Northern Health and Social Care Trust.

**(AQW 5299/17-22)**

**Mr Swann:** Payments made to independent domiciliary care providers in the Southern and Northern HSC Trusts are provided in the table below. Southern Trust payments are processed 6-8 weeks after the activity period therefore the figures provided are estimates.

Trust	Amount (000's)			
	April	May	June	Total
NHSCT	28	253	364	645
SHSCT	245	230	240	715

**Dr Archibald** asked the Minister of Health to detail the current diabetic monitoring systems being offered across Health and Social Care; and whether there are any plans to provide continuous glucose monitoring systems as part of the Health Service. (AQW 5355/17-22)

**Mr Swann:** There are many monitoring systems available to support people living with diabetes. The most appropriate system for each individual is identified in consultation with their clinician.

Guidelines are available to indicate the frequency of blood tests required to monitor diabetes which are carried out in primary and secondary care. In addition to blood tests, blood pressure and weight checks, annual assessments of diabetes foot risk, diabetes eye disease and effects on mood are included in the healthcare essentials for diabetes care.

For some people living with diabetes self-monitoring of their blood glucose levels is required to help with day to day management of their diabetes. There are various self-monitoring systems available. Guidelines on the choice of device are available which take into account the type of diabetes, the type of device and functions required and the cost of test strips.

The Health and Social Care Board commissions standalone Continuous Glucose Monitoring (CGM) monitors in line with identified commissioning needs, within limited resources and as recommended in NICE Clinical Guidelines for patients meeting certain criteria.

The Health and Social Care Board does not pre-determine which CGM systems are to be provided to patients. Choice of specific CGM systems lies with HSC Trusts.

## Department for Infrastructure

**Miss McIlveen** asked the Minister for Infrastructure for an update on discussions between her Department, Translink and the Education Authority in relation to the provision of school transport in preparation for the reopening of schools in August. (AQW 5251/17-22)

**Ms Mallon (The Minister for Infrastructure):** I met with the Minister for Education on Monday 8 June to discuss the Education Restart Programme and the provision of school transport delivered by Translink and the Education Authority. At this meeting, it was agreed that colleagues from Translink and the Education Authority would commence the planning of transport for the return of pupils.

This work is currently ongoing and includes a review of both organisations fleet capacity, potential pupil numbers returning to school and other mitigating factors such as staggering school opening times to allow bus vehicles to be used more than once during the peak.

In addition to this, work is being undertaken to understand the requirements for school transport for all pupils who use regular timetabled bus and train services which will have an impact on the available capacity of our public transport network.

**Mr McCrossan** asked the Minister for Infrastructure for an update on the Heavy Goods Vehicle restrictions planned for Clady village. (AQW 5257/17-22)

**Ms Mallon:** During the formal consultation on the introduction of a 7.5 tonne weight restriction through Clady village in 2019, a number of responses were received from owners of local businesses who expressed concerns as to the potential impact of the proposed restrictions on their operations. Further consultation and consideration of the issues raised is required before a decision is made.

**Ms Kimmins** asked the Minister for Infrastructure when her Department will complete the planned resurfacing for the 4th Street Barcroft Park, Newry, that had previously been confirmed for March 2020. (AQW 5277/17-22)

**Ms Mallon:** My Department is currently finalising arrangements for delivery of an extensive resurfacing programme and I hope you will appreciate it is not possible to provide details of exact timescales for the completion of works at specific locations until programmes have been fully developed. However, I can confirm that resurfacing works in Barcroft Park, Newry will be completed during the current financial year.

**Mr Easton** asked the Minister for Infrastructure to detail the timescale for the resumption of driving tests. (AQW 5282/17-22)

**Ms Mallon:** On 22 June, I announced plans to reinstate some driver testing services in July for those licence categories, where testing can be done safely in line with Public Health Agency advice and guidance on social distancing requirements. This includes motorbike driver testing, planned from 6 July and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach drivers, planned from 20 July. I have also confirmed that Driver Theory Tests have been reinstated from 6 July.

The Driver & Vehicle Agency is working on proposals to reinstate practical driving tests for cars and lorries. Once a date to resume these services has been confirmed I will ensure this is immediately communicated to our customers.

**Mr Easton** asked the Minister for Infrastructure to detail how much has been spent on (i) road resurfacing; and (ii) road repairs, broken down by constituency; (a) in the last two years; and (b) the current year.

**(AQW 5283/17-22)**

**Ms Mallon:** My Department does not maintain a record of expenditure in the format requested, however I can provide the member with information on Capital and Resource Structural Maintenance expenditure by District Council area (see tables 1 & 2 below).

Carriageway Resurfacing is one of the sub functions that make up the Structural Maintenance of the road network. Other functions within Capital Structural Maintenance are Footway Resurfacing, Surface Dressing, Structural Drainage and Structural Stability.

**Table 1 Capital Structural Maintenance**

Division	District Council Area	£k	
		2017-18	2018-19
East	Belfast City Council	4,509	7,798
	Lisburn & Castlereagh City Council	2,208	5,512
North	Antrim & Newtownabbey Borough Council	2,311	5,222
	Mid & East Antrim Borough Council	4,552	7,194
	Causeway Coast & Glens Borough Council	4,683	9,093
South	Armagh City, Banbridge and Craigavon Borough Council	6,003	12,017
	Newry, Mourne and Down District Council	5,758	10,524
	Ards & North Down Borough Council	2,448	4,852
West	Derry City & Strabane District Council	6,839	7,756
	Fermanagh and Omagh District Council	8,630	12,243
	Mid Ulster District Council	5,744	9,721
	<b>Total Capital Structural Maintenance</b>	<b>53,685</b>	<b>91,933</b>

Expenditure on Resource Structural Maintenance by council area has been provided in table 2 below. Patching is one of the sub functions which make up expenditure on Resource Structural Maintenance. It includes patching to footways & cycle tracks and Carriageway refurbishment.

**Table 2 Resource Structural Maintenance**

Division	District Council Area	£k	
		2017-18	2018-19
East	Belfast City Council	1,200	1,340
	Lisburn & Castlereagh City Council	810	785
North	Antrim & Newtownabbey Borough Council	946	1,352
	Mid & East Antrim Borough Council	1,297	1,281
	Causeway Coast & Glens Borough Council	1,604	1,478
South	Armagh City, Banbridge and Craigavon Borough Council	2,464	2,626
	Newry, Mourne and Down District Council	1,879	2,099
	Ards & North Down Borough Council	662	387

Division	District Council Area	£k	
		2017-18	2018-19
West	Derry City & Strabane District Council	998	1,276
	Fermanagh and Omagh District Council	2,044	2,058
	Mid Ulster District Council	1,757	1,940
	<b>Total Resource Structural Maintenance</b>	<b>15,663</b>	<b>16,622</b>

Analysis of district council expenditure for 2019-20 is not yet available. I can however provide you with Structural Maintenance expenditure by Roads Division in Tables 3 and 4 below.

**Table 3 Capital Structural Maintenance**

Division	£k	
	2019-20	
East	12,916	
North	23,303	
South	26,242	
West	29,776	
Total	92,237	

**Table 4 Resource Structural Maintenance**

Division	£k	
	2019-20	
East	1,928	
North	2,650	
South	4,603	
West	4,877	
Total	14,058	

I have also maintained the opening level of investment in Capital Structural Maintenance of the road network at £75m for 2020-21, to help generate regionally balanced growth and to improve connectivity, with £10m specifically for rural roads.

My Department allocates funding to its four Road Divisions on the basis of need, using a range of weighted indicators, tailored to each maintenance activity. Divisions use these indicators when apportioning across council areas to ensure, as far as possible, an equitable distribution of funds.

**Mr Boylan** asked the Minister for Infrastructure what action is being taken to progress the issue of driving instructors being able to safely return to work.

**(AQW 5284/17-22)**

**Ms Mallon:** The Executive Office has confirmed that the Regulations do not currently prevent driving lessons from taking place, if it is safe to do so for both instructors and their customers.

Given that driving instructors work in a higher risk environment, it is crucial that public health advice is followed by them to keep them and their customers safe. The ADI National Joint Council has published guidance for driving instructors and it is advised that this is reviewed to help them prepare safely: <https://www.adinjc.org.uk/training-resources/>.

**Mr Beggs** asked the Minister for Infrastructure to detail the discussions her departmental officials have had with their Scottish counterparts regarding the need for investment in the A75 and A77 trunk roads linking Northern Ireland with our major GB market.

**(AQW 5287/17-22)**

**Ms Mallon:** My departmental officials are familiar with the South West Scotland Transport Study – Initial Appraisal: Case for Change, published in January 2020. One of the key aims of this Transport Study is to consider the rationale for improvements to key strategic corridors, including the A75 and A77, with a focus on access to the ports at Cairnryan. The Transport Study recommends that improvements to both the A75 and A77 are carried forward for more detailed appraisal.



My departmental officials have not yet had detailed discussions with their Scottish counterparts in relation to this Transport Study but will in due course. However, as part of the Scottish governments more detailed appraisal my officials will ensure, in due course, that their counterparts are fully cognisant of the importance of the A75 and A77 to Northern Ireland.

**Mr Robinson** asked the Minister for Infrastructure whether she plans to adopt the infrastructure in Loughview Estate, Ballykelly.

**(AQW 5308/17-22)**

**Ms Mallon:** This development is in a former Ministry of Defence housing site, and the roads and water and sewerage infrastructure have never been adopted by the Department and NI Water respectively. As such, the residents and the Management Company are responsible for the maintenance of these assets.

For a road to be adopted, it must be 'in all respects fit and proper to become a public road'. The Department has offered advice to the Management Company about these requirements but it has chosen not to carry out the necessary works therefore, the Department is not in a position to adopt the roads and associated street lighting.

If the owners of the development wish to further discuss adoption of the roads and street lighting, they should in the first instance contact David Porter, Divisional Roads Manager for Northern Division, County Hall, Coleraine.

Similarly, NI Water may adopt the water and sewerage infrastructure within this development, but only after it has been brought up to an adoptable standard. NI Water has in the past discussed this with the Management Company and I am advised that there are renewed discussions between the Management Company and Mr R Mooney, the Developer Services Adoption Manager in NI Water.

**Mr Newton** asked the Minister for Infrastructure, in relation to the Glider, to detail (i) whether it is meeting the projected passenger numbers; (ii) whether it is operating within financial and budgetary targets; (iii) the level of detected non-ticket fraud; and (iv) the level and cost of vandalism to (a) vehicles; and (b) ticket machines; and (c) waiting shelters.

**(AQW 5314/17-22)**

**Ms Mallon:**

- (i) During the Glider's first year of operation, the Glider exceeded its passenger carrying target by 2m; carrying 9.6m passengers as compared to the projected 7.6m within the Outline Business Case (OBC) for the service.
- (ii) Whilst the running costs for the Glider service in its first year of operation were 12% greater than projected within its OBC, this increase is due, in part, to increased staff and fuel costs as a result of the need to introduce additional Glider services to facilitate the increase in passenger numbers. To that end, fare revenue generated by the Glider service is 18.5% higher than anticipated and allowed the service to perform financially better than projected within the OBC.
- (iii) The level of detected fare evasion on Glider services in 2019/20 was approximately 5%.
- (iv) In the 2019/20 financial year, the level and cost of vandalism within the Glider service to:
  - (a) Vehicles was £25,000
  - (b) Ticket machines was £28,000 and
  - (c) In relation to Glider shelters, as Clear Channel is under contract to supply and maintain the shelters across the Glider network, there is no direct cost to Translink for vandalism.

**Mr Muir** asked the Minister for Infrastructure, in light of Fermanagh and Omagh District Council's expressed view in its official minutes dated 26 May 2020, that it should not be its responsibility to monitor the decisions of her Department, (i) whether it is the role of her Department to ensure that the operators of the Cavanacaw gold mine are fully compliant with all planning permissions granted by Strategic Planning Division (SPD); and (ii) what monitoring of planning conditions the SPD has carried out since 1 April 2015.

**(AQW 5319/17-22)**

**Ms Mallon:** The former Department of the Environment granted planning permission for the operations at Cavanacaw in 2015 subject to 59 conditions, several of which contained requirements for submissions to the Department.

Accordingly, my Department has implemented an ongoing monitoring regime for the goldmine at Cavanacaw in collaboration with Fermanagh and Omagh District Council. Monitoring includes site inspections, review of the submissions required by conditions, e.g. noise and dust reports; and assessment of progress on matters such as landscaping and restoration.

My Department will notify the local council of alleged breaches and provide follow up assessments of compliance.

I understand that the local council has already taken enforcement action subsequent to the receipt of complaints from the Department and its own investigations.

**Mr Beggs** asked the Minister for Infrastructure (i) for an update on the public consultation on Vehicles of Historic Interest (VHI) which closed in August 2019; and (ii) when VHI MOT exemption legislation will be brought to the Assembly to bring Northern Ireland into line with Great Britain.

**(AQW 5335/17-22)**

**Ms Mallon:** I announced on 2 July 2020 that I intend to introduce the exemption from periodic roadworthiness testing for Vehicles of Historic Interest in Northern Ireland. This exemption, which will align NI legislation with that in GB, will apply to those vehicles that were first registered at least 40 years ago, are no longer in production and have not been significantly modified. The exemption will not apply to those vehicles that are still in public service. I have instructed my officials to begin the process of progressing the legislation through the Assembly with the aim that the regulations can be laid and brought in to operation as soon as possible.

**Mr McGuigan** asked the Minister for Infrastructure, in the context of increasing the use of public transport, whether she will reinstate facilities to allow for a train stop in Dunloy, on the Derry to Belfast route.

**(AQW 5342/17-22)**

**Ms Mallon:** I am committed to improving transport connectivity for the benefit of our economy and communities across Northern Ireland. Our rail network, whilst relatively small, does present a unique opportunity to improve the sustainability of the Department's transport operations. In line with that, my Department is currently developing proposals for a new Regional Strategic Transport Network Transport Plan (RSTNTP) which will help inform priorities for future development of the main road and rail networks, including the potential for additional railway stations on existing routes.

Timescales for the publication of the RSTNTP have been affected by the COVID-19 emergency, however, when published, this will give the public an opportunity to respond and share their view on the proposals brought forward and I would welcome any feedback for a train halt at Dunloy through this process.

**Mr McHugh** asked the Minister for Infrastructure, following the flooding of homes and properties at the bottom of the Ballycolman estate, Strabane, whether her Department will undertake a full appraisal and review of the drainage system in this area, including the functionality of the discharge pumps, to establish the cause of flooding in this area over the past two decades.

**(AQW 5358/17-22)**

**Ms Mallon:** NI Water has advised me that, following a flooding event at the lower section of the Ballycolman Estate on 26 June 2020 an investigation found that an access cover on a sealed sewer system had been tampered with, thus allowing a spill at that point. NI Water aims to complete a full CCTV inspection of the foul and storm sewers at this location by the end of July 2020, before resealing the access cover.

In addition, my officials in DfI Roads will cleanse and investigate the existing road drainage system at the lower section of the Ballycolman Estate, and carry out remedial works if any defects are identified.

**Mr Givan** asked the Minister for Infrastructure, pursuant to AQW 4937/17-22, whether (i) she intends to increase the distance between residential property and blasting; and (ii) she will commission a review of these guidelines.

**(AQW 5364/17-22)**

**Ms Mallon:** There is currently no intention to increase the minimum distance between residential property and blasting or to commission a review of the guidance. Whilst 100 metres is the minimum distance set out in guidance, this can be increased, if required, on a case by case basis depending on factors such as the nature of operations, intervening topography and the layout / design of the housing development.

**Miss Woods** asked the Minister for Infrastructure, pursuant to AQW 31073/11-15, (i) what measures were put in place to ensure the monitoring and enforcement of quarry operations established in 2014; (ii) whether such measures remained effective post Local Government Reform; and (iii) to outline any evidence that these measures continued and were successful after the transfer of planning functions to local authorities on 1 April 2015.

**(AQW 5403/17-22)**

**Ms Mallon:** Following the reform and transfer of planning functions in April 2015, enforcement of planning control (including quarries) became the responsibility of the new local council planning authorities. Additionally, transitional provisions transferred the majority of existing planning applications, planning approvals and enforcement cases to the local councils.

In order to support this new two tier planning system, the Department published a series of practice notes which provide the council planning authorities with advice and guidance on matters such as enforcement responsibilities and practice.

Local councils should have in place their own measures to ensure effective monitoring and enforcement of post decision compliance and a council's approach to enforcement should be set out in their respective Enforcement Strategies.

The Department monitors enforcement performance across councils and the latest annual performance statistics for 2019/20, published on 2 July 2020, show that 81.4% of enforcement cases were concluded within 39 weeks, which exceeds the statutory target of 70%.

**Miss Woods** asked the Minister for Infrastructure, pursuant to AQW 260/17-22, (i) whether the delay in the implementation of the Review of Old Minerals Permissions has caused (a) environmental harm contrary to the precautionary principle; and/or (b) breaches of any European environmental directives; and (ii) whether the delay undermines the effectiveness of her Department's Environmental Governance Work Programme.

**(AQW 5404/17-22)**

**Ms Mallon:** The legislative provisions relating to review of old mineral permissions (ROMPs) within the Planning Act (NI) 2011 have not been commenced. There is no assessment of positive or negative impacts of the absence of these legislative provisions. All requirements of European Directives in relation to the land use planning system have been properly transposed in domestic Northern Ireland legislation and there is no requirement under the directives to commence these legislative provisions.

The Environmental Governance Work Programme being taken forward by my Department is not contingent on these legislative provisions.

I can assure you that I am committed to protecting the environment and I have asked officials in my Department to prepare an options paper regarding ROMPs. This will require an up to date assessment of the operational effectiveness of the legislation, as well as further engagement with stakeholders to consider the practical impacts of ROMPs.

**Ms Anderson** asked the Minister for Infrastructure whether she will commission a further feasibility study on improving rail services in the North West, which would include reconnecting (i) the cross border Derry to Letterkenny rail route; and (ii) the Derry to Strabane rail route.

**(AQW 5409/17-22)**

**Ms Mallon:**

- (i) I am committed to improving connectivity, including all-island, for the benefit of our economy and communities across Northern Ireland. Our rail network, whilst relatively small, does present a unique opportunity in this regard and I am keen to see it enhanced across the island. However, a feasibility study on a railway link between Derry and Letterkenny could not be taken forward without the agreement of the Irish Government as the majority of infrastructure and investment would be required in the South. I understand this was considered as part of Irish Rail's 2030 Rail Network Strategy Review, and am advised it concluded that the creation of a new rail connection from Derry to Donegal was not economically viable.
- (ii) My Department is currently developing proposals for a new Regional Strategic Transport Network Transport Plan (RSTNTP) which will set out the priorities for future development of the main road and rail networks up to 2035. The draft RSTNTP will be published for public consultation providing the opportunity for representations to be made for projects including proposals on extending the rail network.

**Mr Stewart** asked the Minister for Infrastructure, pursuant to AQW 2341/17-22, in light of the current Department for Transport consultation regarding e-scooters in England, whether consideration is being given to carry out similar trials in Northern Ireland.

**(AQW 5417/17-22)**

**Ms Mallon:** I can advise that currently it is illegal to use electric scooters on public roads or public spaces such as footpaths in Northern Ireland, which aligns with the current position in GB.

Following a public consultation, DFT is planning to offer pilot schemes to local authorities on e-scooter usage, which are due to begin shortly. The aim of these schemes is to trial e-scooter rental systems, which will help to assess their safety and impact on public spaces.

As the schemes do not extend to Northern Ireland, I have asked my officials to monitor their progress and report back to me in due course. Once the analysis of the GB consultation and the pilot scheme is available I will carefully consider both to help inform my thinking about the potential use of e-scooters here.

**Mr McGrath** asked the Minister for Infrastructure what work has been undertaken by her Department's racial equality champion in the last five years.

**(AQW 5420/17-22)**

**Ms Mallon:** My Department's Racial Equality Champion has been working closely with the Racial Equality Unit in The Executive Office, other NICS champions and the Racial Equality sub-group to identify and tackle any barriers to addressing racial inequality and be the point of contact for DfI on Racial Equality issues.

A particular action for my department has been preparing model conditions for the site licences for Traveller's sites. The DfI Racial Equality Champion also made sure that arrangements are in place to help provide awareness for minority groups about the services provided by DfI and our partners.

**Ms Flynn** asked the Minister for Infrastructure, given safety concerns raised by local residents and community groups, whether she will address outstanding problems previously highlighted with her Department regarding the Colin Town Centre Transport Hub, including the need for (i) CCTV; (ii) extended opening hours; and (iii) additional railings.

**(AQW 5445/17-22)**

**Ms Mallon:**

- (i) My Department and Translink have been working closely with local community representatives in the Colin area as well as with colleagues in the Executive Office to address the issues raised around the Colin Town Centre Transport Hub. To this end, I can confirm that options to improve the CCTV coverage within the Hub are currently being explored by Translink.
- (ii) In response to the Covid-19 pandemic and in line with the reduction in public transport that I introduced in March 2020, the Colin Town Centre Transport Hub closure time was brought forward to 7pm. However, I can assure you that this will be kept under review in line with Government advice on public health and as restrictions ease as we progress through the Northern Ireland Executive's COVID-19 Recovery Plan.
- (iii) The safety of our public transport users is of the highest priority to me. In this regard, I have requested that Translink continue to consult with local community representatives on this matter and to explore the feasibility of railings or any other safety measures that could be implemented at the Colin Town Centre Transport Hub.

**Mr Beggs** asked the Minister for Infrastructure for an update on the COVID-19 support currently offered to taxi drivers.

**(AQW 5448/17-22)**

**Ms Mallon:** My remit in relation to taxis is regulatory, and a priority for me during the current public health emergency has been to facilitate the necessary rapid two way communication with the industry on regulatory issues that need to be addressed. My officials and I have been in regular and ongoing contact with the industry, including with individual drivers and operators, augmented by open letters to the industry. Most recently I met with a delegation of taxi drivers who were making representations on behalf of their industry at Stormont.

I have already put in place a number of regulatory measures to support the taxi industry during this crisis. This includes a 6 month taxi vehicle licence extension, automatically and free of charge, to vehicles whose previous licence expired between 10th March 2020 and 9th October 2020. Driver CPC training providers are now authorised to delivery taxi periodic training remotely, via online video platforms.

This enables drivers to continue to undertake some training online during the lockdown. With regards to medicals required for the renewal of a taxi driver's licence, the BMA and GPs have agreed to prioritise the processing of medical forms for those key workers who need them to renew their licences. In addition, and with effect from 26th May 2020, taxi drivers who do not have a medical condition to declare will have their taxi driver's licence renewed without a medical report. From 20 July, the DVA plans to resume MOT testing for priority vehicle groups, including those vehicles that cannot avail of a temporary exemption. This group includes taxis due a first time test.

In addition I have also been raising the financial and safe work practices concerns of taxi drivers which fall outside of my vires with the responsible Ministers. I would advise that Minister Murphy informed me on 30th March of some of the measures which would directly assist the taxi industry, both self-employed individuals and those running taxi operations. These included the measures announced by the UK Chancellor to support the self-employed impacted by the coronavirus through the Coronavirus Self-employment Income Support Scheme. This scheme provides for a taxable grant being paid to the self-employed or partnerships which have suffered a loss of income, worth 80% of their profits up to a cap of £2,500 per month. For taxi operators he advised of help available through zero rates bills for April, May and June and the opportunity for small businesses to avail of a grant under the Small Business Rate Relief Scheme.

I understand from taxi drivers that a number have not been able to avail of any of the current hardship support schemes on offer. The Minister for the Economy has submitted an options paper to the Executive which includes consideration of support for those in the taxi sector who have not been able to avail of help to date. I have written to the Minister for the Economy to confirm my support for this option and have reiterated my offer to utilise the data my department holds as Regulator to assist in communicating with those in the taxi industry in respect of any new scheme.

I will continue to engage with the industry and work to find solutions to any of the regulatory challenges that emerge and are causing difficulty for taxi drivers during this crisis, while also continuing to work with my colleagues on the Executive and the Committee to support the industry.

**Mr Muir** asked the Minister for Infrastructure what steps she is taking to ensure that charge points for electric cars are included in new (i) infrastructure projects; and (ii) homes.[R]

**(AQW 5482/17-22)**

**Ms Mallon:** In the UK-wide Road to Zero Strategy, the UK Government set out its intention for all new homes to be electric vehicle ready and committed to consult on requirements for every new home to have a charge point, where appropriate. The UK Government consultation exercise also outlined how it proposes to transpose the requirements from the EU Energy Performance of Buildings Directive (Article 8) to set minimum requirements for electric vehicle charging infrastructure in new residential and new and existing non-residential buildings. The consultation report is still awaited.

The transposition of Article 8 of the Energy Performance of Buildings Directive (EPBD) 2018 will require amendment of the Northern Ireland Buildings Regulations. In addition, new legislation to implement parts of the Directive in respect of charging infrastructure in existing buildings will also be required. Officials in my department are currently working with officials in the Department of Finance and the Department for Transport on this matter. My officials are also looking at how this would impact on new infrastructure projects.

I am committed to exploring all options and new solutions to enhance the charge point infrastructure, improve lives and tackle the climate emergency. My Department continues to closely monitor funding opportunities for the installation of additional charge point infrastructure and will work with commercial providers to ensure that the installation of any additional charge point infrastructure remains fit for purpose commensurate with growth.

**Ms Bradshaw** asked the Minister for Infrastructure for an update on the action her Department and its agencies are taking to prevent destruction of the pavement on Malone Road by the Consulate of the People's Republic of China during the construction works at the site.

**(AQW 5505/17-22)**

**Ms Mallon:** You may be aware that Belfast City Council issued proceedings in the High Court in Belfast against the Consulate General of the People's Republic of China, Belfast seeking an injunction to restrain her, her servants or agents, from carrying out the development works at the Chinese Consulate premises at 75-77 Malone Road.

Following hearings on 16 and 23 June 2020, the presiding judge concluded that the works being carried out at the Chinese Consulate are for security purposes and are therefore consular functions for which there is diplomatic immunity. The council's application was therefore dismissed.

Separate to the planning process, local Departmental officials have granted Consent, under Article 72 of the Roads (NI) Order 1993, for the erection of the temporary hoarding at the site. This was granted without prejudice to any permanent development works ongoing behind the hoarding. Its purpose is to confirm the applicant's responsibilities for health and safety, road safety, signing and guarding of the works. The Article 72 consent requires the person to whom it is issued to indemnify my Department against any claim in respect of injury, damage or loss arising out of the erection or presence of that hoarding on a road.

I am advised that Agents for the Consulate General have confirmed that reinstatement of the pavement will be carried out in accordance with all relevant construction standards following completion of the development works. Once the hoarding is removed, Departmental officials will inspect the pavement to confirm that the footway has been restored to a satisfactory condition.

**Mr Muir** asked the Minister for Infrastructure what consideration has been given to increasing park and ride provision in the Bangor area.[R]

**(AQW 5516/17-22)**

**Ms Mallon:** I appreciate the important role of Park & Ride and Park & Share in encouraging a shift from the private car to public transport, both bus and train. I am also aware of the high demand for Park & Ride spaces in the Bangor area and that existing provision at Bangor, Carnalea and Bangor West (over 350 spaces) is fully utilised on a typical day. Site availability is a major obstacle in providing additional capacity and unfortunately, despite extensive searches, Translink is not aware of any suitable, available land at this time. In partnership with Translink, I remain committed to prioritising, planning and delivering Park & Ride facilities through the joint Park & Ride Programme Board, and I remain keen to pursue additional capacity in Bangor, should suitable land become available.

My Department and Translink are also keen to promote active travel as part of the solution and Translink has previously met with senior officials from Ards & North Down Council to discuss a multi-agency approach to improving walking and cycling connectivity to public transport interchanges.

In support of this initiative and my commitment to active travel and our Green Recovery, Translink is currently rolling out enhanced cycle storage facilities at stations and halts across the network, and plans to include Bangor in this programme.

**Mr Chambers** asked the Minister for Infrastructure (i) why a large area of street lighting in the Bayview Road area of Bangor has been out for some considerable time; and (ii) whether she can confirm a timescale for repairs to be completed.

**(AQW 5523/17-22)**

**Ms Mallon:** A number of street lights in the Bayview Road area of Bangor have been inoperable due to a failure of the electricity supply. As Northern Ireland Electricity (NIE) is responsible for the repair, it was reported to them on 11 June 2020.

NIE attended the site on 8 July 2020 and carried out an interim repair to restore the electricity supply to the lights, which are now working. However, NIE has advised that further work is required to complete the repair and to ensure street lighting is available during the hours of darkness it has been necessary to leave the lights burning during daytime.

**Mr Dunne** asked the Minister for Infrastructure when practical driving tests will be allowed to restart.

**(AQW 5532/17-22)**

**Ms Mallon:** The Driver and Vehicle Agency (DVA) is reinstating some driver testing services this month for those licence categories where testing can be done safely in line with current public health advice and guidance on social distancing requirements. Motorcycle driver testing recommenced from 6 July and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach drivers, are planned from 20 July.

The DVA is working on proposals to safely resume practical driving tests for cars and lorries as soon as possible. Once a date to resume these services has been confirmed I will ensure this is immediately communicated to our customers.

**Mr Easton** asked the Minister for Infrastructure for a timeline of when MOT tests will restart for historical cars.  
**(AQW 5572/17-22)**

**Ms Mallon:** Vehicles constructed or first registered before 1960 are already exempt from a roadworthiness MOT test in Northern Ireland.

From 20 July, the Driver and Vehicle Agency (DVA) plans to resume MOT testing for priority vehicle groups, including those vehicles that are not able to avail of a Temporary Exemption Certificates (TEC). This includes taxis and buses due a first time test, vehicles not previously registered in Northern Ireland, vehicles whose MOTs have expired by more than 12 months that includes vehicles previously declared SORN and those sold by car dealerships. As restrictions ease, and the DVA's capacity to test vehicles increases, more services will be reinstated until such times as normal business resumes.

From 1 July, customers of priority vehicles have been able to book a vehicle test appointment. Further details can be found at <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-and-motoring>.

**Mr Robinson** asked the Minister for Infrastructure to detail when a taxi driver licence is due for renewal, and they have not met the required training hours, whether they will be given a temporary exemption from that requirement until testing is restarted.

**(AQW 5653/17-22)**

**Ms Mallon:** Taxi periodic training is a statutory requirement that every taxi driver applying to renew a taxi driver's licence must complete before a licence can be granted. There is no exemption to this requirement.

To help mitigate the impact of Covid 19 on the taxi industry, additional online Taxi Periodic Training courses have been made available to enable taxi drivers to continue to undertake the required training online.

Details of all taxi driver periodic training courses that have been authorised for remote delivery are updated daily on the Joint Approvals Unit for Periodic Training (JAUPT) website.

## Department of Justice

**Mr Givan** asked the Minister of Justice whether further guidance will be issued regarding access to children for those who have care orders in place but cannot meet physically.

**(AQW 5366/17-22)**

**Mrs Long (The Minister of Justice):** The welfare of the child is the paramount consideration in family courts.

The guidance approved by the Lord Chief Justice includes advice regarding contact arrangements and recognises that it is important that children should maintain their usual routine of spending time with each of their parents in compliance with a Contact Order unless to do so would put the child, or others at risk with regards to Government and Public Health Authority (PHA) guidance.

The decision whether a child is to move between parental homes is for the child's parents to make after a sensible assessment of the circumstances, including the child's present health, the risk of infection and the presence of any recognised vulnerable individuals in one household or the other.

The Lord Chief Justice has suggested that if direct contact cannot be achieved alternative arrangements should be made to establish and maintain regular contact between the child and the other parent, for example remotely – by Face-Time, WhatsApp Face-Time, Skype, Zoom or other video connection or, if that is not possible, by telephone.

Where a party to the proceedings feels a matter of contact is urgent they may request a hearing by lodging the requisite form. On receipt of the form the judge will determine whether the matter is urgent or necessary and if it can be dealt with administratively or will require a hearing.

Breach of contact orders made under the Children (Northern Ireland) Order 1995 can be dealt with by way of contempt of court proceedings or initiated under enforcement powers in the Magistrates' Courts (Northern Ireland) Order 1981.

The guidance approved by the Lord Chief Justice states that if any court directed contact arrangements are missed or found to be unreasonable, the court may take this into consideration when making further orders, and it may be possible to 'make up' time with the child after the restrictions are lifted.

The Lord Chief Justice has initiated a programme of work to incrementally recover court business. This is being informed by Public Health Guidance. These arrangements will be kept under review and will be revisited as circumstances develop.

## Department for the Economy

**Mr Beattie** asked the Minister for the Economy how much her Department has spent on producing materials in Irish, in each of the last five years.

**(AQW 3429/17-22)**

**Mrs Dodds (The Minister for the Economy):** My Department has spent a total of £13.52 for Irish translation services, paid to Global Connects in August 2019.

**Mr Stewart** asked the Minister for the Economy what special measures can she implement to help childminders, and other self-employed people in similar roles, who cannot continue to operate in their own houses at present because of UK Government guidance on self-isolation due to the COVID-19 pandemic.

**(AQW 3796/17-22)**

**Mrs Dodds:** The Covid-19 Childcare Support Scheme includes support for childminders who have remained open and caring for vulnerable children and the children of key workers. Those childminders continuing to operate may be eligible to claim for payments for a fixed monthly allowance of £125 per child per month up to a maximum of £500. However I am aware not all childminders have been able to remain open during this difficult time.

On 5 May 2020 I announced the development of the NI Microbusiness Hardship Fund to help micro-businesses and social enterprises who have been negatively impacted by the Covid-19 pandemic and have been unable to access other regional and national support measures. My Department will make up to £40 million available through this fund, which is being administered by Invest Northern Ireland. Self-employed people who employ at least one other person are able to apply for the fund. An Eligibility Checker and the application portal are available at <https://www.nibusinessinfo.co.uk/content/coronavirus-ni-micro-business-hardship-fund>. Applications can be made until 12 June 2020.

Many other means of support are offered on a UK-wide basis. The Chancellor has announced the Self-employed Income Support Scheme and childminders may be eligible. This offers 80% of trading profits up to a maximum of £2,500 per month for 3 months. Other support is available such as HMRC Time to Pay and Income Tax Deferral. Further details are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

**Mr Dickson** asked the Minister for the Economy (i) how many premises in East Antrim are expected to benefit from Project Stratum; and (ii) whether she will consider ways to speed up progress on the project.

**(AQW 4323/17-22)**

**Mrs Dodds:**

- (i) There are 1,956 premises in the East Antrim constituency within the Project Stratum target intervention area. It is important to note, however, that the number and location of premises that will benefit from this intervention will not be known until the procurement is complete and a contract has been awarded. My Department's objective is to maximise the number of premises to benefit from available public funding of £165m, in addition to vital industry contribution.
- (ii) The closing date for receipt of tenders for Project Stratum has now passed. The evaluation of bids is underway and contract award is expected in late September 2020. My Department's engagement with industry indicates that a 6-9 month period is required for network design and delivery preparation prior to deployment. It is anticipated, therefore, that deployment of infrastructure will commence a number of months after contract award, with completion by 31 March 2024.

In the current environment, the importance of telecommunications services has become prominent. Project Stratum has been developed under very robust corporate governance arrangements, to ensure efficient delivery. These will provide the necessary safeguards for the public investment. It is not possible to fast track the procurement or the required governance procedures, notwithstanding my Department's continued efforts to ensure that the project fully aligns with the envisaged timeline so that as many premises as possible can benefit.

**Mr Carroll** asked the Minister for the Economy what plans are in place to monitor and inspect the hospitality sector as COVID-19 restrictions are lifted, if complaints and concerns arise.

**(AQW 5533/17-22)**

**Mrs Dodds:** The Executive has taken decisive action in facilitating the re-opening of most of our tourism and hospitality industry. Seeking to ensure the safety of our citizens has been, and will continue to be, the primary focus for the Executive. In all instances, decision making has been informed by scientific evidence and medical advice. Social distancing guidance has also been developed to assist tourism and hospitality businesses.

The industry has a key role to play in ensuring that businesses operate in a manner which is as safe as possible, for both employees and customers. Hospitality Ulster and the Northern Ireland Hotels Federation have been pro-active in helping

businesses prepare for opening and in the application of social distancing guidance. Bodies such as the Police Service of NI and Local

Authorities have a role to play in respect of issues such as liquor licencing and environmental health.

In addition, Tourism NI has partnered with the national tourism bodies of Scotland, England and Wales to introduce a new industry standard called 'We're Good to Go' to provide reassurance to businesses, customers and communities that safe working guidelines in relation to COVID-19 have been adopted. Moderation of Industry Standard participants is required and spot checks will verify that key elements of the standard requirements are in place.

**Mr McCrossan** asked the Minister for the Economy for an update on Project Stratum.  
**(AQW 5594/17-22)**

**Mrs Dodds:** Project Stratum continues on schedule. The closing date for receipt of tenders was 5th May, and the evaluation of bids is underway. Contract award is expected in late September 2020. My Department's engagement with industry indicates that approximately 6 months will be required for network design prior to deployment. It is anticipated, therefore, that deployment of infrastructure will commence a number of months after contract award, with completion required by 31 March 2024, under the terms of the contract.

The target intervention area consists of just under 79,000 premises. While the precise number and location of premises that will directly benefit will not be known until contract award, the aspiration of my Department continues to be to maximise broadband coverage throughout Northern Ireland from the funding



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# Northern Ireland Assembly

Friday 24 July 2020

## Written Answers to Questions

### The Executive Office

**Mr Allister** asked the First Minister and deputy First Minister what representations they have made about the fact that Dublin Airport continues to operate flights from places with high levels of COVID-19, including New York, without health checks, given the ease of onward travel into Northern Ireland.  
(AQW 3930/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill (The First Minister and deputy First Minister):** This issue was raised with the Irish Government by the First Minister at a meeting involving the Irish Government and Secretary of State on Thursday 30 April.

**Mr Allister** asked the First Minister and deputy First Minister (i) whether their Department, as a matter of course, provided the Renewable Heat Incentive Inquiry with departmental emails which were not on the TRIM system; (ii) in what circumstances was the RHI Inquiry supplied with departmental emails which were not on the TRIM system; (iii) whether Civil Service witnesses to the RHI Inquiry, retired or otherwise, were afforded access to their emails which had not been retained on the TRIM system; and (iv) whether staff and advisers of the RHI Inquiry were advised that departmental emails may not have been retained on the TRIM system, and told that such nonetheless could be accessed, if that was the case.  
(AQW 4740/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The former Head of the Northern Ireland Civil Service provided evidence to the RHI Inquiry on two occasions in 2017 in response to the provision of Section 21 Notices requiring the provision of such evidence. As the evidence provided to the Inquiry amounted to over 1,000 pages it is not possible to determine which, if any, e-mails provided in this evidence were not on the TRIM system at that time without incurring disproportionate cost. The Executive Office does not hold information relating to other witnesses to the RHI Inquiry. In accordance with the terms of the Section 21 notices, all matters identified by the Inquiry were responded to and the relevant documentation provided.

**Mr T Buchanan** asked the First Minister and deputy First Minister whether the deputy First Minister breached any social distancing rules in her attendance at the funeral of Bobby Storey on 30 June 2020.  
(AQW 5372/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Decisions on whether there has been a breach of the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 are a matter for the PSNI and the Public Prosecution Service.

**Mr Beggs** asked the First Minister and deputy First Minister why the Troubles-related incident Victims Payment Scheme launch, originally scheduled for the end of May, has not been realised.  
(AQW 5375/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** Significant work has been undertaken by officials to date on the delivery structures for the Troubles Permanent Disablement Payment Scheme.

However, important issues remain to be resolved including the designation of an Executive Department to exercise the administrative functions of the Board on the Board's behalf, the source of funding for the Scheme and clarity on how exceptions are to be interpreted.

While the Westminster regulations came into force on 29 May, further time is still required to deal with outstanding issues and establish the necessary arrangements for the operation of the scheme.

We are committed to addressing all of the outstanding issues and delivering this scheme as soon as possible.

**Mr Allister** asked the First Minister and deputy First Minister what advice has been sought, either from the acting Attorney General or otherwise, as to whether the deputy First Minister breached her pledge of office commitment "to support the rule of law unequivocally in word and deed" by reason of her attendance and actions at the funeral of Bobby Storey on 30 June 2020.  
(AQW 5430/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** By convention, requests for legal advice from the Attorney General, and the content of any such advice received, are not made public.

We have not otherwise sought advice on the matter.

## Department of Agriculture, Environment and Rural Affairs

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs (i) what role his Department has in ensuring the meat processing industry has sufficient Personal Protective Equipment to prevent the spread of Coronavirus; (ii) what co-ordination has taken place with (a) the Health and Safety Executive; and (b) the Department of Health regarding this matter. **(AQW 4485/17-22)**

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** Thank you for your question in relation to the role of my Department in ensuring the meat processing industry has sufficient Personal Protective Equipment (PPE) to prevent the spread of Coronavirus.

Firstly I would like to assure you that I share and appreciate your concerns at this difficult time.

The provision of PPE for meat processing workers is primarily the responsibility of individual Food Business Operators (FBOs). However, in response to, and from the outset of this crisis my officials have facilitated regular (often daily) meetings between the relevant representative industry bodies, individual FBOs, Health and Safety Executive Northern Ireland (HSENI) and the Public Health Agency (PHA). The principal objective of these meetings and associated communications is to ensure that the industry as a whole and individual FBO's in particular are familiar with and implementing the latest PHA guidance which is primarily aimed at ensuring a safe working environment for all personnel and minimising the risk of COVID transmission in the workplace.

These fora provide attendees with the opportunity to engage with officials with regard to the use of suitable PPE, according to PHA and HSENI advice. Industry, and my officials, have worked co-operatively throughout this crisis to share information on identification and procurement of suitable PPE and they report that there are currently no serious issues with PPE supply.

**Ms Bradshaw** asked the Minister of Agriculture, Environment and Rural Affairs for his assessment of the continued operation of meat factories, given significant recent outbreaks of COVID-19 associated with them in Wales, Germany and elsewhere. **(AQW 5133/17-22)**

**Mr Poots:** Thank you for your question in relation to the recent outbreaks of COVID-19 associated with meat factories in Wales, Germany and elsewhere.

Firstly, I would like to assure you, that, I share and appreciate your concerns around the recent COVID-19 outbreaks associated with meat factories in Wales, Germany and other countries throughout the world.

In response to, and from the outset of this crisis, my officials have facilitated regular (often daily) meetings between the relevant representative industry bodies, individual food business operators (FBOs), Food Standards Agency Northern Ireland (FSANI), Health and Safety Executive Northern Ireland (HSENI) and the Public Health Agency (PHA). The principal objective of these meetings and associated communications is to ensure that industry are familiar with and implementing the latest PHA guidance which is primarily aimed at ensuring a safe and hygienic working environment for all personnel and minimising the risk of COVID-19 transmission in the workplace.

These fora have proved hugely beneficial, providing attendees with the opportunity to engage with PHA, HSENI and other relevant officials on a range of COVID-19 related control issues including:

- Development of site specific risk assessments
- Risk mitigation measures and control strategies
- Communication strategies and plans
- Testing protocols and access to testing
- Contact Tracing
- Outbreak management plans

In addition, HSENI as the enforcement authority have strategically rolled out a series of unannounced inspections across the meat processing sector to ensure compliance with all COVID related PHA guidance.

As COVID-19 related restrictions are gradually eased across society, industry representatives have been reminded of the need to maintain vigilance and please be assured that my officials will continue to monitor the situation and keep me apprised of any new developments.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs when AQW 4485/17-22 will be answered. **(AQW 5434/17-22)**

**Mr Poots:** AQW 4485/ 17-22 was answered on 20 July 2020.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs whether he plans to plant trees in South Antrim as part of the afforestation programme, Forests for Our Future.

**(AQW 5436/17-22)**

**Mr Poots:** I launched the Forest for our Future programme in early March at a tree planting event where I was joined by 500 school pupils and together we planted 1,000 trees. The afforestation programme will plant 18 million trees by 2030 throughout Northern Ireland, including areas in South Antrim, to contribute to the UK's net zero carbon target and provide more woodlands for people to enjoy.

My Department is working across government and with representatives from the

Local Councils, which includes the South Antrim area, to help identify available land and produce plans for its planting.

I have recently announced the opening of a revised Forest Expansion Scheme, which reduces the minimum area for application to the scheme from 5 hectares to 3 hectares, to encourage more tree planting of woodlands in all areas. In addition, my Department is also developing a new small woodland grant scheme to support farmers and other landowners to plant suitable trees in smaller areas to complement their existing holdings and land management.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs, given the all-island nature of the supply chain of the dairy sector, for his assessment of the impacts there may be on the (i) Irish Protocol; and (ii) proposed contractual relationships that are out for consultation by the British government.

**(AQW 5543/17-22)**

**Mr Poots:** The Ireland/Northern Ireland Protocol will mean that there will be no tariffs or restrictions in either direction with or without a Free Trade Agreement (FTA) between the UK and EU. This will allow all-island supply chains in the dairy sector to continue smoothly on a North-South basis.

I am committed to raising the issue of fairness for dairy farmers in the marketplace in the strongest possible terms. Therefore, I am pleased that Northern Ireland dairy farmers have the opportunity to respond to this UK-wide consultation on how contracts are used within the sector. The consultation document acknowledges the differences that exist between the dairy supply chains in Great Britain and Northern Ireland, including the higher prevalence of co-operatives here, our export orientated market, and a highly integrated cross border supply chain with the Republic of Ireland. As the regulation of contractual relationships is a reserved matter for Northern Ireland in terms of legislative competence, it is important that farmers respond to the consultation to ensure that their views are heard by the UK Government in considering whether or not to legislate in this area. Any feedback received from Northern Ireland consultees will help to inform my own position on the matter.

**Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs (i) what consideration he has given to the establishment of a trade and agriculture standards commission; and (ii) what communication there has been with the UK's Department for International Trade on the matter.

**(AQW 5545/17-22)**

**Mr Poots:** An independent Trade and Agriculture Commission to advise on post-Brexit agriculture trade policy for the UK has been established by the Department for International Trade (DIT). I have had no contact with the UK's Department of International Trade on this matter.

The establishment of the Commission is a positive step in providing assurance to producers and public alike that any future trade deal will uphold the UK's high values in animal welfare, environmental protection and food quality and safety. I am delighted that NI interests will be represented on the Commission following the appointment of Ulster Farmers' Union Deputy President, Mr Victor Chestnutt.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the Going for Growth strategy.

**(AQW 5588/17-22)**

**Mr Poots:** Going for Growth was the report of the industry led Agri-Food Strategy Board which provided advice to Ministers on action needed for the sustainable growth of the sector to 2020. The "NI Executive Response to Going for Growth" outlined agreed actions to be taken by a range of NI government departments and agencies to address various AFSB recommendations.

DAERA's actions were mainstreamed into core business as usual activities and almost all are now virtually complete. A number of these were delivered via the Northern Ireland Rural Development Programme (NIRDP) 2014-2020 (with a total value of up to £589m), including a comprehensive package of measures under the Farm Business Improvement Scheme (FBIS) and the Environmental Farming Scheme (EFS).

As of 10 July 2020, DAERA has paid claims under FBIS Capital with a total value of £21.68m, leveraging a total capital spend in rural communities of over £54.2m. Letters of Offer issued (not yet claimed or paid) would lever at least a further £14.7m investment. Spend to date for the FBIS non Capital programmes (knowledge transfer, innovation, and cooperation schemes) is £11.2 m.

The EFS, opened for applications in 2017, is one of the Department's largest schemes and after three annual intake tranches some 4900 agreements are in place. A fourth tranche is being progressed in 2020.

Following the United Kingdom's exit from the EU, and as we plan our recovery from the effects of the Covid-19 pandemic, DAERA's focus is on developing a Future Agricultural Policy Framework to deliver on the four over-arching principles of increased productivity, improved resilience, environmental sustainability and supply chain functionality, and also a Science Strategy Framework for how we will commission and use science in the future, so that it will be innovative, collaborative and transformative. Alongside this work, I have also announced my plans for a Green Growth Strategy and Delivery Framework which will facilitate economic growth and development, while ensuring natural assets continue to provide the resources and environment on which our wellbeing depends.

**Mr McHugh** asked the Minister of Agriculture, Environment and Rural Affairs, given the increasing spread of giant hogweed along the banks of our inland waterways, its potential negative consequences in terms of river bank erosion and its inherent health risks, whether he will (i) prioritise additional resources and treatment measures in an effort to reduce its spread of this invasive species; and (ii) formulate a joined up strategy in conjunction with the Department for Infrastructure, local councils and other relevant statutory agencies to ensure a multi-agency approach is being taken to address it.

**(AQW 5621/17-22)**

**Mr Poots:** Giant hogweed has been recently designated as a Widely Spread Species in Northern Ireland as per the requirement of Article 19 of EU Regulation 1143/2014. This now makes it an offence to permit the spread of this species outside the boundaries of your own land. Landowners are now expected to manage and eradicate this species from their land.

It is not the Department's responsibility to remove these species from private land, ours is an advisory and enforcement role. Whilst I have no plans to prioritise additional resources, the Department will continue to follow up every record of Giant hogweed, informing landowners of their responsibilities in the near future. The Invasive Species Ireland website, managed by NIEA provides full guidance on confirming ID, management techniques and legislation:—

<http://invasivespeciesireland.com/species-accounts/established/terrestrial/giant-hogweed>

'An Invasive Alien Species Strategy for Northern Ireland' was published in 2013 following consultation. The Department works closely with other Government agencies such as Department for Infrastructure, Roads/Rivers, AFBI, Forest Service and Loughs Agency who record the presence of non-native invasive species when detected; for example The Department for Infrastructure is occasionally required to deal with Giant Hogweed, along with other invasive species, to ensure the integrity of flood defences and drainage structures, or if they cause a significant impediment to the free flow water. Angling Clubs, Wildlife Trusts, etc. undertake surveys of freshwater habitats and report incidental sightings of non-native invasive species. Local Councils also record and report presence of non-native invasive species on their estates, along with instigating extensive management plans.

The Department provides training events for a variety of organisations within Northern Ireland and in addition, it encourages community groups and farmers to manage Invasive Alien Species in their areas and to apply to the Department's various funding streams such as the Environment Fund, the Environmental Challenge Competition and Environmental Farming Schemes.

**Miss Woods** asked the Minister of Agriculture, Environment and Rural Affairs whether he will ban the use of disposable expanded polystyrene packaging.

**(AQW 5663/17-22)**

**Mr Poots:** Through an ongoing Tackling Plastics project funded by my Department there have been trials with local businesses to voluntarily substitute polystyrene containers with compostable alternatives and the project has also funded local councils to carry out similar trials. I am also working with my Ministerial colleagues across the UK as each administration considers possible legislative restrictions on food & beverage containers made of expanded polystyrene along with other single use plastic items. Unfortunately this work has been delayed by the current Covid-19 pandemic but when appropriate I, along with my UK counterparts, will review the legislative options once more.

## Department for Communities

**Mr Humphrey** asked the Minister for Communities, in relation to the development of residential accommodation in Belfast city centre, for her assessment of the city centre as a shared part of the city; and whether the city centre will be formally designated as a shared neighbourhood.

**(AQW 2286/17-22)**

**Ms Hargey (The Minister for Communities):** The NI Life and Times Survey indicates that over 77% of people, if given a choice, would prefer to live in a mixed religion neighbourhood. The Shared Housing Programme now offers social housing applicants that choice.

The development of residential accommodation in the city centre provides an opportunity to meet that demand whilst creating a vibrant and bustling city centre environment. It is estimated that only 3,000 people live in our city centre and there are plans to increase that by building additional homes to increase the city centre population.

Belfast City Council has indicated that social housing on a mixed tenure basis will be an important part of those plans. The Housing Executive has started work to develop a new City Centre waiting list, which will form part of the Shared Housing Programme. Like other Shared Housing developments, these will be allocated on the basis of objective need.

**Mr Humphrey** asked the Minister for Communities what funding provision has she made available to support community events to celebrate the forthcoming 75th anniversary of VE Day.  
(AQW 2288/17-22)

**Ms Hargey:** I understand that this event has now passed. However my Department provides funding to the 11 local councils through the Community Festivals Fund. Councils provide match funding to this and administer the scheme on our behalf. Community organisations may have been eligible to apply through their local council.

However, following consideration of the implications of Covid-19 on our community, and the pressures that it has brought to bear, the Department has concluded that the fund will be put on hold for this year. It is the Department's intention for the fund to be available again for next year, 2021-22.

**Ms Bradshaw** asked the Minister for Communities, given the number of small pots of funding and the burden of processing these, whether she is having discussions with the Minister of Finance, the Minister of Health and the Minister of Education to pool resources for funding support for groups working with people living with disabilities and learning difficulties.  
(AQW 2438/17-22)

**Ms Hargey:** My officials work extensively with the other Executive Departments and stakeholders to maximise the impact of funding to support groups working with people living with disabilities and learning difficulties.

In line with the New Decade, New Approach agreement, my Department will shortly commence work on options for the development of a new cross-departmental Disability Strategy. The new strategy will provide a further opportunity to ensure that a cohesive approach is taken to tackling the challenges faced by disabled people, both directly and through interfaces with their representative organisations.

**Mr Carroll** asked the Minister for Communities for her assessment of the impact of the gap in the mitigations package, which means that people have to pay the bedroom tax because they are deemed to have moved home voluntarily, even though they have moved there as no other houses are available.  
(AQW 2554/17-22)

**Ms Hargey:** To date, a total of 283 people have had their Welfare Supplementary Payment stopped due to the application of this policy. The latest available data shows that 147 Housing Executive tenants continue to be impacted by the "bedroom tax" and are not currently receiving mitigation payments.

The estimated cost of making Welfare Supplementary Payments to these tenants in the 2020/21 financial year is £90,000.

I am committed to ensuring that in future all tenants affected by the "bedroom tax" will receive full mitigation for the associated loss of benefit. I will therefore be bringing forward legislation at the earliest opportunity to remove the current restriction on entitlement.

**Mr McHugh** asked the Minister for Communities for an update, including the indicative timelines, on the phased construction and completion of 162 new social housing units by Habinteg Housing Association on the former Adria site in Strabane.  
(AQW 2610/17-22)

**Ms Hargey:** It had been anticipated that Habinteg's proposed mixed-use, mixed-tenure scheme at the site of the former Adria Factory (Strabane) would start on-site in March 2020. However, due to the Covid-19 pandemic, both the Planning Approval and the appointment of a works contractor were delayed at that time.

On 18th June 2020 Planning Approval was granted by Derry City and Strabane District Council for 158 units on the site. Habinteg will be meeting with their Project Team and advisors in the coming weeks to examine the most appropriate timeframes for the delivery of the development. Once a works contractor is appointed, the estimated construction period will be 3 years.

**Ms Ennis** asked the Minister for Communities to detail the (i) capital; and (ii) revenue funding programmes available from the (a) exchequer; and (b) lottery that will be available in each of the next three financial years to support sports clubs.  
(AQW 2797/17-22)

**Ms Hargey:** I can confirm that my Department (DfC) and Sport NI are considering a number of capital and revenue funding programmes which may be available to support sports clubs. The Exchequer programmes will be dependent on the outcome of the budget settlement for financial year 2020/21 and budget agreements for the two years following.

The Exchequer capital programmes proposed for financial year 2020/21 include an Access and Inclusion programme to improve access to, and participation in arts, cultural and active recreation activities for people with disabilities; a Small Capital Grants programme to promote partnership and collaborative working across the voluntary and community sector; and a

programme to improve health and safety at sports clubs and venues covered by the Safety at Sports Grounds (NI) 2006 Order.

In terms of immediate support to deal with Covid-related pressures, I can confirm that at the recent June monitoring round, £2M was allocated to provide further financial assistance to sport, which is in addition to the £1.245M already allocated to the Sports Hardship Fund. Sport NI are currently reviewing this Fund and will also explore what other assistance will help clubs move forward as they return to activities, training and competition

In addition, over the five year period up to 2020, Sport NI is investing National Lottery funding into sports facility capital projects through its Single Facility Fund and Multi-Facility Funding. The Single Facility Fund delivered a total of 31 sports projects and there are 10 projects shortlisted to receive funding under the Multi-Facility programme.

Sport NI also has a number of Exchequer and Lottery revenue programmes which will support sports clubs during 2020/21. These include the Everybody Active 2020 Programme, which is administered through existing District Council small grants programmes to support participation in sport and physical recreation; and the Sporting Clubs programme, which is awarded to sports governing bodies to develop people to reach their sporting goals in a structured environment.

Sport NI is also currently finalising the development of a £3M Lottery Funded programme which will support the sports sector to build resilience and return to sport stronger following Covid-19.

In the meantime, I would encourage sports clubs to register with both Sport NI and their local Councils to receive information on future funding programmes and potential funding streams.

**Mr Allen** asked the Minister for Communities to detail any funding streams available for businesses and community facilities to install accessible changing places; and whether she or her Executive colleagues have plans to make such funding available.[R]

**(AQW 3475/17-22)**

**Ms Hargey:** I fully recognise the importance of Changing Places facilities to ensuring dignity and equality for people with disabilities and ensuring that public buildings and facilities across the north are accessible to everyone.

I have previously indicated my commitment to the development of a new Disability Strategy, co-designed and co-produced with input from the disability sector and disabled people. There will be opportunities for people from all sections of the community to contribute to the Strategy's formulation. In the meantime I will raise the funding for Changing Places with my Executive partners.

My Department, working in collaboration with the Department of Agriculture, Environment and Rural Affairs, Public Health Agency and local Councils, has developed an Access and Inclusion Programme aimed at improving access, and therefore participation, at arts, cultural and active recreation facilities across the north.

In the two years that the Programme has operated, a total of 87 projects across all 11 Council areas have received c£1.7m towards a range of improvement works including changing places in the Alley Arts and Conference Centre in Strabane, Artspace in Campsie, Derry and Derg Valley Leisure Complex in Castledearg. In addition, the existing disabled toilet facilities at Portadown People's Park were upgraded to meet Changing Places accreditation standard.

My Department has also allocated £40,000 towards the installation of a Changing Places facility in Coleraine Library which is due to be completed in August 2020.

The Neighbourhood Renewal Investment Fund can provide support for capital projects that contribute to the aims of the People and Place Strategy. Where a capital project includes the provision of accessible Changing Place facilities within a community facility, these will be considered for funding.

In relation to the £30 million 'Changing Places fund' announced by the Chancellor of the Exchequer in the budget, the Department of Finance is awaiting confirmation from the Treasury on whether a Barnett consequential will be forthcoming. This confirmation is expected later this financial year.

**Mr McCrossan** asked the Minister for Communities to detail the terms of reference for her policy reviews into the welfare system.

**(AQW 3585/17-22)**

**Ms Hargey:** As part of the New Decade, New Approach Deal it was agreed that there would be a review of the welfare mitigation measures. I am fully committed to delivering this.

My officials are currently developing proposals for taking forward the review into the welfare mitigation measures. This includes potential membership and the associated terms of reference.

I will keep Assembly colleagues updated on this matter and make an announcement on the format of the review in due course.

**Mrs D Kelly** asked the Minister for Communities what action they will take to support those who are (i) on zero hour contracts; and (ii) self-employed who may be in financial hardship due to the impact of COVID-19, but who are not ill themselves.

**(AQW 3732/17-22)**

**Ms Hargey:** People who find themselves with reduced or no income because of the impact of COVID 19 can apply for Universal Credit and New Style Jobs Seeker's Allowance. Everyone who makes a claim for Universal Credit can apply for an advance payment if they require financial assistance until their first payment is received. Applications for Universal Credit, including where an advanced payment is needed to meet immediate financial need, can be made online. A grant is also available through the Universal Credit Contingency Fund.

In addition, people in NI are able to apply for financial assistance through the Department's unique Discretionary Support Scheme, which provides immediate help for those in crisis or facing financial hardship. To apply, people can call Freephone: 0800 587 2750 or Textphone: 0800 587 2751 or by using the on-line application form available at <https://www.nidirect.gov.uk/articles/extra-financial-support>.

Further information is also available at [www.nidirect.gov.uk/articles/extra-financial-support](http://www.nidirect.gov.uk/articles/extra-financial-support).

To further support self-employed people, there will be a temporary suspension of the minimum income floor used to calculate the household's Universal Credit entitlement. This will provide greater financial security during this period. Some people will also get a work allowance, and, if they have a partner who is working, help with childcare costs.

Self-employed people may also claim a grant through the coronavirus (COVID-19) Self-Employment Income Support Scheme from HM Revenue and Customs. Further detail is available at: <https://www.gov.uk/guidance/claim-a-grant-through-the-self-employment-income-support-scheme#history>

The Department's website provides helpful information on new measures in response to COVID 19 and will be regularly updated to ensure people know what help is available. <https://www.nidirect.gov.uk/campaigns/coronavirus-covid-19>

I am committed to protecting the most vulnerable, and will keep the support available under review - in particular at this challenging time.

**Mr Durkan** asked the Minister for Communities what measures are in place to protect staff and service users from COVID-19 within public service buildings, including the Northern Ireland Housing Executive and Jobs and Benefits offices.

**(AQW 3808/17-22)**

**Ms Hargey:** During the Covid 19 pandemic period the Department has kept offices open for staff to provide essential benefit and child maintenance services to ensure the continuity of payments to customers. Jobs and Benefits Offices and other public service buildings were closed to the public and a number of alternative contact mechanisms were put in place to prevent face-to-face contact. The Department also put in place a number of measures to protect staff coming to the office including the designation of key worker status for benefit and child maintenance staff, the provision of IT equipment to work from home where this was possible, the introduction of rota based systems to ensure minimum staffing levels, the reinforcement of social distancing measures in the workplace and additional cleaning/ sanitising regimes.

With the recent easing of lockdown measures announced by the Executive the Department, as part of its recovery activity, is currently working with TU Health & Safety representatives to put in place Covid19 risk assessments for all of its office estate to ensure that increased staff numbers returning to the workplace can do so safely and in compliance with all relevant Public Health Agency and Health & Safety Executive guidance. This work will be completed by 3 July 2020.

The Housing Executive is a separate employer but has confirmed that similar actions were taken across its office estate including enhanced cleaning arrangements.

**Mr Durkan** asked the Minister for Communities what resources will be made available to support frontline staff in the advice sector dealing with the influx of queries from the public relating to COVID-19.

**(AQW 3810/17-22)**

**Ms Hargey:** My Department has allocated direct financial support of more than £6.5 million for 2020/21 to support over 360 jobs in the Advice Sector, delivering independent, community based advice services to citizens.

In addition, £220k was invested in supporting the Covid 19 Community Helpline which has taken more than 20,000 calls since it was established in March.

Further financial support of £1.5m was provided through the Covid 19 Community Support Fund for Councils to support grassroots organisations responding to the coronavirus pandemic by providing support for advice, access to food and to address issues of connectivity or isolation.

I am currently considering further allocations through this Fund.

**Ms Armstrong** asked the Minister for Communities, in relation to her statement of 13 May 2020 on the suspension of recovery of benefit overpayments and loans, whether repayment terms will be renegotiated with customers; and whether the repayment term can be extended and spread over at least 12 months to help people financially recover from the COVID-19 crisis.

**(AQW 4133/17-22)**

**Ms Hargey:** The suspension of recovery of benefit overpayments and loans will go some way to easing the financial difficulty that many people find themselves in during this period of uncertainty.

Repayments will be restarted at the rate which was in place at the time of cessation, however in line with normal arrangements people are able to contact the department at any time to discuss alternative payment arrangements or rates of repayment, if they are experiencing hardship. We will be taking a range of steps to ensure people are aware that they can contact the department if they are experiencing any difficulties with repayment rates. We will also be publishing this information and guidance on NI Direct and on the Department for Communities website.

For the majority of people repaying loans and overpayments to the departments, the repayment period already extends well beyond 12 months.

**Mr Durkan** asked the Minister for Communities how many former Northern Ireland Housing Executive properties are now within the private rental sector.

**(AQW 4607/17-22)**

**Ms Hargey:** The Housing Executive has advised the Department that as part of a broader analysis on the House Sales Scheme, draft findings indicate that of the 120,500 Housing Executive properties sold during the period under analysis just over a quarter were rented privately (the majority by private landlords but a small proportion by others).

It should be noted that the Housing Executive is currently preparing a full report on this research, which is being finalised, with a view to publication towards the end of the summer. Therefore it would advise that any figures provided at this stage are treated with some caution until the final report is published.

**Ms Armstrong** asked the Minister for Communities what discussions she has had with HMRC to enable legislation to be amended to remove the requirement for the Housing Executive (NIHE) to have to pay corporation tax, given the liability will reduce the ability of the NIHE to deliver planned maintenance and housing support.

**(AQW 4671/17-22)**

**Ms Hargey:** Corporation Tax legislation is an Excepted Matter and any changes to tax legislation would need to be made at Westminster, supported by HMRC/ Treasury.

There has been ongoing engagement for several years. Both the Head of the Civil Service and consecutive Permanent Secretaries in the Department of Finance have raised the matter.

A 16 July, 2020 letter from the DoF Permanent Secretary, requesting a discussion on this issue, is with the Permanent Secretary for Treasury. My Department also wrote to HMRC on July 3, 2020 citing the similarity between the Housing Executive case for exemption from Corporation Tax and that successfully made by the Education Authority in 2017.

**Mr Newton** asked the Minister for Communities to detail (i) the number of new build public sector homes completed in the Belfast East constituency in (a) 2018/19; and (b) 2019/20; (ii) the number of new build public sector homes planned in the Belfast East constituency in (a) 2020/21; and (b) 2021/22; and (iii) to confirm the housing provider.

**(AQW 4746/17-22)**

**Ms Hargey:** Within the Belfast East Parliamentary Constituency NIHE have been 132 social housing unit completions from 2018/19 to date, broken down as follows:

Year	Total social housing completions
2018/19	86
2019/20	45
2020/21	1
<b>Total</b>	<b>132</b>

The detail of these units and the housing provider are included in Table 1 below.

There are currently 154 social housing units under construction. The detail of these units and the housing provider are included in Table 2 below.

There are 224 social housing units programmed to start through the Social Housing Development Programme (SHDP) 2020/21 – 2022/23, broken down as follows:

Year	Total social housing completions
2020/21	108
2021/22	92
2022/23	24
<b>Total</b>	<b>224</b>



The detail of these units and the housing provider are included in Table 3 below.

**Table 1: Belfast East Parliamentary Constituency social housing completions from 2018/19 to date (132 Units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year
Connswater	15/19 Ballygowan Road	Castlereagh	New Build	31	2012/13	2018/19
Choice	263-285 Beersbridge Road (T) (DPF)	Belfast	New Build	9	2016/17	2018/19
Clanmil	Lisnasharragh High School	Castlereagh	New Build	19	2016/17	2018/19
Clanmil	Lisnasharragh High School	Castlereagh	New Build	6	2016/17	2018/19
Connswater	27 Channing Street	Belfast	Existing Satisfactory Purchase	1	2017/18	2018/19
North Belfast HA	19 Cooneen Way	Belfast	Existing Satisfactory Purchase	1	2017/18	2018/19
Connswater	13 Knocknagoney Grove	Belfast	Existing Satisfactory Purchase	1	2017/18	2018/19
Connswater	12 Reaville Park	Dundonald	Rehabilitation	1	2017/18	2018/19
Radius	3 Grampian Close	Belfast	Existing Satisfactory Purchase	1	2018/19	2018/19
Choice	51 Abetta Parade	Belfast	Existing Satisfactory Purchase	1	2018/19	2018/19
Triangle	761-765 Upper Newtownards Road	Dundonald	Off The Shelf	6	2018/19	2018/19
Triangle	761-765 Upper Newtownards Road	Dundonald	Off The Shelf	9	2018/19	2018/19
Triangle	18 Fernvale Street	Belfast	Existing Satisfactory Purchase	1	2016/17	2019/20
Triangle	55 Ashmount Park	Belfast	Existing Satisfactory Purchase	1	2016/17	2019/20
Triangle	69 Clarawood Park	Belfast	Existing Satisfactory Purchase	1	2016/17	2019/20
Apex Housing	Westbourne Church	Belfast	New Build	6	2017/18	2019/20
Choice	136-152; 183-191; 211-217 Beersbridge Road	Belfast	New Build	18	2017/18	2019/20
Choice	136-152; 183-191; 211-217 Beersbridge Road	Belfast	New Build	1	2017/18	2019/20
Choice	81-85 Channing Street	Belfast	New Build	6	2017/18	2019/20
Connswater	5 Connswater Grove	Belfast	Existing Satisfactory Purchase	1	2017/18	2019/20
North Belfast HA	26 Southland Dale	Belfast	Rehabilitation	1	2018/19	2019/20
North Belfast HA	35 Carncaver Road	Belfast	Rehabilitation	1	2018/19	2019/20
Connswater	3 Connswater Mews	Belfast	Existing Satisfactory Purchase	1	2019/20	2019/20

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completed Year
Radius	Leaseholds, Phase 7	Belfast	Existing Satisfactory Purchase	7	2019/20	2019/20
Choice	55 Belle Bashford Court	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21

**Table 2: Belfast East Parliamentary Constituency social housing units under construction (154 Units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Alpha	123 Barnetts Road	Belfast	Design & Build	14	2019/20	2020/21
Ark	5 Hornby Crescent	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21
Choice	Ballybeen Square Phase 2 (T)	Belfast	New Build	26	2018/19	2020/21
Choice	Ballybeen Square Phase 2 (T)	Belfast	New Build	2	2018/19	2020/21
Choice	179, 181, 187, 197, 199-203 Beersbridge Road	Belfast	Design & Build	18	2018/19	2020/21
Choice	71 Inverary Avenue	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21
Clanmil	5-7 Connsbrook Avenue	Belfast	Design & Build	21	2017/18	2020/21
Connswater	Lands adjacent to 91 Gilnahirk Road	Belfast	Design & Build	6	2019/20	2021/22
Connswater	15 Connswater Grove	Belfast	Existing Satisfactory Purchase	1	2019/20	2020/21
Radius	288 Beersbridge Road	Belfast	New Build	2	2018/19	2021/22
Radius	288 Beersbridge Road	Belfast	New Build	20	2018/19	2021/22
St Matthews	50 Harper Street	Belfast	Rehabilitation	1	2018/19	2020/21
St Matthews	22 Beechfield Street	Belfast	Rehabilitation	1	2019/20	2020/21
St Matthews	71 Beechfield Street	Belfast	Rehabilitation	1	2019/20	2020/21
South Ulster	Redcar Street	Belfast	Design & Build	12	2018/19	2020/21
Triangle	98 Hollywood Road (formerly East Belfast Competitive Design & Build)	Belfast	Design & Build	25	2018/19	2020/21
Triangle	98 Hollywood Road (formerly East Belfast Competitive Design & Build)	Belfast	Design & Build	2	2018/19	2020/21

**Table 3: Belfast East Parliamentary Constituency social housing units programmed to start 2020/21 - 2022/23 (224 units)**

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Apex Housing	10-12a & 14-16 Parkgate Avenue	Belfast	New Build	14	2020/21	2021/22
Apex Housing	Bryson Street, Phase 2	Belfast	New Build	8	2020/21	2021/22

Housing Association	Scheme Name	Location	Type	Units	Onsite Year	Completion Year
Ark	1-3 Evelyn Avenue	Belfast	New Build	6	2020/21	2021/22
Choice	Sirocco Works Site (Waterside)	Belfast	New Build	70	2020/21	2022/23
Choice	Sirocco Works Site (Waterside)	Belfast	New Build	7	2020/21	2022/23
Choice	50 Reaville Park	Dundonald	Rehabilitation	1	2020/21	2021/22
Connswater	2 Knocknagoney Avenue	Belfast	Existing Satisfactory Purchase	1	2020/21	2021/22
Connswater	2A Knocknagoney Avenue	Belfast	Off The Shelf	1	2020/21	2021/22
Choice	Morven Park (T)	Dundonald	New Build	20	2021/22	2023/24
Choice	Lands to the rear of 85 Channing Street	Belfast	New Build	20	2021/22	2023/24
Clanmil	Masonic Hall, Park Avenue	Belfast	Design & Build	24	2021/22	2023/24
South Ulster	Stormont Inn	Belfast	New Build	28	2021/22	2023/24
Choice	Redcliffe Street	Belfast	New Build	24	2022/23	2023/24

Programmed schemes can be lost or slip to future programme years for a variety of reasons. Additional schemes can also be added to the SHDP in-year through the purchase of Existing Satisfactory / Off-the-shelf properties.

**Ms Armstrong** asked the Minister for Communities when the contract with Capita for Personal Independence Payment assessments will end; and whether she will consult with people with disabilities as to how the contract can be improved before it goes out for tender again.

**(AQW 4834/17-22)**

**Ms Ní Chuilín:** I can confirm that the current contract with Capita for the delivery of Personal Independence Payment health assessments expires on 31 July 2021. Due to the impact of the Covid-19 pandemic and to ensure the safeguarding of the existing service from August 2021, the Department intends to extend this contract by 24 months to the end of July 2023.

The Department will prepare a business case for approval by the end of the year to appraise a range of options for the future delivery of Health Assessment Services. This will include a full appraisal of the in-housing option and afford opportunities for engagement and consultation with the voluntary and community sector to identify improvements to the future delivery of the service.

The Department continues to engage on a quarterly basis with the voluntary and community sector regarding the delivery of PIP through the Disability Consultative Forum, a specific forum for local disability groups and the advice sector.

The Department has also commissioned Marie Cavanagh to undertake the second independent review of the PIP assessment process. A call for evidence remains open until 16 October 2020 aimed at organisations and individuals who have information that is relevant to how the PIP assessment is operating. Recommendations will be laid in the Assembly in the form of a report which is due in December 2020.

**Mrs D Kelly** asked the Minister for Communities when she will answer AQW 4248/17-22, AQW 414/17-22, AQW 3970/17-22, AQO 410/17-22 and AQW 3444/17-22.

**(AQW 4899/17-22)**

**Ms Ní Chuilín:**

- AQW 4248/17-22 and AQO 410/17-22 were answered 24 June 2020.
- AQW 3970/17-22 was answered on 29 June 2020.
- AQW 3444/17-22 was answered on 10 July 2020.
- AQW 414/17-22 was tabled by Roy Beggs MLA and was answered on 8 April 2020.

**Ms Armstrong** asked the Minister for Communities when AQW 4239/17-22, AQW 4238/17-22, AQW 4134/17-22, AQW 4133/17-22, AQW 4021/17-22, AQW 3951/17-22, AQW 3783/17-22, AQW 3782/17-22, AQW 3574/17-22, AQW 3426/17-22,

AQW 3425/17-22, AQW 3424/17-22, AQW 3423/17-22, AQW 3269/17-22, AQW 3268/17-22, AQW 2807/17-22, AQW 3268/17-22, AQW 2725/17-22, AQW 2724/17-22, and AQW 2722/17-22 will be answered.

**(AQW 4996/17-22)**

**Ms Ní Chuilín:**

- AQW 3782/17-22, AQW 3574/17-22, AQW 3424/17-22, 2020 AQW 3423/17-22 and AQW 3268/17-22 were answered 23 June 2020.
- AQW 4021/17-22 was answered on 24 June 2020.
- AQW 3425/17-22, AQW 2807/17-22 and AQW 2722/17-22 were answered on 25 June 2020.
- AQW 2725/17-22, AQW 2724/17-22 and AQW 4134/17-22 were answered on 26 June 2020.
- AQW 4238/17-22 was answered on 29 June 2020.
- AQW 4239/17-22, AQW 3783/17-22, AQW 3426/17-22 and AQW 3269/17-22 were answered on 10 July 2020
- AQW 3951/17-22 was answered on 16 July 2020.
- AQW 4133/17-22 was answered on 20 July 2020.

**Mr Beattie** asked the Minister for Communities when she will answer AQO 415/17-22, AQW 3577/17-22 and AQW 3067/17-22.  
**(AQW 5073/17-22)**

**Ms Ní Chuilín:** AQO 415/17-22 was answered 24 June 2020, AQW 3067/17-22 was answered on 26 June 2020 and AQW 3577/17-22 was answered on 10 July 2020.

**Mr Newton** asked the Minister for Communities what support she will offer to community organisations intending to mark the 100th anniversary of the foundation of Northern Ireland.

**(AQW 5142/17-22)**

**Ms Ní Chuilín:** My Department provides funding to the 11 local councils through the Community Festivals Fund. Councils provide match funding to this and administer the scheme on our behalf. Community organisations may be eligible to apply through their local council.

**Mr Dunne** asked the Minister for Communities for an update on the Queen's Parade redevelopment scheme in Bangor.  
**(AQW 5161/17-22)**

**Ms Ní Chuilín:** The Developer for the Queen's Parade Development Scheme, Bangor Marine, submitted a Planning Application at the end of January this year. A decision on that planning application is yet to be made.

My officials, in the Department's Regional Development Office, along with our counterparts in the Ards and North Down Borough Council, are continuing to work closely with the Bangor Marine team to continue to progress the scheme, insofar as is possible in the current working environment.

**Ms Hunter** asked the Minister for Communities for an update on her plans to reform discretionary support payments.  
**(AQW 5326/17-22)**

**Ms Ní Chuilín:** The Discretionary Support scheme was introduced in November 2016 as a replacement for abolished elements of the Social Fund. The scheme ensures the provision of emergency financial support for people who are in an extreme, exceptional or crisis situation.

After Discretionary Support had been operational for a period of more than two years my Department commenced a comprehensive review of the current policy and legislation. The completion of the review has been delayed as the focus of my Department in recent months has been on the response to the COVID-19 pandemic.

I can advise that the review is in the final stages and proposals for changes to the Discretionary Support scheme are currently being finalised. It is hoped that a formal announcement on the outcomes of the review will be made in the near future.

**Mr McGrath** asked the Minister for Communities how much has been spent to address social deprivation in each of the last ten years, broken down by constituency.

**(AQW 5344/17-22)**

**Ms Ní Chuilín:** Funding to address social deprivation, broken down by constituency in each of the last ten years, can be found at ANNEX A. This information has been provided through the Government Funding Database (GFD) which is a NICS wide database that requires all NICS Departments and their ALBs to record grants to the voluntary and community sector. Data recorded on the GFD prior to the restructuring of wards, boundaries and constituencies when Councils were reduced from 26 to 11 in May 2014 has been adjusted.

**Funding by Constituency**

Constituency Name	Area (Sqkm)	Code	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Total by Constituency (2010 - 2020):
Belfast East	55.30	N06000001	£13,585,575.35	£13,795,370.64	£12,579,708.28	£10,438,334.74	£8,600,618.68	£14,420,895.52	£14,958,736.24	£11,999,554.33	£14,203,601.47	£6,566,478.30	£121,148,873.55
Belfast North	50.32	N06000002	£27,755,230.36	£34,561,121.80	£23,350,706.76	£34,298,257.49	£32,664,716.96	£34,706,504.97	£39,998,292.58	£41,760,690.61	£35,386,400.30	£36,657,598.13	£341,139,519.96
Belfast South	44.83	N06000003	£60,396,809.26	£48,967,509.13	£43,417,795.86	£65,188,536.58	£73,154,873.95	£63,317,109.20	£66,905,085.78	£48,020,977.75	£73,474,160.65	£35,561,361.65	£578,404,219.81
Belfast West	45.15	N06000004	£16,279,751.53	£18,165,824.33	£12,489,660.39	£11,031,289.00	£12,401,001.67	£10,233,148.81	£9,472,154.05	£10,796,600.50	£8,742,737.11	£6,719,658.93	£116,331,826.32
E. Antrim	593.04	N06000005	£1,741,836.53	£1,587,148.11	£1,146,547.75	£1,872,578.48	£1,261,870.40	£1,305,799.73	£1,449,121.85	£1,284,301.61	£1,134,263.82	£759,943.37	£13,543,411.65
E.Londonderry	1275.27	N06000006	£3,153,573.04	£1,501,582.14	£1,078,317.71	£1,301,432.07	£3,625,353.29	£1,927,197.41	£2,368,759.80	£1,471,743.58	£1,591,739.53	£1,240,742.89	£19,260,441.46
Fermanagh & S Tyrone	2506.01	N06000007	£3,507,033.70	£2,227,529.48	£1,826,650.61	£2,818,020.88	£3,573,243.72	£5,751,929.12	£3,625,354.88	£3,100,056.44	£4,160,042.85	£8,991,532.73	£39,581,394.41
Foyle	183.64	N06000008	£45,570,326.29	£44,649,610.62	£27,497,866.06	£29,825,908.69	£43,473,821.46	£36,913,385.44	£30,169,415.41	£44,151,472.62	£50,580,473.77	£62,363,162.85	£415,195,443.21
Lagan Valley	467.84	N06000009	£721,660.06	£663,696.54	£492,631.07	£858,914.27	£727,853.61	£244,335.70	£396,108.13	£294,412.68	£431,831.90	£392,192.28	£5,223,636.24
Mid Ulster	1348.64	N06000010	£3,727,063.95	£4,906,812.42	£4,544,086.86	£4,862,131.85	£3,795,846.15	£2,090,067.19	£2,396,535.59	£1,281,091.79	£1,587,984.06	£615,953.17	£29,807,573.03
Newry And Armagh	1081.52	N06000011	£5,671,980.02	£2,391,747.08	£2,705,397.48	£4,890,741.52	£3,371,673.52	£3,060,324.70	£4,252,850.53	£2,795,881.14	£2,535,484.21	£1,039,155.11	£32,715,235.31
North Antrim	1386.24	N06000012	£8,388,919.12	£5,548,575.67	£5,687,976.09	£8,105,234.68	£10,571,031.81	£6,550,395.22	£10,438,864.44	£9,028,842.85	£14,919,608.69	£19,307,448.96	£98,546,897.53
North Down	115.44	N06000013	£22,792,201.97	£14,900,456.82	£27,776,064.17	£20,316,715.43	£26,010,342.05	£33,824,734.36	£30,647,664.93	£27,584,242.81	£8,373,679.59	£12,186,256.36	£224,414,358.49
South Antrim	785.03	N06000014	£3,183,493.77	£2,915,580.21	£2,537,701.02	£2,716,325.10	£3,057,378.61	£2,953,803.98	£2,822,690.70	£3,037,119.81	£2,946,306.35	£637,897.56	£26,808,297.11
South Down	1249.82	N06000015	£2,568,138.90	£1,125,145.53	£1,662,703.78	£1,744,523.65	£1,630,229.51	£1,573,743.28	£1,941,902.32	£1,881,073.50	£1,722,010.31	£245,056.05	£16,094,626.83
Strangford	655.23	N06000016	£2,103,611.59	£2,287,426.34	£1,050,938.84	£1,215,010.32	£1,392,958.95	£961,859.57	£1,295,314.92	£1,012,091.22	£875,923.58	£511,755.37	£12,706,890.70
Upper Bann	479.69	N06000017	£6,967,388.22	£5,086,690.78	£2,775,944.16	£3,835,509.43	£2,540,500.32	£2,068,849.13	£5,011,816.86	£7,730,998.06	£3,351,866.50	£6,189,100.27	£45,558,663.73
West Tyrone	1992.09	N06000018	£3,167,523.34	£1,238,860.82	£1,163,945.10	£1,489,642.69	£2,243,383.86	£1,718,007.09	£2,074,363.31	£2,920,800.42	£4,045,427.61	£3,103,144.99	£23,165,099.23
Total:			£231,282,117.00	£206,520,688.46	£173,784,641.99	£206,809,106.87	£234,096,698.52	£223,622,090.42	£230,225,032.32	£220,151,951.72	£230,063,542.30	£203,090,438.96	£2,159,646,308.56

**Mr McGrath** asked the Minister for Communities how much money her Department has spent over the last five years to support men suffering from domestic abuse.

**(AQW 5390/17-22)**

**Ms Ní Chuilín:** The Department through the Housing Executive funds the delivery of services that impact on men suffering from domestic abuse. They however do not record funding allocated directly to support men suffering from domestic abuse. Households which are subjected to such abuse are supported by the Housing Executive's overall homelessness funding. The Housing Executive also supports households who are homeless or threatened with homelessness through the provision of Supporting People funding. While Supporting People funding does support a range of specialist accommodation and/or support services for specific client groups there are a significant number of services which are general needs and accessible for men suffering from domestic abuse.

**Mr McGrath** asked the Minister for Communities what work has been undertaken by her Department's racial equality champion in the last five years.

**(AQW 5422/17-22)**

**Ms Ní Chuilín:** Following Departmental restructuring in 2016, nominations for the role of Racial Equality Champion were sought from the new Departments. The first cross Departmental meeting of the NICS Racial Equality Champions Group was held in October 17.

My Departmental Racial Equality Champions have ensured that messages about the importance of racial equality and good race relations are consistent and visible to all staff including Non-Departmental Public Bodies and other service providers.

All DfC Policies are reviewed through a racial equality lens, to ensure that due regard is given when designing or delivering public services and in line with current equality legislation and best practice guidelines. Section 75 (S75) of the Northern Ireland Act 1998 requires the Department to ensure equality of opportunity and good relations are central to policy making and service delivery.

As part of a workshop with the Racial Equality Subgroup, a number of issues were identified that were followed up on by my DfC Racial Equality Champion. These included a perceived gap in the availability of qualitative and quantitative data on ethnic minorities. Research commissioned through the Department's Professional Services Unit now collects S75 data as a matter of course. S75 data is also sought from people in receipt of Welfare Supplementary Payments.

My Departmental Racial Equality Champion also attended various events including the John Hewitt International Summer School where a photographic exhibition entitled "Daily Lives – Asylum Seekers in Italy and Ireland" was launched; and a workshop at the Refugee Council office in Leeds where the NI Racial Equality roles and responsibilities were discussed and a summary of the provision of Refugee Council services was highlighted.

My Department also arranged a Race Champion Awareness Session where colleagues were invited to develop a greater understanding of racial equality issues and incorporate the spirit and practicalities of the Racial Equality Strategy into their everyday work. The key speaker, Neil McKitterick from Barnardo's NI Refugee Support Service, provided an overview of the refugee experience here in NI.

As a 'Friend of Mela', my Department has worked with Belfast Mela festival organisers to participate in this annual event. It is my intention that this participation will continue this year with officials working with festival organisers to see how DfC can be involved in the week long virtual celebration of world music, dance and art from the 24th - 30th August.

**Ms Bailey** asked the Minister for Communities to detail financial and other assistance that her Department, and its Non-Departmental Public Bodies, has provided to the Irish Football Association, its subsidiary companies, the Irish FA Foundation, the Irish FA Stadium Company or other, in (i) 2018-19; (ii) 2019-20; and (iii) this financial year to date.

**(AQW 5472/17-22)**

**Ms Ní Chuilín:** I can advise that the following support has been provided: -

	<b>Funder</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>
IFA Stadium Company	DfC	£44,154	£48,545.73*	-
IFA Foundation	Sport NI Exchequer Funding	£20,595	-	-
Irish Football Association (IFA)	Sport NI Exchequer Funding	£2,000	£21,745	-
	DfC Volunteering Innovation Fund	£44,154	£58,454	£57,434

\* Accrued from 2015/2016 as part of the £31million redevelopment programme for Windsor Park.

In addition, Sport NI's Sports Institute provided support services to the IFA senior international teams in 2019/20 (Euro qualifiers etc). The annual cost of this support is valued at £25,000.

**Mr Durkan** asked the Minister for Communities (i) whether her Department is planning to move to phase two of the redevelopment of the Upper Long Streets in the New Lodge; (ii) what funds have been ring-fenced by her Department for it; and (iii) on what date the vesting process will begin.

**(AQW 5498/17-22)**

**Ms Ní Chuilín:** The Housing Executive has prepared a draft Economic Appraisal to review a number of intervention options in respect of the Upper Long Streets in the New Lodge area of North Belfast. The Economic Appraisal will now be submitted for internal approval within the Housing Executive, prior to submission to the Department for consideration. Funding for phase 2 has not been ring-fenced. This funding and the vesting process will be subject to approval of the Economic Appraisal by the Department for Communities and the Department of Finance.

**Mr Durkan** asked the Minister for Communities (i) for an update on the Tower Block Strategy; (ii) for her assessment of the strategy; (iii) to outline the level of funding that has been invested in renovation work to kitchens, bathrooms, windows, heating and wiring of flats within each of the tower blocks since the strategy was endorsed by her Department; and (iv) what assurances she can give that, at minimum, the same level of homes will be provided by the time all the tower blocks are demolished, given the existing shortage of social housing.

**(AQW 5499/17-22)**

**Ms Ní Chuilín:**

(i) The Housing Executive's Tower Blocks Action Plan was approved by the Board of the Housing Executive in March 2019 and by the Department for Communities in August 2019. Given the complexity and scale of this plan the blocks have been categorised into 3 phases:

- Phase 1: Demolition (or disposal in some cases) in a 1 to 5 year time period - 14 'Short' term blocks
- Phase 2: Demolition in a 6 to 10 year period, with remedial works to be carried out in the interim - 7 'Medium' term blocks
- Phase 3: Demolition at a point beyond a 10 year period, with improvement works carried out as required - 12 'Long' term blocks.

The Action Plan is a high level document that sets out the broad timescales, actions and estimated funding required over the next fifteen to twenty years. Implementation of the proposals will be subject to approval of business cases for individual or groups of blocks as appropriate. A Central Delivery Team was established in April 2020 to prepare, coordinate, monitor and report on the Delivery Plan and the Local Implementation Plans.

The programme of business cases required for the blocks is already underway and is currently focused on the 'Short Term' blocks. A business case for the demolition of Monkscoole House was approved by the Department, and a consultant has been appointed to prepare for the demolition. A business case for the demolition of Latharna House has recently been approved by the Department. Further business cases are currently being prepared, however their completion has been delayed due to the restrictions on local consultation as a result of the Covid-19 situation.

Work is underway to procure a consultant to carry out detailed surveys for the refurbishment works to the 12 'Long' term blocks. An indicative seven and a half year programme has been drawn up and we anticipate that works will start at the first blocks in the programme in 2022 at the earliest.

A market testing exercise is currently being prepared to help determine whether there would be sufficient market interest to make a private sector disposal option a potentially viable proposition for a number of the tower blocks.

- (ii) When deciding on a strategic approach for its Tower Block portfolio the Housing Executive took into consideration all issues i.e. housing need, investment requirements, funding etc. The Action Plan was approved by its Board in March 2019 and endorsed by the Department in August 2019. The Housing Executive will submit business cases setting out their proposals for individual blocks, and these will be considered by the Department on a case-by-case basis.
- (iii) There has been no planned improvement schemes carried out in any of the blocks since the approval of the Tower Block Strategy by the Department.
- (iv) In some areas it will be difficult to provide the same number of replacement dwellings due to technical constraints. The cleared footprint of a block cannot accommodate the same numbers of low and medium rise housing as a tower block, and in some locations there are no other adjacent or nearby development sites to increase the putback. However it is also the case that in some areas the housing need analyses at present suggest that a 1-for-1 re-provision programme is not necessary to cater for the existing residents of the blocks or housing need in the locality. The development of any residual cleared footprints where there is currently no evidential requirement for new housing will be subject to future reviews of housing need.

**Mr Newton** asked the Minister for Communities (i) what action she has taken to support staff in the Jobs and Benefits (a) on break out of the COVID-19 pandemic; (b) during the peak lockdown period; and (c) as the Executive's planned return to work is undertaken; and (ii) what action she is taking to ensure the safe return of the Jobs and Benefits offices staff to pre-COVID-19 public access hours.

**(AQW 5512/17-22)**

**Ms Ní Chuilín:** I am particularly proud of the role our Jobs & Benefits office staff played since the outbreak of the Covid-19 crisis. Indeed, I was pleased to be able to tell many of them that myself, on a recent visit to Hollywood Road Job & Benefits office.

Our Jobs & Benefits public office network was closed in March to protect staff and callers alike as we could not guarantee social distancing at that time. Staff with an underlying health condition or who had been advised to shield were sent home. The remaining staff, key workers, were split into rotas to reduce the number of staff on site at any given time. They worked in their groups, at their offices, throughout this crisis, processing the unprecedented number of applications we received for Universal Credit.

As we look to return more of our people to offices, risk assessments will inform that process and ensure the continued health and safety of our people remains paramount. I have continued to excuse signing for people claiming Jobseeker's Allowance, and people claiming Universal Credit will be supported remotely to avoid people having to come into our offices.

I have not made any decision yet on a pre-Covid return of office opening, and any such decision would need to be informed by the guidance at that time and supported by a risk assessment.

**Miss Woods** asked the Minister for Communities when a date will be set for the Northern Ireland Housing Executive and their contractors to restart external and internal maintenance on properties.

**(AQW 5515/17-22)**

**Ms Ní Chuilín:** At the beginning of the lockdown the Housing Executive were restricted to only carrying out emergency work on their properties. In the last month however as restrictions have lifted they have been able to start other areas of work with external work and minor external adaptations (for example hand rails), which recommenced on Monday 8th June. Work also began on their vacant void properties, enabling them to be brought into use and made available to those families currently awaiting a new home.

On Thursday 18th June the Housing Executive recommenced external improvement programmes in local areas and major adaptations where the property was vacant.

From the 8th July the Housing Executive began implementation of a phased restart to all work streams, but, a significant backlog of response maintenance has developed over the last 3 months. Emergency, change of tenancy and urgent backlog works will be prioritised. Once the backlog of urgent works has been addressed routine works can recommence.

Planned stock improvement works will recommence from 20th July and the individual work streams will be phased in over a five week period. This will see the recommencement of much needed maintenance and planned investment works in its properties. It is envisaged that normal services will have resumed by early autumn.

**Mrs Cameron** asked the Minister for Communities what additional measures her Department is planning to support those employed in the Arts Sector affected by COVID-19 restrictions.

**(AQW 5546/17-22)**

**Ms Ní Chuilín:** I appreciate the serious impact Covid-19 continues to have on individuals working in the Arts Sector. When Minister Hargey announced the £1.5m Creative Support Fund it was recognised that further support would be required for the arts sector.

My Department successfully bid for funding of £4million for the Cultural Sector in the June monitoring round. It is working closely with the Arts Council and key stakeholders, and has established a Consultative Arts and Culture Recovery Forum to assist in considering the priorities and support measures to be introduced across the Arts Sector in its entirety. The Forum will discuss the £4m COVID-19 support secured in June monitoring, the remaining £0.5m from the Creative Support Fund and the allocation from the £33m Barnett Consequential announced on 5th July.

Work is ongoing at pace to establish immediate priorities in relation to how the funding will be used to meet the needs of the sector, and to develop plans to ensure its future viability and resilience.

The arts sector is hugely important for both community well-being and our attractiveness as a tourist destination; I will continue to work with the sector and Executive colleagues to put a recovery plan in place.

**Mr Middleton** asked the Minister for Communities for a breakdown of funding provided to Cricket Ireland, in each of the last five years.

**(AQW 5564/17-22)**

**Ms Ní Chuilín:** Sport NI, an arm's length body of my Department, has allocated the following funding to Cricket Ireland through a range of programmes including Sporting Clubs and the Athlete Investment Programme to develop the sport of cricket in the north:-

Financial Year	Fund	Amount
2020/21	Exchequer	£29,059
2019/20	Exchequer	£100,000



Financial Year	Fund	Amount
2018/19	-	-
2017/18	Lottery	£398,195
2016/17	Lottery	£42,000

In addition, my Department allocated a total of £72,495 in 2019/20 to the Northern Cricket Union, one of five provincial Governing Bodies that make up Cricket Ireland. The funding was allocated to a Cricket Development Programme and to provide improvements to the grass practice wickets at Stormont, one of three International Cricket Council accredited cricket grounds on the island of Ireland.

**Ms Bailey** asked the Minister for Communities for her assessment of why social housing allocations have been minimal in the previous month, while the private housing market has not been similarly curtailed.

**(AQW 5565/17-22)**

**Ms Ní Chuilín:** Both social and private tenancies have been impacted as a result of the Coronavirus Regulations put in place by the Department of Health. The Regulations, which came into effect from the 28th March, included restrictions on house moves, other restrictions on movement, and the need to adhere to social distancing guidance. This has meant that social landlords, in particular, have faced barriers to normal activity around allocations.

The Housing Executive, who are responsible for administering the Housing Selection Scheme, developed emergency plans to ensure that key and essential services were maintained throughout the pandemic, including statutory homeless services, and the continued allocation of homes where possible and within the guidance. This included the prioritising of those homeless households who had a 'reasonable excuse' or an essential need to move under the Regulations, and who were the highest pointed relevant applicants for an allocation under the Rules of the statutory Housing Selection Scheme.

As the restrictions have gradually eased, more activity is now able to take place and I am confident that social housing allocations will return to the expected levels over the coming weeks. It is important, however, to recognise the issues which have impacted on the commencement of new tenancies. These include:

- The availability and capacity of contractors to carry out work required to enable change of tenancies to take place. This has been a consequence of contractors needing to furlough staff and also the supply chain limitations within the construction sector. Whilst this is now beginning to return to normal, backlogs have inevitably built up.
- The vulnerability of prospective tenants and the reluctance of some wanting to move due to self-isolation and shielding, with guidance on shielding still in place until the 31st July.
- Prospective tenants have faced transport issues and access to the practical family support they need to physically move into a new home. Similarly, furniture removal companies have a build-up of work due to restrictions which were in place.
- During lockdown arrangements, prospective tenants were unable to acquire goods needed to establish their new homes – carpets, curtains, white goods etc. This has impacted on prospective tenants being in a position to move home. Whilst further easements continue in the retail and business sector, supply issues may continue to prevail and impact on house moves.

Monitoring of activity levels around the number of relets takes place on a weekly basis with the Housing Executive and I can confirm that these have risen significantly week on week, as Regulations and restrictions have eased as part of the staged recovery plan. In the week ending 5 July 2020, there was 80% of the activity levels compared with relets during the same period in 2019 (84 relets in 2020 compared to 107 in the same week in 2019).

I am committed to ensuring that homes are allocated as quickly as possible to households in housing need whilst remaining mindful of the need to proceed with care and in line with the latest guidance on public health and ensuring that the safety of customers, contractors and staff is paramount.

**Mr K Buchanan** asked the Minister for Communities to detail the number of reconsiderations for Personal Independent Payment in the Mid Ulster constituency broken down by (i) successful; and (ii) unsuccessful reconsiderations, in each year since its introduction.

**(AQW 5578/17-22)**

**Ms Ní Chuilín:** The most recently published Personal Independence Payment statistics covers the period up to the end of February 2020. The IT system used to administer PIP records mandatory reconsiderations outcomes by award changed and award unchanged.

The table below provides the breakdown in the Mid Ulster constituency since Personal Independence Payment was introduced in June 2016 into those two categories.

Virtually all decisions are changed because additional evidence is provided at the reconsideration stage, which was not available to the officer who made the initial decision.

**Mandatory Reconsideration Outcomes in the Mid Ulster Constituency**

Year	New Decision Award Changed	New Decision Award Unchanged
June – December 2016	10	130
2017	270	1,240
2018	360	1,740
2019	240	1,260
January- February 2020	30	220

**Ms Armstrong** asked the Minister for Communities for an update on the review of welfare mitigation measures.  
(AQW 5586/17-22)

**Ms Ní Chuilín:** The New Decade, New Approach Deal committed to a review of future welfare mitigation measures to be taken forward.

My Department is currently finalising proposals for the review and it is hoped that a formal announcement on how it will be taken forward will be made in due course. Details of the review will be shared with the Committee at the earliest opportunity and members will be afforded the chance to present their views on the proposal.

The Department is not yet in a position to provide details of the specific issues that will be covered in the review, however, the over-arching purpose will be to identify the need to develop a prioritised mitigation package which will be costed and assessed for affordability.

I am committed to the principles of co-design in the development of any new mitigation measures. It is therefore planned to include representatives of the independent Advice Sector and other groups with an interest in social security at all stages of the review.

**Mr McCrossan** asked the Minister for Communities to detail the current deficit facing each local Council; and whether there will be an additional financial package to deal with the deficit.  
(AQW 5591/17-22)

**Ms Ní Chuilín:** My Department does not collate figures on council deficits. Any deficit figures pertaining to individual councils would feature in their annual report and accounts. The most recent available audited figures are in the 2018/19 accounts since, due to the current pandemic situation, the accounts for the year ended 31 March 2020 will not be finalised until 31 December 2020.

Councils are currently in the process of preparing a bid for aid for the second quarter of the 2020/21 financial year.

**Miss Woods** asked the Minister for Communities whether she has any plans to ensure that electric vehicle charging points are a mandatory element of new social and affordable housing builds.  
(AQW 5622/17-22)

**Ms Ní Chuilín:** I appreciate the use of electric vehicles is on the increase. My Department is developing a climate change action plan across its various responsibilities, and this includes consideration of housing issues. I have asked my officials to consider this suggestion as they develop the plan.

**Miss Woods** asked the Minister for Communities (i) for an update on the timescale to bring forward a gender strategy; (ii) whether she has any plans to bring forward legislation as part of any gender strategy; and (iii) what financial resources she will allocate to the strategy.  
(AQW 5623/17-22)

**Ms Ní Chuilín:** As stated in New Decade New Approach, the Executive is committed to publishing a comprehensive timetable for the development and delivery of a suite of Social Inclusion Strategies, including a new Gender Strategy.

You are aware of the significant and unprecedented pressures placed on everyone by the COVID-19 pandemic. The primary focus of the Executive and all Departments has been to address and put in place measures to resolve current and emerging issues relating to the pandemic, especially those issues affecting the most vulnerable in our society.

As we move into the recovery phase, I will be making an announcement imminently in relation to the timescales for the development and delivery of a suite of Social Inclusion Strategies including the Gender Strategy.

The principles and practice of citizen and community engagement, co-design and co-production will be a key part of the development and delivery of the Strategy.

The costs associated with stakeholder engagement and development of the Strategy will be met from my Department's budget. Financial resources needed to implement the Strategy cannot be anticipated at this time, and will require financial commitments from other Ministers in relation to their remits.

**Ms Anderson** asked the Minister for Communities whether she will engage with St. Joseph's Community Playgroup, Derry, to identify and explore potential funding options, in line with the submission of a robust business case, to advance plans for a new outdoor play space in Galliagh for enhanced services and activities for children and families in the area.

**(AQW 5631/17-22)**

**Ms Ní Chuilín:** My officials continue to engage with St Joseph's Community Playgroup and I am pleased to learn that work is well advanced on this project.

I understand that the project has been delayed subject to agreeing a lease with the local Catholic Diocese. I have asked my officials to continue to engage with all involved to achieve resolution and work with St. Joseph's Community Playgroup to explore funding options.

In making an application there is no guarantee of funding. All applications are subject to a robust economic appraisal and budget availability.

**Ms Anderson** asked the Minister for Communities whether she will engage with Galliagh Resident's Centre, Derry, to identify and explore potential funding options, in line with the submission of a robust business case, to undertake refurbishment works at the centre, which has been operating out of a portacabin since 2000.

**(AQW 5632/17-22)**

**Ms Ní Chuilín:** Officials from my Department continue to engage and work with representatives of Galliagh Residents' Centre to assist in the development of this project and their application for funding.

In making an application there is no guarantee of funding. All applications are subject to a robust economic appraisal and budget availability.

I have asked my officials to continue to work with Galliagh Residents Centre to explore funding options.

**Mr O'Dowd** asked the Minister for Communities to detail the (i) number; and (ii) location of social housing builds planned in Upper Bann in the next three years.

**(AQW 5642/17-22)**

**Ms Ní Chuilín:** There are currently 52 social housing units under construction, details are attached at Table 1 below.

There are currently 37 social housing units programmed to start through the Social Housing Development Programme (SHDP) 2020/21 – 2022/23. The details are attached at Table 2 below.

There have also been 3 social housing units completed to-date in 2020/21. The details are attached at Table 3 below.

**Table 1: Social housing units under construction (52 units)**

Housing Association	Scheme Name	Location	Type	Need Group	Units	Onsite Year	Completion Year
Choice	39 Woodlands Manor	Portadown	Rehabilitation	General Needs	1	2019/20	2020/21
South Ulster	148 Garvaghy Road	Portadown	New Build	General Needs	10	2018/19	2020/21
South Ulster	148 Garvaghy Road	Portadown	New Build	Wheelchair	2	2018/19	2020/21
South Ulster	Kilwilkee Road	Lurgan	Design & Build	General Needs	14	2019/20	2021/22
South Ulster	Kilwilkee Road	Lurgan	Design & Build	Wheelchair	1	2019/20	2021/22
South Ulster	Sloanhill, Hill Street	Lurgan	Design & Build	General Needs	23	2019/20	2021/22
South Ulster	Sloanhill, Hill Street	Lurgan	Design & Build	Wheelchair	1	2019/20	2021/22

**Table 2: Programmed to start 2020/21 – 2022/23 (37 units)**

Housing Association	Scheme Name	Location	Type	Need Group	Units	Onsite Year	Completion Year
Ark	Derrytrasna Road	Derrytrasna	New Build	General Needs	12	2020/21	2021/22
Ark	Derrytrasna Road	Derrytrasna	New Build	Wheelchair	2	2020/21	2021/22
Choice	Drumellan (NIHE Transfer)	Craigavon	New Build	Wheelchair	5	2020/21	2021/22
Clanmil	186 Ballynamoney Road	Lurgan	Existing Satisfactory Purchase	General Needs	1	2020/21	2021/22
Clanmil	186 Ballynamoney Road	Lurgan	New Build	General Needs	2	2020/21	2021/22
Clanmil	45-51 William Street	Lurgan	Rehabilitation	General Needs	8	2020/21	2021/22
Habinteg	Oak Lodge, Phase 2	Banbridge	Off The Shelf	General Needs	7	2020/21	2020/21

**Table 3: Social housing completions to-date in 2020/21 (3 units)**

Housing Association	Scheme Name	Location	Type	Need Group	Units	Onsite Year	Completed Year
South Ulster	46/48/50 Fort Street	Banbridge	Rehabilitation	CAT1 Elderly	3	2019/20	2020/21

Programmed schemes can be lost or slip to future programme years for a variety of reasons e.g. relating to delays in acquiring sites and/or failure to secure planning permission.

**Miss Woods** asked the Minister for Communities, pursuant to AQW 5150/17-22, (i) how foodbanks can avail of increased food supplies as part of the agreement with Fareshare; (ii) how food supplies will be distributed; and (iii) to detail the food assistance initiatives totalling £875,000.

**(AQW 5665/17-22)**

**Ms Ní Chuilín:** Our engagement with Fareshare is to support delivery of increased food supplies to community providers, including foodbanks. We are working with Fareshare, Councils and Voluntary and Community Sector partners to build on the food response developed during the emergency and to develop a distribution model specific to each Council area. In many cases this will reflect distribution from Fareshare to a number of hubs and then onward delivery to individual organisations.

The proposed assistance to Fareshare includes resource and capital funding to increase their capacity to collect, store and deliver food, as well as funding to purchase additional food items where surplus or donated stock is not sufficient

Other elements of support are at an early stage.

**Mrs Cameron** asked the Minister for Communities for an update on the provision of services from her Department, including for Universal Credit, via Video Relay Service for British Sign language and Irish Sign language users.

**(AQW 5686/17-22)**

**Ms Ní Chuilín:** My Department has been investigating options for a Video Relay Service which will provide both British and Irish Sign Language access for Universal Credit, Working Age Services and Discretionary Support. A number of options are being explored including the potential for a collaborative contract across a number of Departments or the extension of existing contacts for translation and interpretation. As you will appreciate we are moving out of Covid-19 contingency measures and securing a service may be subject to commercial procurement which takes time. However, my Department fully appreciates the urgency of providing accessible services for the deaf community. In the meantime, my Department has implemented an interim solution where Action for Hearing Loss and the British Deaf Association will advocate for the signing community, alerting my Department where an individual is having difficulty accessing services, my officials will then arrange an outbound Video Relay Service call to the individual.

**Ms Anderson** asked the Minister for Communities whether she will engage with Rainbow Child and Family Centre, Derry, to identify and explore potential funding options, in line with the submission of a robust business case, to advance plans to extend its car park and fence line.

**(AQW 5716/17-22)**

**Ms Ní Chuilín:** My officials continue to engage with Rainbow Child and Family Centre on the development of this project. I am pleased to learn that this project is well advanced however there is some delay as the group still needs to provide evidence to my Department of land transfer from Housing Executive. I have asked my officials to work with all involved to resolve this issue.

In making an application there is no guarantee of funding. All applications are subject to a robust economic appraisal and budget availability.

**Ms Anderson** asked the Minister for Communities whether she will work in partnership with the Housing Executive to implement a housing scheme which to renovate properties in Clooney Terrace, Dungiven Road and Duddy's Court.

**(AQW 5717/17-22)**

**Ms Ní Chuilín:** The Housing Executive recently undertook an Economic Appraisal for the properties in Clooney Terrace, Dungiven Road and Duddy's Court. This explored a range of potential investment options for the blocks. The Appraisal needs the approval of my Department and was submitted to it by the Housing Executive on 15th November 2019. DfC Officials are considering the appraisal and have asked for some further considerations from the Housing Executive. These are currently being explored.

**Ms Anderson** asked the Minister for Communities for an update on the options sent to her Department from the Culmore Community partnership on their plans to install a lift in Victoria Hall as to fully adhere to access regulations, so that the next phase of the development for their first floor facilities can be advanced.

**(AQW 5718/17-22)**

**Ms Ní Chuilín:** I am aware of Culmore Community Partnership's (CCP) plans to refurbish Victoria Hall into a multi-service community hub to meet the needs of the local community.

In December 2018, my Department agreed to provide £25,266 to meet a shortfall in the total funding package of £351,332 for the project. The Department of Agriculture, Environment and Rural Affairs (DAERA) was the main funder. In November 2019, CCP advised all funders of a range of additional unforeseen costs associated with their proposal including the installation of a lift.

My officials advised that, whilst the Department had no funding programmes open to which they could directly apply, CCP might be eligible for funding under the Access and Inclusion Programme which DfC delivers in partnership with DAERA and local Councils. CCP agreed to discuss their project with Derry City and Strabane District Council (DCSDC) and I understand that whilst initial discussions took place no formal application was submitted.

The 2020/21 Access and Inclusion Programme is due to launch in August 2020 and DCSDC has advised it would be willing to re-engage with CCP to discuss supporting increased accessibility at Victoria Hall.

## Department of Education

**Mr McCrossan** asked the Minister of Education to outline (i) what action his Department is taking to place the 285 Special Educational Needs pupils who have not been placed in a school for September 2020; and (ii) to provide a breakdown of the constituency they reside in.

**(AQW 5255/17-22)**

**Mr Weir (The Minister of Education):**

- (i) The Education Authority (EA) reports that, as at 20 July, 2345 children with statements of special educational needs had been successfully placed in primary, post-primary and special schools for the academic year commencing September 2020. 97 children remain to be placed in these settings.

The EA is continuing to work with my Department and the Council for Catholic Maintained Schools to ensure sufficient places are available for all children in accordance with their assessed needs as determined by their statement. This work will include increasing the capacity of a number of special schools and provision of funding to mainstream schools for teaching and non-teaching staff to support small groups of statemented pupils.

Planning has been underway for some time to increase the number of teaching spaces within the special school estate. Despite the delays in delivery caused by the COVID-19 pandemic, the EA has secured significant investment through the minor capital works budget to provide 25 classrooms across 14 schools for September 2020. Planning has also commenced on a larger programme of teaching accommodation delivery for September 2021.

- (ii) The EA is unable at present to provide a breakdown by constituency.

**Mr Lyttle** asked the Minister of Education whether there is sufficient capacity to accommodate the 285 children with a statement of special educational needs without a school place for September.

**(AQW 5260/17-22)**

**Mr Weir:** The Education Authority (EA) reports that, as at 20 July, 2389 children with statements of special educational needs had been successfully placed in primary, post-primary and special schools for the academic year commencing September 2020. 97 children remain to be placed in these settings.

The EA is working with my Department and the Council for Catholic Maintained Schools to ensure sufficient places are available for all children in accordance with their assessed needs as determined by their statement.

The EA has funded small classes for pupils with autism and other classes for pupils with learning and cognitive needs. For the 2020/21 academic year, plans are well advanced to allocate funding to 21 schools to establish additional classes.

In relation to increasing the capacity within special schools, the EA's minor capital works budget is also being used to provide the following improvements to 28 schools:

- the provision of additional modular accommodation;
- internal re-configuration of the existing school footprint, and/or;
- minor works to meet specific and individualised pupil need.

This work is progressing alongside longer term plans for two new buildings and twelve School Enhancement Programme schemes for existing special schools.

My Department will continue to work closely with the EA to secure an early and satisfactory resolution of this matter.

**Mr G Kelly** asked the Minister of Education for an update on the backlog in special educational needs assessment and statementing in North Belfast.

**(AQO 494/17-22)**

**Mr Weir:** The Education Authority (EA) has advised that, as of Friday 19 June 2020, there were 208 active statutory assessment / statementing cases within the Belfast North Constituency.

Through its Improvement Plan, the EA has been making significant progress in reducing the backlog of open statutory assessment cases exceeding 26 weeks, with particular focus on the longest standing cases.

**Miss Woods** asked the Minister of Education for an update on the Childcare Strategy.

**(AQO 507/17-22)**

**Mr Weir:** The aims of the Childcare Strategy are to improve child development and promote parental employment. The range of actions necessary to deliver these objectives will require Executive approval and a commitment to significant new and sustained funding.

The revised Strategy my Department has been working on, will take account of the current context for childcare and the policy priorities reaffirmed in the 'New Decade, New Approach'.

There are key policy and resourcing decisions needed including the consideration of the scope of any extended early education and childcare offer for children aged 3-4. With no allocation currently available for childcare within the DE budget, the full Ten Year Executive Strategy will require significant new and sustained investment by the Executive.

The level of funding made available will determine, to a large extent what can be achieved. The design, planning and phased implementation will take a number of years and may require primary legislation.

Since March of this year, the small Childcare Team in my Department has been solely focussed on the response to the Covid-19 pandemic. This work is ongoing and I do not envisage 'normal' work re-commencing on the Strategy for a number of months.

Having said that, it has not been lost time. There has been useful learning which will help shape our plans for the longer term. The importance of affordable childcare is acknowledged as an essential enabler for a thriving economy. I plan to bring forward a Strategy in due course subject to agreed Executive funding.

**Mr Carroll** asked the Minister of Education when children attending secondary school this year will have their statement of special educational needs published.

**(AQW 5411/17-22)**

**Mr Weir:** Statements of Special Educational Needs are not published.

Statements of Special Educational Needs and amended statements of Special Education Needs are issued to parents and schools throughout the year, as they are completed and ratified by the Education Authority.

In the case of those young people transferring to post primary provision this year, statements will continue to be issued to parents and schools as part of an ongoing programme of work over the course of the summer.

**Mr Lyttle** asked the Minister of Education how many special educational needs learning support units there are; and in which schools they are located.

**(AQW 5494/17-22)**

**Mr Weir:** There are 104 special educational needs learning support units and they are located as follows:

School	Provisions	Number of classes	School Type
Abbey Community College, Newtownabbey	LSC	2	Post Primary
Armagh Christian Brothers'	LSC	1	Primary
	ASC	1	
Ashfield Boys HS, Belfast	ASC	1	Post Primary
Ballykelly Primary, Limavady	SLC	1	Primary
Ballymoney High School	LSC	3	Post Primary
Ballymoney Model Controlled Integrated Primary	SLC	1	Primary
Ballyoran Primary, Portadown	LSC	1	Primary
Ballysally Primary, Coleraine	LSC	2	Primary
Banbridge High, Banbridge	LSC	3	Post Primary
Belvoir Park Primary, Belfast	SCU	3	Primary
	SLC	2	
Blackwater Integrated College, Downpatrick	MLD	3	Post Primary
Bloomfield Primary, Bangor	MLD	1	Primary
Carrick Primary, Lurgan	LSC	3	Primary
	SLC	2	
Carryduff Primary, Belfast	SCU	2	Primary
Castle Gardens Primary School, Newtownards	SLC	2	Primary
Castlewellan Primary	MLD	1	Primary
City of Armagh High, Armagh	LSC	2	Post Primary
	ASC	2	
Clounagh Junior High, Portadown	LSC	3	Post Primary
Colaiste Feirste, Belfast	ASC	1	Post Primary
Coleraine College, Coleraine	LSC	3	Post Primary
Cookstown High, Cookstown	LSC	2	Post Primary
Cookstown Primary, Cookstown	LSC	2	Primary
	ASC	2	
Cregagh Primary, Belfast	HIC	2	Primary
Cumran Primary, Downpatrick	SCU	2	Primary
Currie Primary, Belfast	LSC	1	Primary
	SLC	1	
D.H. Christie Memorial Primary, Coleraine	LSC	2	Primary
De La Salle Secondary School, Downpatrick	MLD	1	Post Primary
Downpatrick Primary, Downpatrick	LSC	3	Primary
Drumahoe Primary, Londonderry	LSC	1	Primary
	ASC	1	
Dunclug College, Ballymena	ASC	1	Post Primary
Dundonald High School, Belfast	MLD	3	Post Primary

School	Provisions	Number of classes	School Type
Dungannon Primary, Dungannon	ASC	1	Primary
	LSC	2	
Ebrington Primary, Londonderry	SLC	2	Primary
Edenbrooke Primary, Belfast	LSC	2	Primary
Edenderry Primary, Banbridge	LSC	3	Primary
Edenderry Primary, Portadown	LSC	2	Primary
	ASC	1	
Elmgrove Primary, Belfast	LSC	2	Primary
Enniskillen Model Primary, Enniskillen	SLC	2	Primary
Fort Hill College, Lisburn	SCU	4	Post Primary
Gibson Primary, Omagh	SLC	2	Primary
Glengormley High School, Newtownabbey	HIC	1	Post Primary
	ASC	1	
Glenwood Primary, Belfast	LSC	2	Primary
Harding Memorial Primary, Belfast	LSC	1	Primary
	ASC	1	
Harpur's Hill Primary, Coleraine	LSC	2	Primary
Holy Evangelist Primary School, Belfast	SCU	2	Primary
Holy Trinity Primary, Belfast	LSC	4	Primary
	HIC	1	
Holy Trinity Primary, Cookstown	LSC	2	Primary
Holy Trinity Primary, Enniskillen	ASC	1	Primary
	LSC	1	
Jones Memorial Primary, Enniskillen	LSC	1	Primary
	ASC	1	
Kilcooley Primary School, Bangor	ASC	1	Primary
Kilkeel High, Newry	LSC	1	Post Primary
Kilkeel Primary, Kilkeel	LSC	1	Primary
	ASC	1	
Knockbreda Primary, Belfast	MLD	2	Primary
Knockmore Primary, Lisburn	SLC	4	Primary
	SCU	3	
Larne High School, Larne	LSC	2	Post Primary
	ASC	1	
Lismore Comprehensive School, Craigavon	LSC	2	Post Primary
	ASC	1	
Lisneal College, Londonderry	LSC	2	Post Primary
	ASC	1	
Londonderry Model Primary	LSC	1	Primary
	ASC	1	
Magherafelt High School, Magherafelt	LSC	2	Post Primary



School	Provisions	Number of classes	School Type
Mercy College, Belfast	ASC	1	Post Primary
Moyle Primary, Larne	LSC	3	Primary
Omagh County Primary, Omagh	LSC	1	Primary
	ASC	1	
Our Lady of Lourdes High School , Ballymoney	LSC	3	Post Primary
Primate Dixon Memorial Primary, Coalisland	LSC	1	Primary
	ASC	1	
Priory College, Holywood	SCU	4	Post Primary
Scoil an Fuisseoige, Belfast	ASC	1	Primary
Seymour Hill Primary, Belfast	MLD	2	Primary
Sion Mills Primary, Strabane	SLC	1	Primary
Six Mile Integrated Primary, Antrim	LSC	2	Primary
St Anne's Primary, Derry	SLC	1	Primary
St Anthony's Primary, Craigavon	LSC	2	Primary
St Brigid's College, Carnhill, Londonderry	ASC	2	Post Primary
St Brigid's Primary, Ballymoney	LSC	2	Primary
St Brigid's Primary, Carnhill, Londonderry	LSC	1	Primary
	ASC	1	
St Ciaran's High, Dungannon	LSC	1	Post Primary
St Clare's Abbey Primary, Newry	ECPD	1	Primary
St Colman's Primary, Lisburn	MLD	2	Primary
St Colmcille's Primary, Downpatrick	LSC	2	Primary
St Joseph's College, Coalisland, Dungannon	LSC	2	Post Primary
	ASC	2	
St Joseph's College, Belfast	SEBD	4	Post Primary
St Joseph's Convent Primary, Newry	LSC	2	Primary
	ASC	1	
St Joseph's High, Crossmaglen, Newry	LSC	1	Post Primary
St Joseph's Primary, Bessbrook, Newry	LSC	2	Primary
	ASC	2	
St Kieran's Primary, Belfast	MLD	1	Primary
St Malachy's High School, Castlewellan	MLD	5	Post Primary
St Malachy's Primary, Castlewellan	LSC	3	Primary
St Mark's High, Warrenpoint, Newry	ECPD	1	Post Primary
St Mary's High School, Downpatrick	MLD	1	Post Primary
St Mary's Primary, Glenview, Maghera	LSC	2	Primary
St Mary's Primary School, Kircubbin	MLD	1	Primary
St Mary's Primary, Banbridge	LSC	2	Primary
	ASC	1	
St Patrick's Academy, Lisburn	MLD	2	Post Primary
St Patrick's College, Maghera	LSC	2	Post Primary

School	Provisions	Number of classes	School Type
St Patrick's College, Banbridge	LSC	2	Post Primary
St Patrick's Primary, Dungannon	LSC	1	Primary
	SLC	1	
St Paul's High, Bessbrook, Newry	LSC	3	Post Primary
St Teresa's Primary, Belfast	SLC	3	Primary
Tandragee Junior High, Tandragee	LSC	2	Post Primary
Taughmonagh Primary, Belfast	SLC	3	Primary
The Armstrong Primary, Armagh	LSC	2	Primary
	ASC	1	
The Good Shepherd Primary School, Belfast	SCU	2	Primary
The High School Ballynahinch, Ballynahinch	SCU	4	Post Primary
Towerview Primary, Bangor	MLD	1	Primary
Westwinds Primary, Newtownards	MLD	1	Primary

Autism Specific Class	ASC
Educational Centre for Physical Difficulties	ECPD
Hearing Impaired Class	HIC
Learning Support Class	LSC
Moderate Learning Difficulties	MLD
Social Communication Unit	SCU
Social, Emotional and Behavioural Difficulties Class	SEBD
Speech and Language Class	SLC

**Mr Lyttle** asked the Minister of Education to detail (i) how many children, who qualify as vulnerable because of their disability, applied for attendance at a special school via a special school, the Education Authority or social services; (ii) how many were placed; and (iii) how many were refused.

**(AQW 5544/17-22)**

**Mr Weir:** Throughout Covid-19 and until 30 June 2020, the Education Authority (EA) provided a school placement support process allowing parents/ guardians of vulnerable children and young people to request support in finding their child a place in special school. A number of children were also referred through health and a number of children were placed directly through the school.

In total, 247 children were placed. 209 referrals were identified through health. Of those, 40 placement offers were declined, 14 placements were not suitable or not required and 17 pupils were not placed.

**Ms Bunting** asked the Minister of Education to detail the role he plays in how the Education Authority allocates its budget.  
**(AQW 5613/17-22)**

**Mr Weir:** As Minister of Education, I decide on the priorities that can be funded from within my overall budget allocation, including the total Block Grant budget allocation for the Education Authority (EA).

The EA manages the allocation of its Block Grant budget across operational and service areas based on its financial evaluation, which is subject to the Department's assessment and approval.

**Ms Bunting** asked the Minister of Education to detail the Education Authority's budget allocation for Youth Services for the 2020/21 financial year; and how it compares to the previous financial year.  
**(AQW 5614/17-22)**

**Mr Weir:** The Education Authority's opening resource budget allocation for Youth Services for the 2020/21 financial year was £32,986k. This includes £300k for proposed mental health and emotional wellbeing support services delivered by the Youth Service in schools in addition to the main allocation.

At the comparable stage of the 2019/20 financial year the budget was £32,641k.

**Mr O'Dowd** asked the Minister of Education for a breakdown of the percentage of pupils claiming free school meals in each (i) primary school; post-primary school; and (iii) grammar school in the Upper Bann constituency for the last academic year. (AQW 5643/17-22)

**Mr Weir:** The percentage of pupils attending schools in the Upper Bann constituency that are entitled to free school meals can be found in the tables below.

(i) Primary Schools in the Upper Bann constituency 2019/20

School Name	% Pupils entitled to free school meals
Lurgan Model Primary School	32.6%
King's Park Primary School Lurgan	19.0%
Carrick Primary School	41.7%
Hart Memorial Primary School	34.6%
Rich Mount Primary School	20.4%
Birches Primary School	11.3%
Edenderry Primary School	27.4%
Tullygally Primary School	45.9%
Abercorn Primary School	27.0%
Gilford Primary School	20.4%
Waringstown Primary School	7.2%
Bleary Primary School	17.2%
Milltown Primary School	26.2%
Scarva Primary School	16.4%
Maralin Village Primary School	10.8%
Edenderry Primary School	24.3%
Millington Primary School	31.4%
Dickson Primary School	39.7%
Drumgor Primary School	37.7%
Ballyoran Primary School	46.1%
Bocombra Primary School	5.1%
Donacloney Primary School	16.1%
Moyallon Primary School	5.5%
Tannaghmore Primary School	24.0%
St Teresa's Primary School	29.8%
St Mary's Primary School, Maghery	13.6%
St Patrick's Primary School, Aghacommon	13.6%
St Anthony's Primary School	32.7%
St Patrick's Primary School, Magheralin	6.1%
St John's Primary School	20.6%
St Patrick's Primary School, Derrnaseer	15.3%
St Mary's Primary School, Derrymore	5.7%
St Mary's Primary School, Derrytrasna	9.3%
St Mary's Primary School, Banbridge	23.8%
St Brendan's Primary School	36.3%
St John the Baptist Primary School	28.0%

School Name	% Pupils entitled to free school meals
St Colman's (Bann) Primary School	16.3%
St Francis' Primary School Aghderg	23.5%
Presentation Primary School	23.6%
St Francis Primary School	27.6%
Seagoe Primary School	7.9%
Bridge Integrated Primary School	22.8%
Portadown Integrated Primary School	16.4%

**Source:** NI school census

(ii) Non Grammar schools in the Upper Bann constituency 2019/20

School Name	% Pupils entitled to free school meals
Clounagh Junior High School	28.4%
Banbridge High School	32.5%
Killicomaine Junior High School	16.5%
Lurgan Junior High	18.7%
Craigavon Senior High School	29.6%
St Patrick's College	33.9%
Lismore Comprehensive School	34.8%
St John the Baptist College	45.4%
Brownlow Int College	45.2%
New-Bridge Integrated College	25.4%

**Source:** NI school census

(iii) Grammar schools in the Upper Bann constituency 2019/20

School Name	% Pupils entitled to free school meals
Banbridge Academy	4.7%
Lurgan College	11.4%
Portadown College	11.1%
St Ronan's College	23.6%

**Source:** NI school census

**Ms Dolan** asked the Minister of Education whether he will consider allocating more resources to the Education Restart Programme to enable schools to adapt to the new normal.

**(AQW 5645/17-22)**

**Mr Weir:** I acknowledge that additional support may be necessary (e.g. PPE, some additional staffing, etc.) to support the re-opening of schools. Efforts are under way, in conjunction with the Education Authority, as schools' funding authority, to quantify the potential additional costs of the Restart Programme; options will be brought to me for a view and my Department will engage with the Department of Finance to highlight these pressures at the earliest opportunity. There is presently no additional funding in the Education budget to address the level of pressures anticipated.

It is likely that any such bids will have to be discussed at Executive level where they will be considered in the context of the overall funding available and in conjunction with other bids received from across all departments. We are operating in a fluid and changing environment where a critical balance needs to be struck between the risk of taking a short-term view of issues and meeting the longer-term objective of a return to a full, business as usual footing. Any arrangements put in place by schools should be implemented in a manner that is flexible and capable of being unwound relatively quickly should the position change.

My Department is keeping all of these issues under review and any change in circumstances or funding arrangements will be communicated to schools as a priority.

**Ms C Kelly** asked the Minister of Education for an update on whether a School Patrol Officer for Christ the King Primary School, Omagh, will be in place for school returning.

**(AQW 5655/17-22)**

**Mr Weir:** A School Crossing Patrol person has been appointed to fill the vacant post at Christ the King Primary School and commenced duty on 9th March 2020. The School Crossing Patrol person will be available for duty for the commencement of the new school year.

**Mr O'Toole** asked the Minister of Education whether the provision for testing for COVID-19 will be made available for under 5's to permit parents to return to a normal working pattern and children to return to school safely if tested negative.

**(AQW 5668/17-22)**

**Mr Weir:** The responsibility for COVID-19 testing rests with the Department of Health.

The Department of health has advised that testing for under 5s has been made available from the 16th July 2020 through the National Testing Programme in Northern Ireland.

There are two options for booking tests at Test Sites in Northern Ireland:

1 Via the internet at

<https://www.publichealth.hscni.net/covid-19-coronavirus/testing-and-tracing-covid-19/testing-covid-19#testing-for-the-members-of-the-public>

2 By ringing 119

Further information can be found on the Public Health Agency website.

**Mr O'Toole** asked the Minister of Education to detail the mitigations his Department will deliver to parents who are now facing extra childcare costs due to some schools only returning children on a one to two day basis, in contrast to their normal five day school week.

**(AQW 5669/17-22)**

**Mr Weir:** As schools begin to reopen, it will be important to ensure that there is alignment between school restart plans and childcare provision so that the impact on working parents is kept to a minimum.

On 30 June, the Executive announced £10.5m for the childcare sector to support childcare recovery in line with the Executive Recovery Plan. The Childcare Recovery Support Scheme, which will be launched in July and will support the re-opening of childcare provision in July and August 2020 to ensure childcare is available for more parents who need it.

Advice and support for parents on finding a suitable childcare place, and the financial support available, can be accessed on the Family Support NI website at the following link: <https://www.familysupportni.gov.uk>.

Whilst the aim, expressed and supported by many teachers, parents and young people, is to get as many pupils back to classroom teaching as quickly as possible in September with some schools able to accommodate all pupils, there will be circumstances where, due to small classrooms and other limitations, it may not be possible for all schools to move towards this at the same rate and therefore minimum levels will apply with the balance to be provided through blended learning.

My overriding aim remains a full return for every pupil to classroom learning full time. The restart arrangements that I have outlined reflect the current position, but my hope remains that, if the wider public health situation continues to improve, further decisions will be able to be taken before the start of the new term to enable schools to resume classroom teaching for all students full time, subject to protections to mitigate risk and protect public health.

**Mr Dickson** asked the Minister of Education what advice his Department is giving to school principals for students returning from a holiday outside Northern Ireland, when schools reopen in late summer.

**(AQW 5674/17-22)**

**Mr Weir:** In line with Public Health advice, where a student is required to self-isolate after travelling abroad, they should not attend school. Where possible, schools should put in place arrangements to enable individuals to study remotely during any isolation period.

It is appreciated that the situation concerning travelling outside the Common Travel Area is uncertain at this time and official advice may change. All schools and students should continue to ensure they follow the current Department of Health and Public Health Agency regulations and guidance.

**Mr McNulty** asked the Minister of Education whether (i) he will consider introducing a program similar to the £320million Physical Education and Sport Premium announced by the UK Education Minister which guarantees children 60 minutes of sport and physical education each day; and (ii) there is any related funding due to the Executive under Barnett consequentials.

**(AQW 5677/17-22)**

**Mr Weir:** Physical activity contributes to a range of wider government strategies including “Making Life Better 2013-2023” the Executive’s 10 year overarching strategic framework for public health and “Sport Matters: The Northern Ireland Strategy for Sport & Physical Recreation” (Department for Communities). Together, these strategies have a number of actions to improve health and wellbeing and reduce inequalities in health whilst empowering the population to make healthy lifestyle choices. Physical Education (PE) and sport also contribute to the Programme for Government outcome 12 – “We give our children and young people the best start in life.”

My Department is the policy lead for PE in schools; however, the issue of sport and physical activity in general is a cross-cutting one. Therefore, decisions regarding funding for a programme of this nature would be for the Executive to determine. I understand the announcement of the premium for 2020-21 is a continuation of the funding provided in 2019-20 so there may be no Barnett consequential to be realised.

**Mr McNulty** asked the Minister of Education to provide (i) an update on the plans for the redevelopment of Bunscoil an Lúir; (ii) confirmation of the site selected for the new development; (iii) an update on the capital budget allocated; and (iv) a timeframe for the development of the new build.

**(AQW 5678/17-22)**

**Mr Weir:**

- (i) There are currently no plans for redevelopment of Bunscoil an Lúir;
- (ii) The Department has agreed to undertake a further site search on behalf of the school as part of long term planning for the potential future redevelopment of the school;
- (iii) No capital has been allocated to redevelopment though, where required, minor works will continue to be undertaken at the existing site;
- (iv) I am unable to give any definitive timescale for a new build as the school has not yet been selected and announced on a major capital works list.

**Ms Bunting** asked the Minister of Education what guidance has been issued to youth workers from the community and voluntary sector regarding the recommencement of their work; and, if none to date, will she move to address this as a matter of urgency.

**(AQW 5700/17-22)**

**Mr Weir:** Guidance to support safe working in educational settings, including youth work settings was published on 9 June 2020.

The Education Authority (EA) Youth Service published the following supplementary guidance on restarting youth services on Tuesday 7 July 2020:

- Youth Restart - providing organisational guidance and support based on the Northern Ireland Executive’s Pathway to Recovery.
- Best practice Guide for staff on a safe return to Restarting Youth Service - providing detailed guidance on managing and supporting youth staff returning to the workplace.
- Welcoming Youth, Supporting the Restarting of Youth Services - providing guidance and support to young people returning to youth services.
- Coping with Change - a personal development programme and resources to support the return of young people to youth services.

In addition, an EA training webinar will be available in August 2020 based on the documents provided, supported by open meetings (via zoom) to deal with queries and questions raised by voluntary organisations management committees based on their re-engagement with their children, young people, staff and the wider community.

**Mr Stalford** asked the Minister of Education when detailed guidance will be issued for home to school transport with appropriate clarity on conforming to public health regulations currently in force.

**(AQW 5702/17-22)**

**Mr Weir:** My officials are working with colleagues in the Department for Infrastructure and the Education Authority to explore how home to school transport can be safely delivered within the current social distancing restrictions and other public health guidance. It is my intention to publish guidance on this issue in the near future.

**Mr Stalford** asked the Minister of Education whether his Department intends to provide catch up funding to schools similar to that being delivered in England, and, if so, what the timeframe and level of such funding will be.

**(AQW 5705/17-22)**

**Mr Weir:** With the NI Executive’s support, I have implemented a number of different initiatives to help support children with their learning.

Over the summer, I have supported approximately 50 primary schools with the provision of Summer Schools which will enable children to begin to socialise again and be re-introduced to learning with fun enjoyable activities both inside and outside the classroom. I have also provided funding to all Year 6 pupils entering Year 7 to access on-line resources over the next year in both literacy and numeracy.

In consultation with stakeholders, officials are developing the “Engage” programme for children and young people in primary and post-primary schools when they return in the autumn. Engage will help all pupils but particularly those from disadvantaged backgrounds who would most benefit from additional support to engage with learning following the COVID-19 lockdown period. The programme will broadly focus on supporting engagement with learning through the development of knowledge, understanding and skills in literacy and numeracy which are at the core of our curriculum.

The total budget for these initiatives is £12m.

**Ms Hunter** asked the Minister of Education to detail (i) what aspects of climate change education are currently in the curriculum; and (ii) whether he plans to include more education on climate change.

**(AQW 5720/17-22)**

**Mr Weir:** Climate change is covered within the curriculum via the World Around Us at primary school and through the Environment and Society area of learning at Key Stage 3. Within these areas of learning pupils explore environmental and climate change; how to exercise environmental stewardship; develop an understanding of the need for environmental change to be sustainable; gain an understanding of the interdependence of society, the economy and the environment; and develop respect for the needs of present and future generations and the importance of securing a sustainable environment.

This provides a standardised statutory minimum entitlement, which all children must receive. Beyond the minimum content, schools have the flexibility to decide which resources or programmes they use to support delivery of the curriculum and adopt approaches that best suit their pupils.

At Key Stage 4 and post-16 pupils also have the opportunity to pursue qualifications that explicitly cover issues relevant to climate change.

I do not have any immediate plans to increase the climate change curriculum. However, my Department will be supporting the Executive's commitment to develop a strategy to address immediate and longer term impacts of climate change and will review any educational outcomes arising from this work.

**Mr Givan** asked the Minister of Education to list the schools that were successful in their application to the latest capital works call which closed on 31 October 2019; and to detail the total investment relating to the (i) Voluntary Grammar; (ii) Grant Maintained Integrated; (iii) Irish Medium; (iv) Catholic Maintained; and (v) Controlled sectors.

**(AQW 5730/17-22)**

**Mr Weir:** The schools announced to progress in design under the latest call announced on 23 June 2020, broken down by sector as requested, with associated investment (estimated costs subject to full business case proposals) are as follows:

- (i) Voluntary Grammar Schools – Total Estimated Investment £20.7m
  - St Louis Grammar School
- (ii) Grant Maintained Integrated Schools
  - No successful submissions
- (iii) Irish Medium Schools
  - No successful submissions
- (iv) Catholic Maintained Schools – Total Estimated Investment £123.2m
  - Holy Trinity Primary School, Enniskillen
  - St Catherine's Primary School, Strabane
  - St Mary's Primary School, Craigavon
  - All Saints College
  - Blessed Trinity College
  - St Conor's College
  - St Patrick's College, Maghera
- (v) Controlled School – Total Estimated Investment £12 million
  - Tandragee Junior High School

**Mr McGrath** asked the Minister of Education whether (i) children will now be required to have two full school uniforms for the new academic year to ensure a clean uniform every day; and (ii) provision for this will be included within the uniform grant.

**(AQW 5775/17-22)**

**Mr Weir:** The wearing of a school uniform is not governed by legislation but falls to schools to determine. The Department has issued guidance to schools in developing their uniform policies which encourages schools to consider the views of parents, pupils and the school community. The Department would encourage schools to show flexibility around the issue of school uniforms in these extraordinary times.

Financial assistance is available through the Education Authority's Clothing Allowance Scheme for eligible pupils at grant-aided primary and post-primary schools, or day pupils at special schools, towards the cost of school uniforms and appropriate clothing suitable for PE. The eligibility criteria is similar to those used for free school meals.

The issue of uniforms was considered and advice issued as part of the New School Day Guidance: <https://www.education-ni.gov.uk/news/weir-publishes-guidance-new-school-day>. The guidance states that while Coronavirus can land on fabrics and remain for some time, schools are not a high risk environment and while all children and young people should be encouraged to wear clean uniform or fresh clothes each day, this is not essential. On this basis the Department does not consider children will need to have two full school uniforms for the new school year and there will therefore be no change to the current Clothing Allowance scheme.

## Department of Finance

**Mr McNulty** asked the Minister of Finance whether he will (i) update the Building Regulations to make Changing Places Toilet Provision a mandatory requirement for any new build public buildings; and (ii) bring forward legislation making the retro fitting of Changing Places Toilet Provision mandatory.

**(AQW 5676/17-22)**

**Mr Murphy (The Minister of Finance):**

- (i) I have tasked my Department's Building Standards Branch with incorporating mandatory requirements for Changing Place Toilets into local Building Regulations.
- (ii) Building Regulations are only applicable at the time that building work takes place and cannot apply retrospectively. Retro-fitting is a matter for the Department for Communities

## Department of Health

**Mr Carroll** asked the Minister of Health when fertility treatment at the Regional Fertility Centre in Belfast will resume.  
**(AQW 4822/17-22)**

**Mr Swann (The Minister of Health):** I can only provide information on publicly-funded treatment provided by the Regional Fertility Centre (RFC) in the Belfast Trust.

I launched the Strategic Framework for Rebuilding Health and Social Care Services on 9 June 2020. The focus will be on re-starting urgent services first. However, I have made it clear that I also consider re-instatement of fertility services to be a priority and the Trust is working to put plans in place to enable the service to recommence as soon as possible.

**Mr Sheehan** asked the Minister of Health how many staff in each Health and Social Care Trust have been affected by being improperly FIT tested, due to differences in standard of test.  
**(AQW 5169/17-22)**

**Mr Swann:** The HSC system is carrying out a validation and audit exercise of all fit-tests conducted by an independent contractor.

To date over 37,000 fit-testing certificates have been reviewed. Of this 2,802 staff have been identified as needing re-test.

It is anticipated retesting of staff will be concluded within the next two weeks.

**Ms Sheerin** asked the Minister of Health where reflexologists, who act as independent health professionals as opposed to carrying out spa-like complimentary therapies, are placed in the timeline for the easing of lockdown.  
**(AQW 5187/17-22)**

**Mr Swann:** The Health Protection (Coronavirus Restrictions) Regulations (Northern Ireland) 2020 were amended to permit the resumption of close contact services including hairdressers, barbers, beauty salons and nail bars, tattoo studios and massage therapies from 6 July 2020. Given the nature of Reflexology, it is therefore considered a close contact service and is therefore permitted to re-open.

The UK government has also published guidance for close contact businesses which you may find helpful and is available at:

<https://assets.publishing.service.gov.uk/media/5ef2889986650c12970e9b57/Keeping-workers-and-clients-safe-during-covid-19-close-contact-services-230620.pdf>.



**Mr Gildernew** asked the Minister of Health for his assessment of the concerns that Health and Social Care staff offered COVID-19 antibody tests, may have their applications for mortgages or critical life insurances declined or deferred as a result of the test.

**(AQW 5273/17-22)**

**Mr Swann:** I am encouraged by the joint statement from the Association of British Insurers and the British Medical Association on 19 June 2020 that there should be no detriment to healthcare workers and no one should be discouraged from having a test.

**Mr Dickson** asked the Minister of Health, in regards to drive-through COVID-19 testing, to detail (i) the qualifications of staff conducting patient contact swab tests; (ii) whether a medically qualified doctor is always on site; (iii) the percentage of failed tests of completed tests; and (iv) whether the results for each person tested have been shared with their GP, and for an explanation if this is not the case.

**(AQW 5336/17-22)**

**Mr Swann:**

- (i) Staff working at the fixed testing sites in Northern Ireland come from a variety of non-healthcare backgrounds. Staff perform a facilities management function only and do not complete the swabbing of test subjects on site. They are fully trained to complete the role of working on the national testing programme which is a self-swab service. Staff training includes infection control, use of personal protective equipment (PPE), site management, use of test kits and packaging requirements. Staff deemed competent following training will work within the standard operating procedure of the National Testing Programme;
- (ii) There are no medical staff on site in keeping with the requirements of a self-administered testing facility. All on-site staff are regularly supervised by the on-site team leaders and there is one trained First Aider on site each day;
- (iii) Testing undertaken through the National Testing Programme is co-ordinated by the Department of Health and Social Care in London. Data in relation to people tested in Northern Ireland is provided daily by NHS Digital to the data warehouse in our regional Business Service Organisation. Information available in the data warehouse at 9 July indicates a calculated void rate of 4%. A specific 'void protocol' is operated by the National Testing Programme and people are offered repeat testing if appropriate through this protocol;
- (iv) From the 9 July, results of tests undertaken through the National Testing Programme are linked to the test subject's individual Northern Ireland Electronic Care Record (NIECR) and are therefore accessible to the person's GP. It is anticipated that a process to upload historical test results to the NIECR will start week commencing 20 July.

**Ms S Bradley** asked the Minister of Health to detail (i) the anticipated date, or stage in the COVID-19 recovery, when full in vitro fertilisation (IVF) provision will resume; (ii) plans to make three cycles of IVF available on the NHS; (iii) what consideration his Department has given to developing a short-term measure to ensure timely access to treatment is made available for women aged between 35 years and up to the threshold age of 40.

**(AQW 5338/17-22)**

**Mr Swann:**

- (i) I can only provide information on publicly-funded IVF treatment provided by the Regional Fertility Centre (RFC) in the Belfast Trust.  
  
I launched the Strategic Framework for Rebuilding Health and Social Care Services on 9 June 2020. The focus will be on re-starting urgent services first. However, I have made it clear that I also consider re-instatement of fertility services to be an important priority and I have asked the Trust to put plans in place to enable the service to recommence as soon as possible.
- (ii) I am pleased that the New Decade, New Approach Agreement committed to providing three funded IVF cycles for eligible women. I announced, prior to the COVID-19 pandemic, my plans to establish a Project Board to take the commitment to increasing the number of publicly-funded IVF cycles forward, and although representatives to the Project Board have been nominated from the relevant areas, due to the essential temporary reconfiguration across the HSC system to ensure continuity of provision of essential healthcare services for the duration of the COVID-19 pandemic, progress on this important issue has unfortunately been temporarily delayed.
- (iii) It is not possible on equality grounds to expedite treatment for older women, as this could be seen as unfair for younger patients. Women must therefore be seen in chronological order. However, in recognition of the distress caused to women who are currently waiting for treatment at the RFC, the eligibility for anyone currently on the waiting list will be extended by a year, due to the delays caused by the COVID-19 pandemic. This will reduce the pressure for women who would otherwise breach the upper age limit before receiving treatment. This temporary extension to the age limit will only apply to women currently on the waiting list.

**Mr Givan** asked the Minister of Health whether he plans to follow NHS England and introduce the Cystic Fibrosis drug Kaftrio in Northern Ireland.

**(AQW 5368/17-22)**

**Mr Swann:** I very much welcomed the announcement that a deal had been agreed that will allow patients to access the triple combination treatment Kaftrio for cystic fibrosis. I have asked the Health and Social Care Board to immediately commence negotiation with the manufacturer Vertex Pharmaceuticals and look forward to a successful outcome.

**Mr Carroll** asked the Minister of Health what conversations took place between his office, the PSNI and the Department for Justice regarding the events that led up to the implementation of The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (NI) 2020.

**(AQW 5412/17-22)**

**Mr Swann:** I can confirm that no meetings took place between officials in my Department and officials in the Department of Justice or the PSNI in relation to the making of The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 on 5 June 2020.

On the morning of 5 June 2020, the Departmental Solicitors Office advised that on reviewing the draft Amendment No. 5 Regulations, it was noticed that provision for breach of regulation 6A (outdoor gatherings of up to 6 people) to be an offence had been omitted when the regulation was inserted by Amendment No. 3 Regulations, which came into operation at 11pm on 19 May 2020. The drafting error was corrected by way of a technical amendment included in the Amendment No. 5 Regulations, which came into operation at 11pm on 5 June 2020. Officials in the Department of Justice and the PSNI were advised of the position by e-mail on the day that the error came to light and were further advised that the error would be addressed by way of an amendment to the Regulations to be commenced later that day.

I can confirm that I have had no meetings with officials in relation to the making and signing of the Amendment No. 5 Regulations. I received a written briefing bringing the drafting error in the Amendment No. 3 Regulations and the subsequent action taken to my attention on 12 June 2020.

**Mr Carroll** asked the Minister of Health whether minutes were taken in any of the meetings between senior officials in his Department which discussed the implementation of the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (NI) 2020; and whether he will publish these minutes.

**(AQW 5413/17-22)**

**Mr Swann:** I can confirm that no meetings took place between officials in my Department and officials in the Department of Justice or the PSNI in relation to the making of The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 on 5 June 2020.

On the morning of 5 June 2020, the Departmental Solicitors Office advised that on reviewing the draft Amendment No. 5 Regulations, it was noticed that provision for breach of regulation 6A (outdoor gatherings of up to 6 people) to be an offence had been omitted when the regulation was inserted by Amendment No. 3 Regulations, which came into operation at 11pm on 19 May 2020. The drafting error was corrected by way of a technical amendment included in the Amendment No. 5 Regulations, which came into operation at 11pm on 5 June 2020. Officials in the Department of Justice and the PSNI were advised of the position by e-mail on the day that the error came to light and were further advised that the error would be addressed by way of an amendment to the Regulations to be commenced later that day.

I can confirm that I have had no meetings with officials in relation to the making and signing of the Amendment No. 5 Regulations. I received a written briefing bringing the drafting error in the Amendment No. 3 Regulations and the subsequent action taken to my attention on 12 June 2020.

**Mr Carroll** asked the Minister of Health whether he had any contact, conversations or meetings with the senior civil servant who signed off on The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (NI) 2020 on the 5 June 2020, in relation to the signing off of this piece of legislation on this date.

**(AQW 5414/17-22)**

**Mr Swann:** I can confirm that no meetings took place between officials in my Department and officials in the Department of Justice or the PSNI in relation to the making of The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 on 5 June 2020.

On the morning of 5 June 2020, the Departmental Solicitors Office advised that on reviewing the draft Amendment No. 5 Regulations, it was noticed that provision for breach of regulation 6A (outdoor gatherings of up to 6 people) to be an offence had been omitted when the regulation was inserted by Amendment No. 3 Regulations, which came into operation at 11pm on 19 May 2020. The drafting error was corrected by way of a technical amendment included in the Amendment No. 5 Regulations, which came into operation at 11pm on 5 June 2020. Officials in the Department of Justice and the PSNI were advised of the position by e-mail on the day that the error came to light and were further advised that the error would be addressed by way of an amendment to the Regulations to be commenced later that day.

I can confirm that I have had no meetings with officials in relation to the making and signing of the Amendment No. 5 Regulations. I received a written briefing bringing the drafting error in the Amendment No. 3 Regulations and the subsequent action taken to my attention on 12 June 2020.

**Ms Flynn** asked the Minister of Health whether he plans to review the number and funding of public health awareness campaigns by the Public Health Agency, as part of the future rebuilding health of services.

**(AQW 5441/17-22)**

**Mr Swann:** There are currently no plans to change the funding available or number of public health awareness campaigns that the PHA will take forward. The PHA has a recurrent budget commitment to Communication Campaigns and submits a planned programme each year to the DoH for consideration as part of the Executive Advertising programme. There is considerable demand for campaign support from a wide range of subject matters which means that they have to prioritise what can be delivered year to year.

**Mr Sheehan** asked the Minister of Health to list each issue his Department (i) has commissioned; and (ii) is still formally considering commissioning, an independent investigation, or public inquiry, into since January 2020.

**(AQW 5457/17-22)**

**Mr Swann:** Since January 2020, I

- (i) have commissioned a review into the RQIA Board resignations; and
- (ii) am still considering issues relating to Muckamore and the funding of adult learning disability services in the Western Trust.

**Mr Gildernew** asked the Minister of Health (i) to provide the number of reported adverse reactions among pregnant women to the epilepsy drug Sodium Valproate, over the last three years; (ii) what dedicated pathways have been put in place for those affected; and (iii) whether he plans an independent inquiry into this drug.

**(AQW 5473/17-22)**

**Mr Swann:**

- (i) Significant progress has been made across Northern Ireland over the past three years to implement the Medicines and Healthcare products Regulatory Agency's (MHRA) Valproate Pregnancy Prevention Programme (PPP), which aims to help identify and educate women of childbearing age on the risks of sodium valproate during pregnancy, and this has included a 24% reduction in the number of women aged 10-55 years taking valproate between January 2016 and December 2019. The Public Health Agency (PHA) has established a Valproate Working Group which is working with each of the HSC Trusts in Northern Ireland on the implementation of this programme.

There is currently no mechanism, either locally, nationally or internationally, for systemic data collection on the number of children affected by sodium valproate in utero or to detect all adverse events occurring to the offspring of women taking prescribed medicines during pregnancy. This is the case for all anti-epileptic drugs, including sodium valproate. Estimates for the number of children who are still being affected by sodium valproate vary, with UK wide estimates from voluntary registries of the number of children who are exposed to valproate in utero each year varying between 176 and 336 per year. Of these, the available evidence indicates that use of sodium valproate in pregnancy is associated with a 40% risk of persistent neurodevelopmental disorders and a 10% risk of physical birth defects.

- (ii) Services exist to provide support to all disabled children and their families, such as child development teams, which would include those children who have been affected by in utero exposure to sodium valproate.
- (iii) My Department does not have any specific plans for an independent inquiry into sodium valproate. I am aware of the recent publication on 8th July 2020 of the Independent Medicines and Medical Devices Safety Review Report, which has highlighted the failure of the healthcare system in a number of areas, including the need to listen and understand patients' voices and their concerns raised around certain treatments including sodium valproate.

While the focus of the report is on the healthcare system in England, I recognise that many women from here took the time to submit their experience and it is relevant to our service. My Department will give this review report the full and careful consideration it deserves within the local and national context, and will continue to engage with colleagues in the PHA and across the UK including the MHRA in this regard.

**Ms Kimmins** asked the Minister of Health to outline the capacity of respite for children and adults with learning disabilities in the Southern Health and Social Care Trust pre- and post-COVID-19.

**(AQW 5485/17-22)**

**Mr Swann:** The Southern Health and Social Care Trust are stepping up short breaks for adults with learning disability from 14 July, however prior to COVID-19 the Southern Health and Social Care Trust had 28 beds available to use for short breaks with most of these being provided by independent sector care homes. These homes are now no longer in a position to offer these beds due to Covid-19 and the risk of introducing new people into an environment where there are already vulnerable people. As a result the Trust now only have 4 beds at their disposal.

Whilst this will inevitably have an impact on carers, the Trust are continuing to try and increase the capacity of the available beds however they are being guided by the care homes. The Trust will also endeavour to look at all the options for carers to see what other types of short break they might benefit from.

**Mr Carroll** asked the Minister of Health when all services, that existed before the COVID-19 pandemic, will return to the Mater Hospital.

**(AQW 5490/17-22)**

**Mr Swann:** You will be aware that on 9 June 2020 I published the Strategic Framework for Rebuilding Health and Social Care Services and the Phase 2 Rebuilding Plans (covering the period July – September 2020) on 10 July.

The key aim is to incrementally increase HSC service capacity as quickly as possible across all programmes of care within the prevailing COVID-19 conditions.

The Mater Hospital will continue as the Belfast HSC Trust's COVID-19 Hospital and will also treat non-COVID emergency patients (arriving by ambulance only) and emergency medical admissions.

The Phase 2 Recovery Plan highlights other areas where services may return to the Mater during the period covered by the Plan. Other services temporarily transferred from the Mater will continue to be delivered at other sites at present.

**Mr Durkan** asked the Minister of Health to detail the average waiting times for assessment by an occupational therapist in each Health and Social Care Trust.

**(AQW 5496/17-22)**

**Mr Swann:** Information on the average waiting times for assessment by an occupational therapist is not available, however information on waiting times (in bands) for completed waits is collected. Please find information detailed below.

Table 1. Number of completed waits for an assessment by an occupational therapist, by waiting time-bands, in each Health and Social Care Trust, as at 31 May 2020.

HSC Trust	0-3 weeks	3-6 weeks	6-9 weeks	9-13 weeks	Over 13 weeks
Belfast	184	166	116	458	762
Northern	374	202	167	406	1,021
South Eastern	230	102	93	342	700
Southern	156	86	88	244	2,344
Western	184	116	81	354	1,730

**Source:** Health and Social Care Board

**Mr Durkan** asked the Minister of Health what actions his Department is taking to support Health and Social Care Trusts in recruiting staff to tackle regional shortages in occupational therapists.

**(AQW 5497/17-22)**

**Mr Swann:** My Department has been supporting the Occupational Therapy workforce by significantly increasing the number of undergraduate pre-registration training places commissioned it commissions each year. The expansion by five places, effective for the September 2020 intake, which I recently announced, means that the annual training places for that profession has grown by 37.5% since 2007/08, bringing the total number of commissioned places to 55.

In addition, my Department is nearing the completion of a regional workforce review of HSC's long-term requirements for Occupational Therapists. This will provide significant evidence to inform the future level of pre-registration training commissioning.

**Mr McGrath** asked the Minister of Health what work has been undertaken by his Department's racial equality champion in the last five years.

**(AQW 5500/17-22)**

**Mr Swann:** The Department of Health (DoH) Racial Equality Champion was appointed in January 2017. The Champion position is to ensure that all the policies and operational practices of their department and agencies take account of the aims and principles of the strategy and to:

- communicate to all staff the racial equality strategy and the Department's commitment to it;
- ensure that staff have an awareness and understanding of racial equality and issues arising for specific action within the Department's policy and operational areas;
- cascade the strategy to non-departmental public bodies and other service providers and encourage and/or work with them to ensure its effective implementation; and
- to share knowledge, expertise and good practice with others.

The first meeting of the NICS Racial Equality Champions Network took place on 10 October 2017. The DoH Racial Equality Champion also represents the department at meetings of the Executive Racial Equality Sub-group and works with members as their single point of contact in DoH. This has enabled the Champion to build relationships with people working with or representing minority ethnic people and migrants, including representatives of refugees and asylum seekers.

The DoH Racial Equality Champion is a member of the Public Health Agency organised Regional Traveller Health and Wellbeing Forum and has been directly involved with the project on A Rationale for the Collection of Disaggregated Data on Ethnicity by Public Authorities in Northern Ireland.

The DoH Racial Equality Champion is the 'go to' person within the Department for issues of diversity and racial equality, raising awareness across the Department by publishing articles in the staff e-zine 'The Pulse' and on the intranet, including for example: World Refugee Day; International Roma Day; World Day for Cultural Diversity, for Dialogue and Development. As part of this raising awareness role, the DoH Racial Equality Champion produced a video profile to explain their role in promoting racial equality and social inclusion, to increase understanding of racial equality and to mainstream into all DoH policy and practices. Link to video: [https://youtu.be/Ub\\_s1aJZu9o](https://youtu.be/Ub_s1aJZu9o)(external link opens in a new window / tab)

In March 2018, as part of the NICS Racial Equality Champions Network, the DoH Racial Equality Champion visited Scotland and Leeds to learn from their experiences in order to help improve policy understanding and development in Northern Ireland.

In May 2018, as part of the UK-wide UN mission to assess the authorities' efforts in eliminating racism, racial discrimination, xenophobia and related intolerance, the DoH Racial Equality Champion met with the UN Special Rapporteur to outline what the department and the wider Health and Social Care System was doing to tackle these serious issues.

Since 2018 the DoH Racial Equality Champion has also led the Departments response to EU Exit which has meant less time has been spent on racial equality matters, although the raising awareness role has remained paramount.

**Mr Robinson** asked the Minister of Health to outline the dangers to the Health Service of a rise in the R number and second wave of COVID-19 infections.

**(AQW 5508/17-22)**

**Mr Swann:** The Executive has agreed that keeping the Reproduction Number (R) below 1 is a key objective in controlling the spread and impact of COVID-19. When R is above 1, the transmission of the epidemic will increase, resulting in more cases, leading to potentially significant increases in demand for hospital capacity, including acute and critical care beds. This would set back the rebuilding of elective care HSC services under the Strategic Framework I published in May following the first wave of Covid-19.

By using the available data, if the system reaches defined levels of capacity I will provide advice to the Executive on the need to re-introduce measures to reduce R.

In the meantime, alongside the rebuilding process, my Department is continuing to plan for further possible waves of COVID-19 to ensure that there are comprehensive surge plans in place for critical care, hospital beds and care homes, if required.

**Mr Dunne** asked the Minister of Health for an update on a new Bangor Health and Wellbeing Centre.

**(AQW 5530/17-22)**

**Mr Swann:** Given the challenges presented to the Health Service and my Department from the ongoing Covid-19 pandemic, there has been no change in the position of this project since my previous response.

Plans for a new Primary and Community Care Centre in Bangor continue to be included in the Primary Care Infrastructure Draft Strategic Implementation Plan.

The Draft Implementation Plan includes provision for a new health centre to serve the population of the Newtownards and North Down area. This project will be considered alongside other capital investment priorities and will be dependent on future budget availability and value for money.

**Mr Wells** asked the Minister of Health whether his Department recognises stem cell therapy as an alternative treatment for knee and hip replacement operations.

**(AQW 5542/17-22)**

**Mr Swann:** The use of stem cell therapy, as an alternative treatment for knee and hip replacement operations, has not been assessed by the National Institute for Health and Care Excellence (NICE) and is not commissioned routinely by the Health and Social Care Board for the NI population.

That position will be reviewed if new evidence of effectiveness becomes available and the procedure is recommended by NICE.

**Ms Ennis** asked the Minister of Health to list the dates, between 1 January 2020 and 8 July 2020, on which the South Down, Newry and South Armagh areas were left without ambulance cover.

**(AQW 5584/17-22)**

**Mr Swann:** It is important to note that at no stage since 1 January 2020 was the Northern Ireland Ambulance Service (NIAS) Southern Division area without ambulance cover.

However, there have been recent challenges in the provision of ambulance cover across these areas. To address such occasions, NIAS continually assess the level of cover in place across the Southern Division and put in place a number of

mitigating actions to address reduced cover. These include the provision of additional crews from other stations within the division, extended Rapid Response Paramedic hours, increased A&E support vehicles provided by non-emergency crews and increased use of voluntary and private ambulance services to deal with lower acuity calls in order to keep emergency crews free to attend more serious, life threatening calls.

**Ms Ennis** asked the Minister of Health to detail the number of times the South Down, Newry and South Armagh areas have been without ambulance cover, since 1 January 2020.

**(AQW 5585/17-22)**

**Mr Swann:** It is important to note that at no stage since 1 January 2020 was the Northern Ireland Ambulance Service (NIAS) Southern Division area without ambulance cover.

However, there have been recent challenges in the provision of ambulance cover across these areas. To address such occasions, NIAS continually assess the level of cover in place across the Southern Division and put in place a number of mitigating actions to address reduced cover. These include the provision of additional crews from other stations within the division, extended Rapid Response Paramedic hours, increased A&E support vehicles provided by non-emergency crews and increased use of voluntary and private ambulance services to deal with lower acuity calls in order to keep emergency crews free to attend more serious, life threatening calls.

**Mr McGrath** asked the Minister of Health, pursuant to AQW 4904/17-22, how many of the 7,039 patients that attended a COVID-19 centre have tested positive.

**(AQW 5600/17-22)**

**Mr Swann:** All patients who have attended COVID-19 Centres have been triaged by a GP to confirm that they have the symptoms of the disease, and require further assessment in a primary care setting.

The Department does not hold records on how many of those referred to the centres subsequently test positive for COVID-19.

**Ms Bradshaw** asked the Minister of Health whether the drug Kaftrio will be made available to anyone in Northern Ireland with one Del508 gene, as is the case in the United States of America.

**(AQW 5605/17-22)**

**Mr Swann:** I have asked the Health and Social Care Board to commence negotiation

with Vertex Pharmaceuticals to explore the potential of providing access to these drugs under the same term as the NHS England agreement.

The NHS agreement deals with the issue of access for patients with a range of rare mutations. The negotiations will consider how this will translate for similar patients in Northern Ireland. It is my hope that these drugs can be made available for all clinically suitable patients in Northern Ireland.

**Mr McHugh** asked the Minister of Health what measures have been put in place with the Irish Government to ensure that contact tracing does not stop at the border, and that people in border areas are protected.

**(AQW 5618/17-22)**

**Mr Swann:** The Department of Health NI and its agencies have agreed a Memorandum of Understanding ("MoU") with the Department of Health, Ireland and its agencies in response to COVID-19 demonstrating a mutual willingness to promote cooperation and collaboration in response to the COVID-19 pandemic. Evidence based public health measures are central to the response to COVID-19 in both jurisdictions, including measures such as, but not limited to case detection, testing regimes and contact tracing.

Cooperation on the public health-driven response to COVID-19, including on contact tracing, builds on existing and long-established cooperation on the island of Ireland between the participants and the health services including across cancer, ambulance and congenital heart services, and the strong pre-existing cooperation between the respective offices of the Chief Medical Officers in both jurisdictions.

My officials have collaborated closely with colleagues at the Department of Health in the Republic of Ireland during the development of the NI Proximity App seeking to ensure interoperability and sharing of non-identifiable information.

**Ms Kimmins** asked the Minister of Health what actions he will take to address understaffing in the Ambulance Service.

**(AQW 5626/17-22)**

**Mr Swann:** The Northern Ireland Ambulance Service HSC Trust (NIAS) is continuing to recruit and train additional staff, but in the longer term significant additional resources will be required to ensure that NIAS has sufficient personnel to meet current and future demand.

A new Clinical Response Model has been developed following an extensive demand and capacity review in relation to NIAS services and my Department is currently considering the business case for it.

To ensure the supply of registered paramedics, my Department recently commissioned a pre-registration Paramedic BSc degree course from Ulster University, commencing from September 2021 for an initial four years. Of the 50 places available per year, 10 places per year will be for an employer-led route through NIAS. My Department will pay tuition fees for course participants. Until then, trainee paramedics within NIAS will continue to follow the current pre-registration Foundation Degree Programme.

My Department is also taking forward a Paramedic Workforce Review to consider the longer term requirements for paramedics within Health and Social Care, recognising their changing and growing contribution to healthcare delivery.

**Ms Kimmins** asked the Minister of Health to detail the staffing levels of the Ambulance Service in the Southern Health and Social Care Trust area (i) before; and (ii) after the temporary relocation of Daisy Hill Emergency Department to Craigavon Area Hospital.

**(AQW 5627/17-22)**

**Mr Swann:** The following tables detail the staffing levels at each grade of staff in each of the six bases of the Southern Division of the Northern Ireland Ambulance Service Trust (i) at the time the Emergency Department at Daisy Hill Hospital ceased to accept ambulance referrals (from 14:00hrs on Saturday, 27 March 2020) as part of the Southern Health and Social Care Trust's COVID-19 Contingency Plan and (ii) at 14 July 2020.

	Paramedic	
	As at 27 March 2020	As at 14 July 2020
Armagh	13	13
Banbridge	5	4
Craigavon	19	19
Dungannon	17	16
Kilkeel	5	5
Newry	20	19

	Emergency Medical Technician	
	As at 27 March 2020	As at 14 July 2020
Armagh	10	10
Banbridge	3	3
Craigavon	10	13
Dungannon	13	11
Kilkeel	2	2
Newry	10	10

	Non-Emergency Ambulance Care Attendant	
	As at 27 March 2020	As at 14 July 2020
Armagh	5	5
Banbridge	6	7
Craigavon	16	18
Dungannon	8	10
Kilkeel	0	0
Newry	10	12

**Mr Carroll** asked the Minister of Health how many bids, applications or attempts were made to secure level 2 personal protection equipment for dentists.

**(AQW 5635/17-22)**

**Mr Swann:** There have been three attempts to either secure funding approval for the purchase of level II Personal Protective Equipment (PPE) or source level II PPE itself from central stocks. One of these was solely for level II PPE while the other two were for a combination of level I and level II PPE. The combined level I and level II funding request was successful. However, BSO were unable to source the required volume of the level II PPE element from their suppliers. Therefore, the decision

was taken to use all the funding available for level I PPE knowing that this would still be required for both non-AGP and AGP treatments and that otherwise practices would have to buy this PPE themselves.

The Health and Social Care Board (HSCB) has been in contact with the local dental supply houses at least 12 times in order to determine the availability of level II PPE. Contact has also been made with suppliers in England and the Republic of Ireland. HSCB has also contributed detailed information on GDS level II PPE usage data to a HSC-wide PPE modelling exercise.

There have been two successful attempts to secure level II PPE for the urgent dental care centres (which are staffed by general dental practitioners) with each attempt covering a 12 week period.

**Mr Carroll** asked the Minister of Health how many meetings his Department has had with the British Dental Association, and similar representative organisations of dentists, regarding COVID-19-related issues.

**(AQW 5636/17-22)**

**Mr Swann:** Since the Covid-19 lockdown many staff have been working from home and engaging with stakeholders using video-conferencing, teleconferencing and telephone calls. Whilst we do not have the details of all telephone calls made during this time, the information below includes as many as have been recorded.

Organisation	Contact via
British Dental Association (BDA)	Telephone calls x 15
BDA	Teleconference x 6
BDA	Face to face meeting x 1
Dental Practice Committee	Videoconference x 2
Local Dental Committee	Videoconference x 1
Educational Supervisors/General Dental Practitioners (GDP's)	Videoconference x 1
Trust Clinical Directors	Videoconference x 1

A further telecall with the BDA is due to take place on Thursday 23 July 2020.

**Mr Carroll** asked the Minister of Health whether care homes were offered extra financial payments from his Department to accept people who had been discharged from hospital in March, April or May 2020.

**(AQW 5637/17-22)**

**Mr Swann:** Care homes have not been offered extra financial payments by my Department to accept people who had been discharged from hospital in March, April or May 2020.

**Mr McGrath** asked the Minister of Health how much funding his Department has given the Men's Advisory Project Northern Ireland, in each of the last five years.

**(AQW 5650/17-22)**

**Mr Swann:** The Men's Advisory Project Northern Ireland received the following funding from the Health and Social Care Board for the period 2015 to 2020:

2015/16	£81,952
2016/17	£81,953
2017/18	£89,961
2018/19	£168,961
2019/20	£108,185
<b>Total</b>	<b>£531,012</b>

**Mr McGrath** asked the Minister of Health to outline the process by which an additional £60,000 was allocated to Women's Aid, as announced on 26 June 2020.

**(AQW 5651/17-22)**

**Mr Swann:** The Health and Social Care Board currently hold a contract with Women's Aid for the provision of services. A bid for additional funding of £60k for a 6 month period during the initial coronavirus surge to support families who have experienced, or been a victim of, domestic abuse was made to my Department by the Health and Social Care Board. The bid was approved following consideration with funding allocated to the Health and Social Care Board and then onto Women's Aid.



**Ms C Kelly** asked the Minister of Health when, and where, the Regulation and Quality Improvement Authority Board vacancies will be advertised.

**(AQW 5654/17-22)**

**Mr Swann:** My Department has commenced work to initiate a public appointment competition to appoint a permanent Non-Executive Chair and Non-Executive Members to the Board of the Regulation and Quality Improvement Authority (RQIA).

This forthcoming competition, expected to launch within the coming months, will comply fully with the detailed provisions outlined in the Code of Practice for Ministerial Appointments in Northern Ireland published by the Commissioner for Public Appointments.

As a minimum, the competition will be advertised in the three regional newspapers, namely the Belfast Telegraph, Irish News and Newsletter. In addition, details of the vacancies will be included in a Departmental Public Appointments Newsletter which is published on my Department's website and circulated to recipients on the Department's Public Appointment distribution mailing list. The vacancies will also be advertised on a broad range of websites including, DoH, NI Direct, RQIA, Commissioner for Public Appointments Northern Ireland, and via social media platforms including the DoH and RQIA Twitter accounts, and LinkedIn.

**Mr Clarke** asked the Minister of Health to detail the average waiting time for an MRI scan in each hospital, in each of the last five years.

**(AQW 5657/17-22)**

**Mr Swann:** The average waiting time for an MRI scan in HSC Hospitals over the past five years has been presented in the table below.

**The average waiting time for MRI scans<sup>1</sup> in HSC Hospitals in Northern Ireland, 2015/16 – 2019/20<sup>P</sup>**

Trust	Hospital	Average Wait in Weeks				
		2015/16	2016/17	2017/18	2018/19	2019/20 <sup>P</sup>
Belfast	Belfast City	7.6	8.1	7.4	7.1	7.1
	Musgrave Park	26.8	29.9	34.4	39.2	3.3
	NI Cancer Centre	0.3	0.2	0.1	0.6	0.2
	Royal Victoria	16.2	16.4	18.3	19.6	17.8
	RBHSC	22.8	23.4	25.5	29.0	26.3
	School of Dentistry	16.3	15.5	14.3	12.8	15.7
	Mater Infirmorum	19.3	24.7	25.8	29.6	24.3
	<b>Total</b>	<b>11.8</b>	<b>12.3</b>	<b>12.6</b>	<b>13.5</b>	<b>10.1</b>
South Eastern	Ards	17.3	18.7	19.1	-	-
	Ulster	5.0	5.6	6.7	7.4	7.1
	Lagan Valley	16.3	19.3	18.0	18.9	18.6
	Downe	13.1	14.0	15.9	18.4	19.8
	<b>Total</b>	<b>8.1</b>	<b>9.1</b>	<b>9.1</b>	<b>9.6</b>	<b>9.4</b>
Northern	Dalriada	-	-	6.2	6.0	4.1
	Causeway	14.7	16.1	16.2	14.8	16.0
	Whiteabbey	21.3	15.6	16.5	15.3	17.4
	Mid Ulster	21.8	18.6	22.8	22.8	28.9
	Antrim	6.2	6.3	6.6	6.3	6.3
	Braid Valley	5.5	4.9	3.4	3.0	8.9
	<b>Total</b>	<b>11.3</b>	<b>10.8</b>	<b>11.4</b>	<b>10.8</b>	<b>11.7</b>

Trust	Hospital	Average Wait in Weeks				
		2015/16	2016/17	2017/18	2018/19	2019/20 <sup>P</sup>
Southern	South Tyrone	16.5	16.4	19.3	20.3	24.5
	Banbridge	12.6	11.7	10.7	11.6	10.8
	Craigavon Area	11.5	10.9	11.5	13.1	10.0
	Daisy Hill	4.9	4.2	5.2	7.8	7.7
	<b>Total</b>	<b>9.6</b>	<b>9.0</b>	<b>10.1</b>	<b>12.1</b>	<b>10.7</b>
Western	Altnagelvin Area	16.3	18.8	22.7	23.9	23.0
	Tyrone County	14.6	15.7	-	-	-
	South West Acute	12.8	12.6	15.5	16.6	17.1
	Omagh	-	-	17.1	20.2	22.6
	<b>Total</b>	<b>15.5</b>	<b>17.3</b>	<b>20.6</b>	<b>22.1</b>	<b>22.0</b>

**Source:** Hospital Inpatient System, Hospital Information Branch, Information & Analysis Directorate, Department of Health, NI.  
P Data for this timeframe is provisional and subject to change.

**Mr Clarke** asked the Minister of Health (i) how many personal protection equipment masks contain Ethylene Oxide were supplied to staff in Health and Social Care; (ii) how many of the masks are still in use; (iii) how many have been recalled; and (iv) what is the country of origin of the masks.

**(AQW 5659/17-22)**

**Mr Swann:** Masks used as Personal Protective Equipment do not contain Ethylene Oxide. Ethylene Oxide (EO) is a gas commonly used in the sterilisation of medical equipment and devices.

My Department has not issued instruction to withdraw any masks from use due to sterilisation using Ethylene Oxide.

**Ms Kimmins** asked the Minister of Health for an update on the strategic outline case for implementation of the Ambulance Service Clinical Response Model.

**(AQW 5666/17-22)**

**Mr Swann:** My Department continues to work with the Northern Ireland Ambulance Service to ensure the Strategic Outline Case for the Clinical Response Model (CRM) meets the requirements of the Northern Ireland Guide to Expenditure Appraisal and Evaluation. The progression of the CRM Programme will be dependent on value for money and affordability.

**Mr O'Toole** asked the Minister of Health when the Regulation and Quality Improvement Authority inquiry into the review of the cases of the deceased patients of Dr Watt will begin; and whether he will explain to the families affected reasons for the delay and the lack of clarity provided by his Department.

**(AQW 5667/17-22)**

**Mr Swann:** In May 2018, the Department of Health commissioned the Regulation and Quality Improvement Authority (RQIA) to undertake a review of the records of former patients of Dr Watt who had died over the previous 10 years. Due to the complexity of the review it was essential that a legal framework, to ensure RQIA could obtain access to the records of deceased patients, was established. This was finalised in February 2020.

RQIA's Review Programme was paused due to the need to redirect resources to respond to the challenges posed by COVID-19 and in line with a Departmental Direction issued on the 20 March 2020. In line with further direction received from my Department on 22 June 2020, RQIA has recommenced its review programme and is scoping the next stage of this review.

This is likely to involve defining the detailed terms of reference and preparation of associated business cases to enable the work to move forward.

**Mr McGrath** asked the Minister of Health whether his Department will undertake a review of the availability of prescription drugs.

**(AQW 5687/17-22)**

**Mr Swann:** There are currently no plans in place for a specific review of the availability of all prescription drugs in Northern Ireland. My Department is however considering the key issues and challenges highlighted in the NIAO's recently published report on addiction services in Northern Ireland which highlights a number of key issues and challenges including the misuse of prescription medicines in Northern Ireland. <https://www.niauditoffice.gov.uk/publications/addiction-services-northern-ireland>

Obviously my Department will need time to consider the details of this report in full, however I note many of the issues raised in this report were already identified in the review of our current substance misuse strategy published by my Department last year. Addressing these issues will form part of the new substance use strategy which my Department has been developed in conjunction with key stakeholders. This will be issued for public consultation later this year. My Department continues to actively monitor the supply and availability of certain prescription medicines in respect of their overuse and misuse in light of what continues to be a growing problem of dependence and addiction in Northern Ireland. Measures and initiatives are in place to identify and support patients who need to withdraw safely from prescribed medication.

My Department is continuing to work closely with the Medicines and Healthcare products Regulatory Agency in considering how it can strengthen and improve the consistency of UK regulatory measures to minimise the risk of dependence and addiction to certain prescription medicines.

**Mr McGrath** asked the Minister of Health how many prescriptions for diazepam have been issued in each of the last five years, broken down by age group.

**(AQW 5689/17-22)**

**Mr Swann:** Not all prescriptions issued are subsequently dispensed and presented for payment, so the number of prescriptions issued is not known centrally. Table 1 shows the total number of dispensed prescription items for Diazepam in each of the last five years, broken down by age group. The number of prescription items refers to items that are prescribed in primary care and subsequently dispensed (by a Community Pharmacist, Appliance Supplier or Dispensing Doctor) and submitted to the Business Services Organisation (BSO) for payment.

**Table 1: Total number of dispensed items<sup>1</sup> for Diazepam in each of the last five years, broken down by age group**

Age Group	Year				
	2015/16	2016/17	2017/18	2018/19	2019/20
0-14	585	546	538	506	596
15-24	14,172	14,358	13,262	13,039	13,858
25-44	139,019	139,887	128,939	127,673	144,123
45-64	208,584	207,214	193,167	192,549	221,624
65-74	80,367	78,534	72,003	71,039	79,530
75-84	49,681	48,713	45,281	45,820	52,868
85+	20,762	20,367	18,888	18,736	22,032
Unknown <sup>2</sup>	70,969	87,039	121,528	121,425	62,705
All ages	584,139	596,658	593,606	590,787	597,336

**Sources:** FPS Pharmaceutical Payment System, Business Services Organisation

National Health Application and Infrastructure Services (NHAIS)

- 1 A prescription item is a single supply of a medicine, dressing or appliance written on a prescription form. If a prescription form includes three medicines, it is counted as three prescription items. Item figures do not provide any indication of the length of treatment or quantity of medicine prescribed.
- 2 Items not having an attributed age grouping have been categorised under Unknown. Data can only be produced based on patient age groupings where the prescription form has been successfully scanned. In the past, BSO had experienced a reduction in scan rates resulting in around 25% of prescription items not having attributed patient information in 2017/18 and 2018/19. However, this has recently improved and in 2019/20 almost 90% of prescription items had attributed patient information.

**Mr McGrath** asked the Minister of Health how many prescriptions for pregabalin have been issued in each of the last five years, broken down by age group.

**(AQW 5690/17-22)**

**Mr Swann:** Not all prescriptions issued are subsequently dispensed and presented for payment, so the number of prescriptions issued is not known centrally. Table 1 shows the total number of dispensed prescription items for Pregabalin in each of the last five years, broken down by age group. The number of prescription items refers to items that are prescribed in primary care and subsequently dispensed (by a Community Pharmacist, Appliance Supplier or Dispensing Doctor) and submitted to the Business Services Organisation (BSO) for payment.

**Table 1: Total number of dispensed items<sup>1</sup> for Pregabalin in each of the last five years, broken down by age group**

Age Group	Year				
	2015/16	2016/17	2017/18	2018/19	2019/20
0-14	11	14	10	*	*
15-24	4,622	5,048	3,831	3,035	2,805
25-44	66,083	68,513	60,067	56,940	65,240
45-64	128,052	130,399	118,579	117,477	146,689
65-74	44,026	45,835	42,369	42,362	54,207
75-84	26,370	26,800	25,108	26,430	35,651
85+	9,435	10,218	9,473	9,620	13,067
Unknown <sup>2</sup>	40,798	55,417	82,997	84,892	32,860
All ages	319,397	342,244	342,434	340,756	350,519

**Sources:** FPS Pharmaceutical Payment System, Business Services Organisation

National Health Application and Infrastructure Services (NHAIS)

- 1 A prescription item is a single supply of a medicine, dressing or appliance written on a prescription form. If a prescription form includes three medicines, it is counted as three prescription items. Item figures do not provide any indication of the length of treatment or quantity of medicine prescribed.
  - 2 Items not having an attributed age grouping have been categorised under Unknown. Data can only be produced based on patient age groupings where the prescription form has been successfully scanned. In the past, BSO had experienced a reduction in scan rates resulting in around 25% of prescription items not having attributed patient information in 2017/18 and 2018/19. However, this has recently improved and in 2019/20 almost 90% of prescription items had attributed patient information.
- \* Indicates that disclosure control has been applied where a cell count of less than 10 has been identified. These small values have been added into the Unknown item count.

**Mr McGrath** asked the Minister of Health to detail his waiting time targets to address alcohol and drug misuse, broken down by Health and Social Care Trust.

**(AQW 5691/17-22)**

**Mr Swann:** The current waiting standards for Mental Health services, which include addiction services, are that no patient waits longer than: nine weeks to access adult mental health services; nine weeks to access child and adolescent mental health services; nine weeks to access dementia services; and 13 weeks to access psychological therapies (any age). These waiting standards are applicable across all Health and Social Care Trusts.

**Ms Bradshaw** asked the Minister of Health how his Department is assessing the needs of families providing fostering or kinship care, in light of the circumstances of COVID-19, with a view to augmenting funding for the voluntary sector support organisations.

**(AQW 5692/17-22)**

**Mr Swann:** All Trusts have monitoring arrangements in place, reviewing cases frequently to ensure that foster placements are being appropriately supported and, as issues are being raised, they are being addressed.

From the outset of lockdown, foster carers were given a one-off £100 payment to support children by purchasing games, craftwork or learning material. In response to the main pressures identified by foster carers, a 20% uplift per child was applied to the food and household elements of the foster care allowance for a period of up to 12 weeks.

My Department currently provides Core Grant funding to Community and Voluntary sector organisations who support children in foster care and children who have been adopted from care.

**Mr Frew** asked the Minister of Health whether GPs can opt out of COVID-19 Centres to ensure availability in their own surgery for safe levels of care to their patients; and whether a review will take place of the effectiveness of COVID-19 Centres and their value for money.

**(AQW 5697/17-22)**

**Mr Swann:** As outlined in AQW 5181/17-22, no change has been made to the GP contract. However in response to Covid-19, after negotiations with the HSCB and NIGPC, an agreement was reached to stand down elements of the GMS Contract and for GPs to participate in COVID centres to ensure that primary care services can be safely maintained for all COVID and non-COVID patients during the pandemic.

The number, location and operation of COVID centres is routinely reviewed by a regional project board which includes senior GP representation. In line with the reduced infection rate, staffing in these centres has been reduced in a safe and appropriate manner, whilst retaining the capacity to scale up in the event of any further surge.

## Department for Infrastructure

**Ms Anderson** asked the Minister for Infrastructure, pursuant to AQW 4153/17-22, to detail (i) what aspects her Department is seeking legal advice on; and (ii) whether she has received a professional planning assessment from her officials on whether there is a conflict between the planning conditions and approved drawings of permission A/2008/0408/F.  
**(AQW 5065/17-22)**

**Ms Mallon (The Minister for Infrastructure):** Legal advice was sought to inform my consideration of the issues raised in recent correspondence and Assembly questions regarding this case which was adjudicated upon by the Northern Ireland High Court in 2013 and is currently subject to an ongoing complaint to the Aarhus Convention Compliance Committee. That advice is subject to legal and professional privilege. Having received the legal advice it is not considered necessary or appropriate to carry out a further professional planning assessment.

**Mr Wells** asked the Minister for Infrastructure when she intends to implement the commitment she gave in March 2020 to exempt classic vehicles which are more than 40 years old from the need to undertake an MOT test.  
**(AQW 5380/17-22)**

**Ms Mallon:** I announced on 2 July 2020 that I intend to introduce the exemption from periodic roadworthiness testing for Vehicles of Historic Interest in Northern Ireland. This exemption, which will align NI legislation with that in GB, will apply to those vehicles that were first registered at least 40 years ago, are no longer in production and have not been significantly modified. The exemption will not apply to those vehicles that are still in public service. I have instructed my officials to begin the process of progressing the legislation through the Assembly with the aim that the regulations can be laid and brought in to operation as soon as possible.

**Mr Stewart** asked the Minister for Infrastructure, pursuant to AQW 2341/17-22, for an update on engagement between her officials and Department for Transport officials about potential changes in regulations with regards to the use of e-scooters on public roads and cycle routes.  
**(AQW 5418/17-22)**

**Ms Mallon:** As indicated in my reply to AQW 5417/17-22 I can advise that currently it is illegal to use electric scooters on public roads or public spaces such as footpaths and cycle paths in Northern Ireland, which aligns with the current position in GB.

Following a public consultation, DfT is planning to offer pilot schemes to local authorities on e-scooter usage, which are due to begin shortly. The aim of these schemes is to trial e-scooter rental systems, which will help to assess their safety and impact on public spaces.

Once the schemes have concluded, and an analysis of them is made available, I will carefully consider the results to help inform my thinking about the potential use of e-scooters here, including where they may be legally and safely operated.

**Mr Butler** asked the Minister for Infrastructure how many applications for retrospective street adoption have been either (i) successful; or (ii) refused, in each of the last ten years.  
**(AQW 5424/17-22)**

**Ms Mallon:** While my Department has from time to time received requests to adopt private streets serving less than five dwellings that form part of larger residential developments, unfortunately we cannot individually identify such requests and as such are unable to advise how many requests have been received and assessed.

**Mr Beggs** asked the Minister for Infrastructure for an update on the COVID-19 support currently offered to the (i) coach; and (ii) haulage industries.  
**(AQW 5449/17-22)**

**Ms Mallon:** I recognise the importance of both the coach and haulage sectors in supporting Northern Ireland's economic recovery in the coming weeks and months.

I have put in place a range of measures to support the sector including: securing a financial package for Ferry Operators funded jointly by the UK Government and the Executive; introducing a range of regulatory measures such as extending driving licenses for a period of seven months if they expire between Feb 2020 and the end of August 2020 and I have been working with DfT colleagues to further extend this temporary license renewal. Most recently I introduced a Legislative Consent Motion in the Assembly for the North to be included in UK legislation for the issuance of 1 year licenses if required. In addition to this I have put in place a range of operational measures such as a suspension of all MOT tests for commercial/passenger vehicles; and relaxations of other requirements in areas such as CPC, tachographs, medical assessments and planning restrictions.

The UK Government has recently decided to suspend the Heavy Goods Vehicle Levy for a year, with effect from 1 August 2020. The levy suspension will provide haulage companies with some relief over the next year and help to ensure that they can continue to operate, avoiding a potential bottleneck to economic recovery.

My Department has been in regular contact with the Department of Transport on their discussions with Treasury on financial relief for passenger and goods vehicle operators, however it should be noted that DAERA through its food security work, is the local lead on establishing the evidential basis for specific financial intervention to support the haulage industry and that work is ongoing.

My remit in relation to private tour operators is regulatory, and a priority for me during the current public health emergency has been to facilitate the necessary rapid two way communication with the industry on regulatory issues that need to be addressed. My officials and I have been in regular and ongoing contact with the industry, including with individual drivers and operators, augmented by open letters to the industry.

I understand from the industry that a number have not been able to avail of any of the current hardship support schemes on offer. The Minister for the Economy has submitted an options paper to the Executive which includes consideration of support for those in the industry who have not been able to avail of help to date. I have written to the Minister for the Economy to confirm my support for this option and have reiterated my offer to utilise the data my department holds as Regulator to assist in communicating with those in the industry in respect of any new scheme.

I will continue to engage with the industry and work to find solutions to any of the regulatory challenges that emerge and are causing difficulty for private tour operators during this crisis, while also continuing to work with my colleagues on the Executive and the Committee to support the industry.

**Ms Sheerin** asked the Minister for Infrastructure whether (i) she can ensure that requests by drivers to have their name and address in Irish on their license is respected by the Driver and Vehicle Agency; and (ii) drivers can change their license if this request has not been met.

**(AQW 5477/17-22)**

**Ms Mallon:** An applicant for, or holder of, a Northern Ireland driving licence may, at any time, request that their name appears in traditional form. Such a request does not constitute a change of name and the applicant or holder is not required to provide identity documentation bearing the name in Irish.

Similarly, where an applicant for, or holder of, a Northern Ireland driving licence requests that the address is displayed in Irish, such a request will be met provided the relevant council confirms that the street name has been legally adopted. Currently this does not extend to other addresses.

As you will be aware, it was agreed in New Decade New Approach that the Executive Office would bring forward new language legislation and appoint a Commissioner to protect and enhance use of the Irish language. It is important that this legislation is brought forward as soon as possible and I will seek to ensure that my department plays its role and fulfils its commitments.

**Mr Boylan** asked the Minister for Infrastructure for an update on the permitted development right amendments being reviewed by her Department.

**(AQW 5488/17-22)**

**Ms Mallon:** As you may be aware, in 2016 my Department consulted on a range of proposals in relation to permitted development rights including telecommunications and mineral exploration.

Improving our digital infrastructure is vital to Northern Ireland's economy. Planning has a crucial role to play in supporting delivery of this infrastructure and facilitating appropriate proposals which deliver a high level of digital connectivity whilst ensuring that siting and design keeps environmental impacts to a minimum. I am currently considering the proposals and responses to the previous consultation, as well as health concerns raised more recently regarding 5G.

I am aware that exploratory drilling for petroleum at Woodburn Forest, Carrickfergus, raised widespread public concern that the existing provisions on permitted development rights for petroleum exploration do not provide a suitable balance between supporting exploration and protecting amenity and the environment. I will be considering the proposed options for removing the permitted development rights for petroleum exploration in the coming months.

**Mr Newton** asked the Minister for Infrastructure (i) to detail the areas of traffic congestion in the Belfast East constituency; and (ii) what plans she has to address each of these areas.

**(AQW 5511/17-22)**

**Ms Mallon:** Other than traffic congestion issues in and around the Dundonald area I am not aware of any other significant problems in the East Belfast constituency area. If the member has any specific areas in mind I would be happy to investigate these.

In relation to Dundonald, as previously advised, prior to the current health crisis officials had been monitoring traffic flows through the village in order to understand the issues experienced there. Observations had concluded that traffic turning right

into Cherryhill Road on occasion blocked the Upper Newtownards Road causing traffic to queue back through the Dunlady Road/ Robb's Road junction.

Some modifications were recently made at this location, to encourage traffic to pass right-turning traffic on the inside (by entering the bus lane) which officials hope will help to improve traffic flow. My Department also has a CCTV camera installed at the Dunlady junction and this allows officials to monitor live traffic conditions.

The problem of dealing with congestion in our main cities and towns is not something I believe can only be addressed with localised road improvements, so I am focussing on a recovery where we will have less car travel, more walking and cycling and more park and rides. I believe that by changing travel habits, we can transform our communities to inspire a new way of living that will be our new normal.

**Mr Chambers** asked the Minister for Infrastructure (i) whether a dedicated elected representatives' point of contact around street lighting issues is in place beyond the public internet reporting site; and (ii) if not, whether she would consider setting up such a facility.

**(AQW 5522/17-22)**

**Ms Mallon:** In addition to the online reporting system, where elected representatives can track the progress of repairs (<https://www.nidirect.gov.uk/services/report-street-light-fault>), my Department has in place a central telephone number to facilitate reporting of street lighting and other issues. Elected representatives and members of the public may report any urgent street lighting issues by telephone on 0300 200 7899.

**Mr Boylan** asked the Minister for Infrastructure whether she would consider retrospectively extending driver theory certificates that have expired during the closure of test centres.

**(AQW 5524/17-22)**

**Ms Mallon:** On 8 July, I announced plans to amend the Driving Licence Regulations that would allow an eight month extension to the validity of theory test pass certificates, which expire between 1 March and 31 October 2020 and a 6 month extension to the validity of off-road motorcycle test pass certificates, which expire between 1 March 2020 and 31 August 2020. This legislative change is intended to come into effect in September 2020 and when it becomes law will apply retrospectively to those theory test certificates and off-road motorcycle test pass certificates that have expired from 1 March.

**Mr Dunne** asked the Minister for Infrastructure to detail the cost of grass cutting, including overtime, of road verges in North Down during the 2019/20 financial year.

**(AQW 5529/17-22)**

**Ms Mallon:** I can advise the Member that the cost of grass cutting, including overtime, and overheads, in North Down amounted to £160k during the 2019/20 financial year.

**Ms Armstrong** asked the Minister for Infrastructure (i) what date the Strangford Ferry will return to pre-COVID-19 sailing times; (ii) whether a cashless payment option on the ferry will continue; and (iii) what measures she is taking to ensure school children using the ferry from late August will be able to travel safely in line with social distancing requirements.

**(AQW 5538/17-22)**

**Ms Mallon:**

- (i) The ongoing requirement to comply with Covid-19 related restrictions means that it is not yet possible to set a date for when the Strangford Lough Ferry Service will return to the pre Covid-19 timetable. I am continuing to monitor passenger demand and crew availability and intend to return to the normal timetable as soon as practicable.
- (ii) Cashless payment was introduced in early 2019 and has proved successful as an efficient and effective method of payment. It will continue going forward.
- (iii) The passenger capacity of the ferry is currently being reviewed, in order to maximise capacity whilst complying with Covid-19 restrictions. All ferry passengers will be required to adhere to the social distancing requirements applicable at the time.

The majority of schoolchildren on the Strangford Ferry complete the remainder of their journey by bus. On Monday 8 June I met with the Minister for Education to discuss the Education Restart Programme. Colleagues from Translink and the Education Authority are developing transport plans for the return of pupils. Consideration is being given to the potential number of pupils returning to school and mitigating factors such as staggering school opening times. My officials are in consultation with Translink so that arrangements for schoolchildren travelling on the ferry can be finalised when there is a clearer understanding of what the requirement will be.

**Mr Middleton** asked the Minister for Infrastructure whether her Department has considered supporting and developing a Glider scheme in Londonderry.

**(AQW 5560/17-22)**

**Ms Mallon:** My Department is currently preparing a suite of Transport Plans which aim to maximise integration between transport planning and Local Development Plans. Transport Studies form the first stage of the processes. The North West Transport Study (NWTS) has been developed in parallel with the Derry City and Strabane District Council Plan Strategy. A recommendation in the draft NWTS is to investigate improvements to the Foyle Metro bus network, including a flagship high quality cross-city route running at high frequency between Park & Ride termini.

Recommendations in the NWTS will be developed subsequently in the North West Transport Plan (NWTP). The NWTP will be developed in parallel with Derry City and Strabane District Council Local Policies Plan which is programmed to commence next year. The NWTP will help inform my priorities for developing active travel, road, bus and rail public networks in Derry. Whilst detailed proposals have not yet been developed, a high frequency, cross-city bus service, with many of the features of the Glider system, is under consideration to help reduce dependency on private car use.

Belfast saw a 30% increase in passenger numbers along routes served by the Glider service since its introduction in 2018, and so the feasibility of rapid transit measures will be carefully considered as part of the broader NWTP proposals to reduce traffic congestion and improve air quality in the North West.

**Mr Middleton** asked the Minister for Infrastructure (i) for an update on the development of the A6 upgrade; and (ii) to outline the timescales for completion of each phase.

**(AQW 5562/17-22)**

**Ms Mallon:** The Department is currently progressing two separate projects, the Randalstown to Castledawson and Drumahoe to Dungiven dualling schemes, on the A6 route improving connectivity between Derry and Belfast. Funding for both these schemes is committed as the contracts have been awarded and the works are progressing well.

While the Covid-19 pandemic has impacted construction work on both of the A6 sites, it is hoped that the Randalstown to Castledawson scheme will finish next year, with the Dungiven to Drumahoe scheme completing in 2022, largely as planned.

**Mr Boylan** asked the Minister for Infrastructure how the rural roads fund will be allocated, broken down per Division.

**(AQW 5573/17-22)**

**Ms Mallon:** A breakdown, by DfI Roads Division, of the £10m of Capital I made available for rural roads is provided in the Table below.

Division	North	South	East	West	Total
Rural Roads Allocation (£'k)	2,105	3,235	810	3,850	10,000

**Mr K Buchanan** asked the Minister for Infrastructure to detail (i) road; and (ii) footpath resurfacing schemes scheduled for the Mid Ulster constituency this financial year.

**(AQW 5574/17-22)**

**Ms Mallon:** Details of road resurfacing schemes scheduled for Mid Ulster during the 2020-2021 financial year are shown below:

#### Mid Ulster North

- A0006 Glenshane Road/Hillhead Road Hardshoulders;
- A0029 Dungannon Road, Cookstown at Kelso Cars;
- A0029 Moneymore Road Dual Carriageway;
- A0029 Desertmartin Road, Tobermore;
- A0031 Magherafelt Road, Moneymore;
- A0042 Clady Road, Clady Village;
- B0040 Moneyneaney Road, Moneyneaney;
- B0160 Ballinderry Road, Coagh;
- B0181 Ruskey Road, Coagh;
- C0546 Glenone Road, Clady; and
- U5321 Browne Drive, Maghera.

#### Mid Ulster South

- A0004 Crossowen Road, Augher;
- A0004 Edfield Way, Fivemiletown;
- A0005 Omagh Road, Ballygawley;
- A0029 Cookstown Road, Dungannon;
- A0045 Coalisland Road, Dungannon;
- A0045 Coalisland Road, Dungannon at Farlough Road Junction;



- A0045 Ballynakilly Road near From Creenagh Lane to Hackingblock Road;
- A0045 Ballynakilly Road (Tamnamore end);
- B0034 Killyman Road, Dungannon;
- B0045 Dyan Road from Tullygiven Point;
- B0106 Cavan Road;
- B0168 Fintona Road, Clogher;
- U7527 Mark Street, Dungannon; and
- U7961 Granville Industrial Estate.

Details of footway resurfacing schemes scheduled for Mid Ulster during the 2020-2021 financial year are shown below:

#### Mid Ulster North

- B0040 Rainey Street, Magherafelt;
- U5321 Brown Drive, Maghera; and
- U5027 Macknagh Road, Upperlands.

#### Mid Ulster South

- A0004 Colebrooke Road, Fivemiletown; and
- C0648 Minterburn Road, Caledon.

**Mr Givan** asked the Minister for Infrastructure for an update on the LD1 junction upgrades in the north Lisburn area.  
(AQW 5579/17-22)

**Ms Mallon:** Further to the response I provided on 5 February 2020 to AQW 641/17-22, I can confirm that since then my officials have provided the developer's technical consultants with additional comments on a number of aspects of their design to upgrade the Knockmore Road / Prince William Road Junction. When the developer's technical consultants resolve these design issues and an acceptable design is achieved, the consortium will be responsible for programming and undertaking these junction improvements.

In relation to improvements to the Ballymacash Road / Prince William Road Junction, I can confirm that my officials have completed their fifth design review, which has confirmed that many design issues have now been resolved. This information has been provided in a recent consultation response to the planning authority. Subject to resolution of the outstanding design issues and planning approval, the developer will then be responsible for undertaking the improvements to the Ballymacash Road / Prince William Road junction in line with any planning conditions that may apply.

**Ms Rogan** asked the Minister for Infrastructure (i) for an update on the proposed Downpatrick park & ride facility; and (ii) how much will be spent in this financial year developing the proposals for this facility.  
(AQW 5615/17-22)

**Ms Mallon:** As you are aware, Park and Ride is a key enabler to deliver a number of outcomes within the Outcomes Delivery Plan by improving connections, increasing public transport use, promoting sustainability and encouraging modal shift and active travel. For that reason I have allocated £4m for the development of Park and Ride sites in 2020/21 and I will shortly be considering my priorities for this programme.

**Ms Rogan** asked the Minister for Infrastructure to detail (i) how much of the recently announced £150 million for waste water infrastructure will be spent in South Down; and (ii) the locations of these upgrades in South Down.  
(AQW 5616/17-22)

**Ms Mallon:** The £150 million capital budget allocated to NI Water in 2020/21 covers both water and waste water infrastructure. In terms of wastewater, NI Water is investing approximately £270k in two rural wastewater improvement programme (RWWIP) schemes in the South Down Constituency. These schemes are in Rathfriland and Kilcoo and the details are included in the table below:-

Site Name	Location	Project Status	Construction Value
St John's Terrace Wastewater Treatment Works (WwTW)	Cabra Road, Rathfriland	Under construction, completion expected end of July 2020	£175,000 (ca £80k invested in 20/21)
Moneyscalp Wastewater Treatment Works (WwTW)	Moneyscalp Road, Kilcoo	Programmed to commence Aug 2020	£190,000

NI Water also has a base maintenance programme which covers the whole of the North and which will include some investment in the South Down constituency.

In addition to the capital investment in wastewater infrastructure detailed above, the Carlingford Lough Shared Waters Enhancement and Loughs Legacy (SWELL) Project will invest £2m at Warrenpoint Wastewater Treatment Works during 2020/21. Swell Projects are funded by the EU Interreg Programme and facilitate investment in NI Water wastewater infrastructure.

**Ms Rogan** asked the Minister for Infrastructure to detail (i) how much will be spent developing the Ballynahinch bypass scheme in this financial year; (ii) for what purpose; and (iii) when she will be in a position to sign the commencement order and announce a date for construction to commence.

**(AQW 5617/17-22)**

**Ms Mallon:** I have allocated £8m capital funding for the development of a range of strategic road improvement projects in 2020/21. This will allow the completion of development work on the Ballynahinch Bypass this financial year.

The Ballynahinch Bypass is at an advanced stage of development. To complete the development phase, the next stage includes the finalisation of the Business Case for the scheme, reviewing the environmental reports and the making of the Direction Order. In conjunction with this work, I wish to examine how the scheme could kick-start improvements to the town - by reducing traffic travelling through the town, we would create an opportunity to reshape the town centre, providing more space for people and creating a better place for all. This will be progressed this financial year.

I recognise that many in the community support the provision of a bypass in Ballynahinch and I am committed to working to find solutions that deliver better for communities, improve lives across the North and support a green recovery.

**Mr McHugh** asked the Minister for Infrastructure, in relation to MOT centres reopening on 20 July, (i) what precautions will be taken; and (ii) what standard of PPE will be provided, (a) to prevent DVA staff from contracting COVID-19 from within cars being tested; (b) to ensure COVID-19 is not spread between cars being tested; and (c) to ensure members of the public attending tests are not exposed to COVID-19.

**(AQW 5619/17-22)**

**Ms Mallon:** The Driver and Vehicle Agency (DVA) has carried out an extensive review of its risk assessments to ensure that all relevant control measures relating to Covid-19 have been incorporated into its vehicle testing processes to enable MOT centres to safely reopen from 20 July. The risk assessments fully comply with the latest advice and guidance published by the Public Health Agency in terms of social distancing, regular handwashing and good respiratory hygiene. The current government advice is that workplaces should not encourage the use of additional PPE to protect against Covid-19 outside of healthcare or clinical settings or when responding to suspected or confirmed cases of Covid-19. However, insofar as is relevant, the Department's vehicle examiners will be issued with suitable PPE and other equipment to reduce the risks posed by the spread of Covid-19 between staff and customers, such as disposable gloves, face masks and disposable seat covers.

**Mr McHugh** asked the Minister for Infrastructure, given the increasing spread of giant hogweed and its inherent health risks, whether she will (i) prioritise additional resources and treatment measures in an effort to reduce its spread on verges bounding footpaths and roads under her responsibility; and (ii) formulate a joined up strategy in conjunction with the Department of Environment, Agriculture and Rural Affairs, local councils and other relevant statutory agencies to ensure a multi-agency approach is being taken to address it.

**(AQW 5620/17-22)**

**Ms Mallon:** My Department has a statutory obligation in relation to the control of noxious weeds (ragwort, thistle, dock and wild oat) and in 2020/21 my Department will continue to treat invasive weeds, such as Giant Hogweed, found growing on lands within its control. In doing so we will take specialist advice from the Department of Agriculture, Environment & Rural Affairs (DAERA) and/or specialist contractors as and when required.

Within the current funding constraints being experienced by my Department, policy and practice in relation to weed control is limited to ensuring the safety of road users and to prevent the deterioration of the road pavement. However I acknowledge that tackling invasive alien species in general is a much more complex issue involving a wide range of stakeholders and this is recognised in the document 'An Invasive Alien Species Strategy for Northern Ireland' which was published by the then Department of the Environment in 2013. This Strategy and the associated Implementation Plan set out key aims and actions to deliver a co-ordinated approach for addressing the threats posed by these species and was developed in partnership with key stakeholders which included my Department. I am aware that the Implementation Plan was revised in 2018 to reflect changes emerging from EU legislation and other policy changes in relation to invasive species.

In relation to formulation of a joined up strategy to address this problem, I would consider that this is already in place with DAERA being the lead department. However my Department will continue to be part of the ongoing efforts to minimise the risk posed, and reduce the negative impacts caused by invasive alien species in Northern Ireland.

**Mr Boylan** asked the Minister for Infrastructure for an update on the subordinate legislation to introduce graduated driver licensing.

**(AQW 5634/17-22)**

**Ms Mallon:** The statutory framework for Graduated Driver Licensing (GDL) is contained in the Road Traffic (Amendment) Act (Northern Ireland) 2016. Full implementation of the scheme is subject to the making of three Statutory Rules (SRs). A Commencement Order will also be required to make the relevant provisions of the 2016 Act operational.

I have summarised below the purpose of the Regulations. One SR will amend existing driver licensing legislation to enable the introduction of the Programme of Training (POT) for GDL, and to require the production of a logbook at the practical test. This SR will also provide details of exemptions from the POT and logbook. A further SR will remove the prohibition on learners driving on motorways and apply certain conditions to such driving activity. Both of these SRs will be subject to negative resolution procedure.

The third SR will set out the precise details of the new 2 part 'R' plate that will apply to new drivers subject to GDL. It will also set out details of the new post-test passenger restriction. This SR will be subject to affirmative resolution and therefore will require formal approval by the Assembly.

The drafting of all 3 SRs is well advanced. Once this process is completed, the SRs will then be forwarded to Departmental solicitors for scrutiny. Thereafter, the SRs will then be referred to the DfI Committee.

I aim to bring forward these SRs as early as possible to enable the introduction of the GDL scheme in Northern Ireland. This will constitute a major change to the learner driver journey. For that reason, alongside the legislative requirements, my Department is working on the development of a digital Programme of Training to meet the needs of the core demographic, (17 – 24 year olds). We are also developing a comprehensive communications strategy, setting out a sustained 'hearts and minds' advertising campaign to announce and promote the benefits of GDL to both the target audience and the general public at large.

**Mr Beggs** asked the Minister for Infrastructure (i) for an update on the Arc21 energy from waste incinerator in South Antrim; and (ii) when a decision will be taken on it.

**(AQW 5638/17-22)**

**Ms Mallon:** My officials are continuing to progress the application in line with planning policy to a point where a decision is ready to be made. When all consultation responses are received and all statutory processes complete, a recommendation will be brought forward by my officials.

**Ms C Kelly** asked the Minister for Infrastructure for an update on whether there has been a review of flood defences in Campsie, Omagh.

**(AQW 5656/17-22)**

**Ms Mallon:** My Department regularly inspects and maintains the designated flood defences in the Campsie area of Omagh Town. These flood defences recently protected parts of Omagh after a period of heavy rainfall on the 8th and 9th February 2020 that caused river levels to rise significantly.

In order to further improve the level of flood protection in this area a number of flood studies have been carried out to assess the level of risk to properties and determine if a viable flood alleviation scheme could be taken forward. Unfortunately none of the proposals to date, including a joint project with the Strule Shared Education Campus, were found to be feasible or economically viable.

I can confirm that my Department is to re-visit the most recent flood study for Omagh Town, which was completed in 2016, towards the end of the 2020/21 financial year. The new study will take into account Climate Change and determine if other viable options, such as upstream flood storage and natural flood risk management solutions can be identified to reduce flooding.

**Mr Clarke** asked the Minister for Infrastructure which schools in the South Antrim area are being considered for the temporary reduced speed limit zones.

**(AQW 5658/17-22)**

**Ms Mallon:** As Minister responsible for promoting and improving road safety, I want to work actively with partners to reduce death and serious injuries on our roads. I believe that reducing the maximum speed traffic can travel at on some of our roads, particularly those near schools, can help in this regard.

I am delighted to further demonstrate this commitment by allocating funding to introduce part-time 20 mph speed limits at around 100 schools in Northern Ireland so that parents, children and staff will be safer as they go to and from school on a daily basis. Priority listings are currently being developed for each Division and these will be based on scores calculated using the assessment framework contained within the Department's current road safety at schools policy document. I can confirm that all schools in the South Antrim area will be included in the assessment process. I am committed to moving at pace in the roll out of these new 20mph schemes.

**Miss Woods** asked the Minister for Infrastructure (i) to detail the responses of recent consultations on Petroleum Licence Applications PLA1/16 and PLA2/16; (ii) given that the previous Minister for Infrastructure had considered the policy issues and committed to taking forward legislative changes, when permitted development rights for petroleum exploration will be removed; and (iii) whether there are any oil and gas sites operating under permitted development rights.

**(AQW 5661/17-22)**

**Ms Mallon:** These applications both relate to petroleum exploration and a joint consultation request was issued by Department for the Economy to a number of organisations, including DfI. My Department's response advised that, if a license is awarded, a permitted development notification should be submitted to Fermanagh and Omagh District Council and that the developer should consult the Council's planning team at the earliest opportunity to provide any planning advice on the matter. My understanding is that there was a typographical error in this response and that the reference to "PLA2/16" should have been "PLA1/16 and PLA2/16" but that this has not affected any statutory requirement.

I am aware that in June 2016, the then Minister announced the intention to remove permitted development rights for petroleum (oil and gas) exploration and consult upon proposals for legislative change. I am also aware of the widespread public concern following exploratory drilling for petroleum at Woodburn Forest Carrickfergus, that the existing provisions on permitted development rights for petroleum exploration do not provide a suitable balance between supporting exploration and protecting amenity and the environment. I will be considering the proposed options for removing the permitted development rights for petroleum exploration in the coming months.

My Department would not normally hold information on sites operating under permitted development rights as developers proposing to exercise such rights for mineral exploration must contact the relevant council under Part 16 (Mineral Exploration) of the Planning (General Permitted Development) Order (Northern Ireland) 2015. However, my understanding is that there are no oil, or gas, sites currently operating under permitted development rights.

**Mrs Barton** asked the Minister for Infrastructure for an update on the South Western bypass for Enniskillen in relation to (i) its readiness for commencement; and (ii) the expected timeline from commencement to completion.

**(AQW 5680/17-22)**

**Ms Mallon:** On 10 June 2020 I announced to the Assembly my intention to progress a number of strategic infrastructure and flagship projects as part of my plan to aid economic recovery and community transformation. I have now asked officials to push forward on the development of these important schemes, one of which is the A4 Enniskillen Southern Bypass.

Following consideration of a decision to proceed, the next step on this scheme is the making of the necessary orders. I also wish to examine how the scheme could kick-start improvements to the town, by reducing traffic travelling through the town we would create an opportunity to reshape the town centre, providing more space for people and creating a better place for all.

I hope to be in a position in the coming weeks to provide further information.

**Mr Blair** asked the Minister for Infrastructure for an update on the proposed greenway project to link the former railhead at Doagh, along the valley of the Six Mile Water into Antrim town.

**(AQW 5707/17-22)**

**Ms Mallon:** I am keen to see progress on better walking and cycling infrastructure throughout Northern Ireland and my Department is working in partnership with Councils and stakeholders, in identifying and taking forward schemes that deliver on our Programme for Government outcomes and ensure lasting change for people across the North. I view Greenways as an important part of this positive change and have allocated funding to help deliver more.

The development of greenway projects however falls to local Councils rather than my Department. Under the 'Small Grants for Greenways' programme, Antrim and Newtownabbey Borough Council received funding to develop a feasibility study for the Doagh to Larne Greenway. No Council submitted a proposal to develop a feasibility study for a greenway from Doagh to Antrim.

**Mr Muir** asked the Minister for Infrastructure to detail (i) how many; (ii) what percentage of regionally significant planning decisions were appealed to the Planning Appeals Commission; and (iii) the outcomes of each appeal, in each of the last three financial years.[R]

**(AQW 5713/17-22)**

**Ms Mallon:** In each of the last three financial years, no Regionally Significant planning decisions were appealed to the Planning Appeals Commission (PAC). In accordance with the Planning Act (NI) 2011 and unlike decisions made by councils, the decision of the Department on an application for planning permission made to it or referred to it shall be final. In this regard there is no provision available to appeal the decision to the PAC.

## Department of Justice

**Miss Woods** asked the Minister of Justice for an update on the establishment of a Centre of Restorative Excellence.  
**(AQW 5402/17-22)**

**Mrs Long (The Minister of Justice):** The Executive Action Plan (Recommendation A9) commits the Executive to put in place a dedicated fund for restorative justice initiatives to provide enhanced levels of resource over longer periods of time to deliver positive outcomes for individuals and communities. This fund is also required to resource the proposal for a centre of restorative excellence. The Executive Office leads on the creation of the fund.

As part of the recommendation the Department of Justice also committed to carry out a feasibility study to identify best options for a new centre of restorative excellence. This feasibility study was completed in March 2018.

The Feasibility Study concluded that a Centre of Restorative Excellence be developed which would contribute to the design, development and support of Restorative Justice to adult offending and would broaden the application of Restorative Practice to sectors and geographies, both within and outside the justice system, who are working in areas aligned to offending, mediation, negotiation and victim representation. It also identified the need for a physical, rather than virtual, centre.

A Cross Departmental Working Group, including representatives from the community based accredited restorative justice organisations, was established in January 2019 to take forward the work but given the cross cutting nature of the proposals, progress was hindered in the absence of an Executive.

My Department is currently consulting on the development of an Adult Restorative Justice Strategy. I also consider the delivery of a Centre of Restorative Excellence a key priority for my Department and I have been able to identify an additional dedicated resource to finalise the design proposals, including working with the Executive Office to ensure that a fund is established to support the Centre.

**Ms S Bradley** asked the Minister of Justice to detail the anticipated timeline for the legislation she intends to bring forward during the remainder of this mandate.

**(AQW 5416/17-22)**

**Mrs Long:** In addition to the Domestic Abuse and Family Proceedings Bill, which is currently at Committee Stage in the Assembly, I intend to bring forward three confirmed and one possible other separate Bills to the Assembly during the remainder of this mandate.

I plan to introduce a Criminal Justice (Committal Reform) Bill to the Assembly after the summer recess, which will be followed by a Protection from Stalking Bill in the autumn.

Subject to the outcome of a consultation exercise to be carried out this summer, this may be followed by a very small, very tightly focussed Personal Injury Discount Rate ("Damages") Bill in late 2020/early 2021.

I then plan to bring forward a Justice (Miscellaneous Provisions) Bill in early 2021 to legislate for a number of discrete policy areas that do not come within scope of the Domestic Abuse; Committal Reform or Stalking Bills.

Introduction of the Justice Bill in spring 2021 will ensure that the Bill can complete its Assembly scrutiny and passage before the House rises in March 2022 for the next local elections.

**Mr McGrath** asked the Minister of Justice what work has been undertaken by her Department's racial equality champion in the last five years.

**(AQW 5423/17-22)**

**Mrs Long:** A key role of the Department's Racial Equality Champion is to support delivery of the Racial Equality Strategy 2015-2025. That has included close engagement with the Racial Equality Subgroup, which is co-ordinated by The Executive Office and consists of representatives from the minority ethnic sector. As Racial Equality Champion, they have promoted awareness of the Racial Equality Strategy within the Department, emphasising the importance of racial equality and good race relations as well as being the senior point of contact for issues relating to racial equality. The Racial Equality Champion also participates in meetings of the NICS Racial Equality Champions Group which held its first meeting in October 2017.

The Racial Equality Champion has supported the development of initiatives relating to hate crime. For example, in June 2019 they facilitated a joint Executive Office/Department of Justice Workshop on Hate Crime for the Racial Equality Subgroup. The workshop provided an opportunity to discuss issues relating to reporting hate incidents; the importance of providing support to victims including through a Hate Crime Advocacy Scheme; and legislative issues relating to the protection of victims and dealing with criminal conduct motivated by hate.

In 2019, together with members of the Racial Equality Subgroup, other NICS Racial Equality Champions and Schools of Sanctuary representatives, a series of films was launched tackling racial inequalities and promoting good race relations in Northern Ireland.

In March 2018, the Racial Equality Champion met with Scottish and NCIS counterparts to discuss respective roles and challenges. They also attended formal training by the Race Equality Centre in Leeds that month.

Finally, my Department is a recognised 'Friend of Mela' and has worked with the Belfast Mela festival organisers to celebrate cultural diversity and participate in this annual event for a number of years. Officials including the Racial Equality Champion have actively been involved in preparations for those events.

**Mr Allister** asked the Minister of Justice (i) how many orders have been made to recover costs of legal aid pursuant to Article 33A of The Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 since that power came into force; and (ii) how much has been recovered.

**(AQW 5506/17-22)**

**Mrs Long:**

- (i) Four orders have been made to recover costs of legal aid pursuant to Article 33A of The Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 since this power came into force.
- (ii) To date £77,898.01 has been recovered in one case with £3,000 being pursued in another case. In the remaining cases:
  - there is an Order Charging Land registered by the Enforcement Judgement Office against a property in the sum of £124,019.61; and
  - a proof of debt has been lodged with the Insolvency Service for £9,339.16.

**Ms Bunting** asked the Minister of Justice, in circumstances where the Executive has outlined, as part of the Recovery Plan, that the housing market is now reopen, to detail when the probate process will also reopen.  
**(AQW 5558/17-22)**

**Mrs Long:** The Probate Master of the High Court suspended the issue of Grants of Probate on 19 March 2020 as a result of the public health emergency, however the service was reinstated on 24 April 2020.

More information regarding the arrangements for processing probate applications can be found at <https://judiciaryni.uk/coronavirus-covid-19>

**Mr O'Toole** asked the Minister of Justice how many meetings she has had with representatives of local ethnic minority communities and groups, and with the PSNI, to examine what further measures should be put in place to combat racial abuse and hate crime in Northern Ireland.  
**(AQW 5570/17-22)**

**Mrs Long:** I condemn any form of racial abuse and hate crime. Since taking up post I have met with a number of organisations and individuals to discuss this matter, and I meet regularly with the Chief Constable.

My Department has a number of projects in place to address racial abuse and hate crime.

In June 2019 Judge Desmond Marrinan was appointed to carry out an Independent Review of Hate Crime Legislation in Northern Ireland. Following a public consultation and meetings with stakeholders, Judge Marrinan is analysing consultation responses and will present his final report to me by 30 November 2020.

To support and encourage victims in reporting incidents, the Hate Crime Advocacy Service, which is funded jointly by PSNI and my Department, continues to provide emotional and practical support to all victims of Hate Crime and Hate Incidents. Two advocates are specifically employed within the Migrant Centre to provide this support to victims of racist attacks and to assist their reporting of such incidents to the police.

The Hate Incident Practical Action (HIPA) Scheme part funded by the Department of Justice, PSNI and Northern Ireland Housing Executive, is aimed at providing personal and home protection measures for victims of hate incidents where the incident has occurred at or in the vicinity of their home.

At an operational level, Policing Community and Safety Partnerships (PCSPs), are funded by my Department to work to make their community safer. They do this by focusing on the policing and community safety issues that matter most in that area, and in that regard a number of PCSPs are currently tackling hate crime. Further information on PCSPs can be found at <https://www.pcsp.org/>

My Department's Racial Equality Champion also supports delivery of the Racial Equality Strategy 2015-2025. This has included close engagement with the Racial Equality Subgroup, which is co-ordinated by The Executive Office and consists of representatives from the minority ethnic sector.

Keeping communities safe and helping individuals feel safe, through tackling and reducing crime, including hate crime, is a strategic priority for my Department and I will continue to meet with relevant interested parties to address this issue.

**Mr Givan** asked the Minister of Justice to detail how Mr Gerry Adams met the eligibility test for legal aid support in respect of a legal challenge of unlawful imprisonment.  
**(AQW 5581/17-22)**

**Mrs Long:** In criminal matters before the Court of Appeal, when determining whether to grant legal aid the Court of Appeal is required to consider the merits of the case. It is not required to consider the financial means of an appellant. In this case the Court of Appeal concluded that on the merits of the case legal aid should be granted.

**Mr Givan** asked the Minister of Justice to detail the process which must be adopted when consideration is given to the granting of legal aid provision.  
**(AQW 5582/17-22)**

**Mrs Long:** The process for determining entitlement to legal aid differs depending on the type of assistance sought. Generally speaking applicants have to satisfy a financial means test and a legal merit test. There are a range of exemptions prescribed

in legislation which disapply the financial means test, for example in respect of advice at police stations and certain public law proceedings involving children. However, in general terms the process for granting legal aid is as set out below:

#### Civil Legal Services

##### Advice and Assistance

Solicitors assess individual's entitlement to this service which is reviewed and formally granted by Legal Services Agency. The relevant tests are;

- (a) Financial eligibility – whether the applicants
  - Disposable weekly income does not exceed £234 per week and the applicants.
  - Disposable capital does not exceed £1,000.
- (b) Legal merit
  - Whether the advice is sought on a point of Northern Ireland law.

##### Representation Lower Courts

Solicitors assess individual's entitlement to this service which is reviewed and formally granted by Legal Services Agency. The relevant tests are

- (a) Financial – whether the applicants
  - Disposable income does not exceed 234 per week.
  - Disposable capital does not exceed £3,000.
- (b) Legal Merit
  - Whether there are reasonable grounds for taking, defending or being a party to the proceedings to which the application relates unless it appears:
    - to be unreasonable that a certificate should be granted; or
    - that only a trivial advantage would be gained by the applicant in taking, defending or being a party to the proceedings to which the application relates, or, owing to the simple nature of the proceedings, a supplier would not ordinarily be employed.

##### Representation Higher Courts

The Legal Services Agency Solicitors assesses individual's entitlement to this service.

- (a) Financial – whether the applicants
  - Disposable income does not exceed £10,995 per annum in respect of claims involving personal injuries or £9,937 for any other case.
  - Disposable capital does not exceed £8,560 in respect of claims for personal injuries or £6,750 for any other case.
- (b) Merits Test
  - Whether there are reasonable grounds for taking, defending or being a party to the proceedings to which the application relates unless it appears:
    - to be unreasonable that a certificate should be granted;
    - to be more appropriate that an application for a certificate should be made under representation lower courts; or
    - that only a trivial advantage would be gained by the applicant in taking, defending or being a party to the proceedings to which the application relates, or, owing to the simple nature of the proceedings, a supplier would not ordinarily be employed.

##### Criminal Cases

Magistrates Courts / County Court Appeal and Crown Court cases

In all criminal cases the judiciary is responsible for determining applications for legal aid. The relevant tests are:

- (a) Financial Eligibility
  - Whether the means of an individual before the court are insufficient to enable them to obtain legal aid to fund their defence.
- (b) Merits Test
  - Whether it is in the interest of justice that they should have free legal aid.

### **Criminal Court of Appeal and Criminal Appeals to Supreme Court**

In criminal matters before it, the Court of Appeal grants legal aid. It also determines legal aid for cases which proceed to the Supreme Court. The Supreme Court does not grant legal aid. As there is no statutory financial eligibility test for these applications, the Court of Appeal determines applications against the statutory merits tests, namely

- (a) whether the individual would, if any matter arising in the proceedings is decided against him, be likely to lose his liberty or livelihood or suffer serious damage to his reputation,
- (b) whether the determination of any matter arising in the proceedings may involve consideration of a substantial question of law,
- (c) whether the individual may be unable to understand the proceedings or to state his own case,
- (d) whether the proceedings may involve the tracing, interviewing or expert cross-examination of witnesses on behalf of the individual, and
- (e) whether it is in the interests of another person that the individual be represented.

## Department for the Economy

**Mr McGrath** asked the Minister for the Economy what work has been undertaken by her Department's racial equality champion in the last five years.

**(AQW 5461/17-22)**

**Mrs Dodds (The Minister for the Economy):** My Department has only been in existence since May 2016. The racial equality champion has over the past four years attended extensive training organised by The Executive Office, including study visits to Scotland and England. She has attended regular meetings of the Racial Equality Champions Group and has met with the Racial Equality Sub Group at least once per annum with the other champions and individually.

She has led the work on a new strategy for English for Speakers of Other Languages which will issue for consultation later this year. She provides a verbal update to the Departmental Board on the work of the Racial Equality Champions on a quarterly basis.

**Mr Dickson** asked the Minister for the Economy whether she will consider implementing a Third Sector Resilience Fund, similar to that in Scotland.

**(AQW 5535/17-22)**

**Mrs Dodds:** My Department is currently delivering a £15.5m Executive Covid-19 Charities Fund to support organisations in the charitable sector directly impacted by the health pandemic, unable to access finance from other government schemes and facing the threat of imminent closure.

I am also pleased to say that The Dormant Accounts Fund, designed to help build third sector resilience and improve capacity to adapt to future challenges, is expected to be launched in the near future by the National Lottery Community Fund under direction from the Department of Finance.

**Ms Hunter** asked the Minister for the Economy (i) for an update on Project Stratum; and (ii) to detail the number of rural homes in the East Derry constituency that will benefit from Project Stratum.

**(AQW 5719/17-22)**

**Mrs Dodds:**

- (i) The closing date for receipt of tenders for Project Stratum has now passed. The evaluation of bids is underway and contract award is expected in late September 2020. My Department's engagement with industry indicates that approximately 6 months will be required for network design prior to deployment. It is anticipated, therefore, that deployment of infrastructure will commence a number of months after contract award, with completion required by 31 March 2024.
- (ii) The Project Stratum target intervention area consists of just under 79,000 premises. There are 3,068 premises in the East Derry Constituency within the target intervention area. It is important to note, however, that the number and location of premises that will benefit from this intervention will not be known until the procurement is complete and a contract has been awarded. The aspiration of my Department continues to be to maximise broadband coverage throughout Northern Ireland from the funding available, so that as many premises as possible benefit from this public intervention.



## Northern Ireland Assembly Commission

**Mr Allister** asked the Assembly Commission (i) whether it is accepted that there is an ongoing statutory duty to appoint an independent panel under the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011; (ii) why such a panel has not yet been appointed; and (iii) when it is anticipated that a new panel will be in place.  
**(AQW 5394/17-22)**

**Mrs D Kelly (The Representative of the Assembly Commission):** The Assembly Commission has discretion in when to appoint members to the Panel – under section 17 of the Interpretation Act (Northern Ireland) 1954 a duty is to be performed “from time to time, as the occasion requires”. The Assembly Commission is agreed that it would be premature to appoint members to a Panel under the current legal framework when it has agreed on legislative reform which, among other things, will alter the criteria for membership of the Panel.

Appointments to a Panel will be made following the passage of the proposed Bill.

**Mr Allister** asked the Assembly Commission to list the occasions and subject matter when it exercised its powers under Section 2(4) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011.  
**(AQW 5396/17-22)**

**Mr Blair (The Representative of the Assembly Commission):** Section 2(4) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 provides that “the Panel may consider any other matter which is relevant to the discharge of its functions, either on its own initiative or at the written request of the Commission.”

The Assembly Commission wrote to the Independent Financial Review Panel (“the Panel”) on a number of occasions to bring a range of matters to its attention for it to consider.

The Assembly Commission wrote to the Panel in June 2013 to draw the Panel’s attention to an issue that had presented itself in relation to attacks on Members’ constituency offices and seeking the Panel’s consideration as to whether provision for expenditure incurred by Members to recover from those attacks could be incorporated into a future Determination.

In March 2015, the Commission wrote to the Panel to advise that it had reduced the permitted level of expenditure on centrally-provided office consumables and also to seek the Panel’s agreement to amend the Determination that was then in force to remove an entitlement for Members to receive a childcare allowance. This latter move was in response to a general reduction in childcare support across the wider public sector at that time.

Following the publication of the Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016 in March 2016, there was considerable interaction with the Panel to ask them to consider a variety of matters that required clarification. These included issues relating to transitional arrangements for the implementation of the Determination, Constituency Office Operating Expenses, rent and rates, office signage, support staff costs and travel allowances.

As a result, a Memorandum of Understanding (MoU) between the Assembly Commission and the Panel was agreed in May 2016 to enable, liaison on issues related to the 2016 Determination to seek to resolve them in an efficient manner. That MoU led to a number of liaison meetings between senior Commission officials and the Panel to have various matters considered.

**Mr Robinson** asked the Assembly Commission whether any consideration has been given to testing Member’s staff for COVID-19 as offices prepare to reopen.  
**(AQW 5431/17-22)**

**Mrs D Kelly (The Representative of the Assembly Commission):** As the Assembly Commission has no role in the operation of a constituency office and the health and safety of a Member’s employees is a matter between the Member and her or his employees (as set out in the Health and Safety at Work (Northern Ireland) Order 1978), the Assembly Commission has no plans to test Members’ staff for COVID-19 as constituency offices prepare to reopen.

However, guidance was previously issued to all Members on 3 June 2020 advising on how their staff could secure testing under the Coronavirus (COVID-19) Testing Programme.

**Miss Woods** asked the Assembly Commission (i) for an update on its model of a youth assembly; (ii) whether the detailed paper on the youth assembly has been completed; (iii) whether the youth assembly has been discussed by the Assembly Commission this year; and (iv) to lay in the Assembly Library any reports the Commission has written or commissioned in relation to the establishment of a youth assembly.  
**(AQW 5514/17-22)**

**Mr Butler (The Representative of the Assembly Commission):** I am pleased to be able to update you that the Assembly Commission has today formally announced the framework it has agreed to establish the Youth Assembly and the next steps to put it in place.

The Assembly Commission has had a longstanding commitment to introduce a Youth Assembly. However, its development was delayed for a number of years, firstly by difficulties in resolving some of the details including funding, and secondly by wider political developments at the Assembly in recent years. The Assembly Commission recognises the frustration that has caused.

In February 2020, the newly appointed Assembly Commission agreed to return to the creation of a Youth Assembly as a priority. On 11 May 2020 the Assembly Commission considered a detailed paper and agreed to establish a Youth Assembly on that basis. Since then, officials have been working through a number of practical considerations to enable today's announcement to be made. The paper agreed by the Assembly Commission has now been deposited in the Assembly's Library.

The proposals for the Youth Assembly were drawn up after engagement with a wide range of stakeholders in the statutory, public and voluntary and community sectors and taking account of the issues faced by the youth forums which exist in other jurisdictions. The Northern Ireland Commissioner for Children and Young People, Koulla Yiasouma, was a lead stakeholder in this process.

The Youth Assembly will be Assembly-supported, but not Assembly-led. This will ensure that the Youth Assembly has close access to the decision making process at the Assembly, is well informed on the work being undertaken at the Assembly which it may wish to contribute to, and is directly funded by the Assembly Commission.

There will be an initial two-year development stage. During this time, it will be for the young people involved to determine the finer details of how the Youth Assembly will work and how it determines its own priorities.

It is proposed that the Youth Assembly will broadly mirror the structures of the Assembly:

- It will have 90 members, 54 of whom will be drawn from the Northern Ireland Assembly constituencies and 36 from specific sections of the community including Section 75 categories.
- The core age range of the members will be 13 to 17, but there will be an upper age limit of 21 to ensure diverse representation.
- The Youth Assembly will have two plenary sittings a year and have up to four Committees, which will meet more regularly.
- The two plenary sittings are likely to take place in Parliament Buildings and will be presided over by the Speaker in the Assembly Chamber.
- The committees of the Youth Assembly may also meet in Parliament Buildings but it is expected that they will also meet in other locations.

The Assembly's Education Service will support the initial phase of the Youth Assembly, including taking forward the arrangements and practicalities of how the first members of the Youth Assembly will be sought and chosen. In addition, the Assembly Commission plans to recruit two youth sector workers to assist in the long term development and operation of the Youth Assembly. The costs for the initial two years of the Youth Assembly will be funded directly by the Assembly Commission and are expected to be in the region of £300,000.

The Assembly Commission is also clear that it is essential for comprehensive safeguarding measures and protections to be in place, including training and support for the members of the Youth Assembly and all those working with them.

The framework agreed by the Assembly Commission is not an end to the work required to have the Youth Assembly fully operational, but it is right that its processes and procedures are co-designed by the young people who will be involved. The COVID-19 pandemic has impacted upon progress and may slow the originally intended pace of planning meetings etc. However, young people have led the way in using technology to overcome the challenges of the public health crisis and that ability will assist the development of the Youth Assembly.

The Assembly Commission hopes that the Youth Assembly will create a focal point for the voice of young people to ensure that it is heard.

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# Northern Ireland Assembly

Friday 31 July 2020

## Written Answers to Questions

### The Executive Office

**Mr McGrath** asked the First Minister and deputy First Minister to outline (i) when the Commission on Flags, Identity, Culture and Tradition last met; (ii) whether minutes were taken; and (iii) when they will meet again.  
(AQW 5460/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill (The First Minister and deputy First Minister):** The Commission met on 10 July. Prior to that the last time it had met was 5 March. The Covid-19 outbreak has impacted on the Commission concluding its work. The Commission minutes its meetings.

**Mr Carroll** asked the First Minister and deputy First Minister, in reference to The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (NI) 2020, what conversations, if any, took place between the deputy First Minister, the Department of Health and the Department of Justice regarding this piece of legislation.  
(AQW 5491/17-22)

**Mrs Arlene Foster and Mrs Michelle O'Neill:** The matters contained in the No.5 Regulations were agreed by the Executive collectively at its meeting on 28 May 2020.

### Department of Agriculture, Environment and Rural Affairs

**Mr McGlone** asked the Minister of Agriculture, Environment and Rural Affairs to detail his planning for Brexit Sanitary and Phytosanitary checks.  
(AQW 4404/17-22)

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** My Department is currently scoping and implementing a cross-cutting programme of work as follows:

- understanding the processes required to reduce friction on trade as far as is possible while meeting the legal requirements of our statutory role which is to carry out Sanitary and Phytosanitary (SPS) checks at the point of entry;
- understanding the IT requirements that will facilitate movement of trade while seeking to minimise the impacts on traders;
- understanding the minimum requirements for each of the designated or potentially designated points of entry to Northern Ireland that will meet EU specifications.

This includes engaging with a range of key stakeholders to ensure appropriate measures are in place to facilitate the movement of goods and products between GB and Northern Ireland whilst complying with the statutory requirements of the Northern Ireland Protocol. I have been clear that I wish to implement the Northern Ireland Protocol in a way that maximises the flow of trade, and which works for Northern Ireland's businesses and citizens.

**Miss McIlveen** asked the Minister of Agriculture, Environment and Rural Affairs for an updated timescale for bringing forward the Departments (Transfer of Functions) Order (Northern Ireland) 2016 in respect of reservoirs.  
(AQW 4835/17-22)

**Mr Poots:** My officials are currently progressing the Departments (Transfer of Functions) Order in respect of the Reservoirs Act (NI) 2015 from the Department of Agriculture, Environment and Rural Affairs to the Department for Infrastructure.

On 2 June 2020 Minister Mallon agreed to accept the transferred functions. My officials have therefore arranged to have the relevant functions included in legislation being taken forward by TEO, which includes transfers of functions between other Departments. The step currently being progressed is the securing of the required agreement of the First Minister/deputy First Minister.

After FM/dFM agreement the intention is to engage with the appropriate Assembly Committees and to seek approval from the Executive to make the Transfer of Functions Order. Subject to Executive approval, the Order will be laid in the Assembly under the affirmative resolution procedure and will come into operation on the day after Assembly approval.

I would welcome Executive and Assembly agreement to this Transfer of Functions Order before recess.

**Ms Anderson** asked the Minister of Agriculture, Environment and Rural Affairs, pursuant to AQW 4592/17-22, to detail (i) what implementation his Department has carried out in line with the Protocol on Ireland/Northern Ireland, that goes beyond a scoping exercise; and (ii) what funding has been committed and secured to meet these obligations.

**(AQW 5102/17-22)**

**Mr Poots:** The Department of Agriculture, Environment and Rural Affairs (DAERA) is the lead Department on the programme to implement our obligations in relation to the Northern Ireland Protocol on Sanitary and Phytosanitary (SPS) operational arrangements, including Points of Entry (POE) for food products coming from GB.

With the agreement of the Northern Ireland Executive, the programme formally started on 26 May, following the publication of the UK Government's command paper on 20 May, which provided the necessary clarification to proceed. Since then my officials have been working at pace to work towards delivering a Minimum Viable Product (MVP) for process design, IT, trained staff and supporting facilities to deliver first day operational readiness for SPS checks at NIs Points of Entry (POE) by the end of December 2020.

The UK Government has indicated it remains committed to engaging specifically with the Northern Ireland Executive on the unique circumstances of Northern Ireland and the protocol as part of wider work examining funding options to support preparedness. Good governance requires us to look at options for delivery and to assess costs through the business case process. That process is in the very early stages of development and will be informed by the operational planning.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs for an update on Equality Section 75 screening for the £25 million COVID-19 financial support package for the agri-food sector.

**(AQW 5589/17-22)**

**Mr Poots:** In line with DAERA's Equality Scheme, an equality and human rights screening exercise has been undertaken on the policy relating to the allocation of the £25m COVID-19 support fund to the agriculture and horticulture sectors.

On the basis of the answers to the screening questions, this policy has been screened out i.e. no EQIA is required. The completed EQIA screening document is available to view on the DAERA website [www.daera-ni.gov.uk/publications/equality-screening-2020-screened-out](http://www.daera-ni.gov.uk/publications/equality-screening-2020-screened-out)

**Mrs Barton** asked the Minister of Agriculture, Environment and Rural Affairs to detail how many (i) cattle; and (ii) sheep have been (a) stolen; or (b) reported missing, broken down by constituency, in each of the last four years.

**(AQW 5679/17-22)**

**Mr Poots:** Thank you for your question in relation to the number of cattle and sheep that have been stolen or reported missing over the last four years.

The table below shows the number of cattle reported and recorded on the Department's Animal and Public Information System (APHIS) as missing or stolen by Divisional Veterinary Office (DVO) area over the last four years.

DVO	Number of cattle reported and recorded as missing or stolen on APHIS per year			
	2016	2017	2018	2019
Armagh	493	591	732	636
Ballymena	160	235	270	162
Coleraine	202	265	398	312
Dungannon	489	532	573	428
Enniskillen	162	217	284	161
Mallusk	289	322	317	517
Strabane	194	313	194	241
Newry	586	622	525	606
Newtownards	234	192	245	252
Omagh	408	412	362	373

Please note that information held on APHIS does not differentiate between missing or stolen cattle and is recorded against DVO area as opposed to constituency area.

Flock keepers rarely notify DAERA of missing or stolen sheep as there is no legal requirement for them to do so. As a result, DAERA hold no meaningful records for missing or stolen sheep.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the Aichi Biodiversity Targets, as outlined in the Biodiversity Strategy 2020.

**(AQW 5709/17-22)**

**Mr Poots:** An interim report on progress by DAERA, other departments and organisations for actions listed in the Biodiversity Strategy's implementation plan was produced in December 2016. Since then, further progress has been made while recognising that some of the actions have a completion date of December 2020.

The current Northern Ireland Biodiversity Strategy is in place until the end of 2020. My officials are currently engaging with Defra and the other Devolved Administrations in a framework to implement the new post 2020 Aichi international targets that will be agreed by the Convention on Biological Diversity.

My Department will be developing a new Biodiversity Strategy to fulfil Northern Ireland's commitments to the new international targets to 2030. During this process, a final report will be produced to highlight progress on the actions listed in the current strategy's implementation plan.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs (i) whether his Department plans to update the Biodiversity Strategy for Northern Ireland; and (ii) if so, when a first draft will be available.

**(AQW 5710/17-22)**

**Mr Poots:** My officials are currently engaging with Defra and the other Devolved Administrations in a framework to implement the new post 2020 international targets that will be agreed by the Convention of Biological Diversity (CBD). The CBD will consider revised targets to halt the loss of biodiversity globally.

Following this agreement, my Department will be developing a new Biodiversity Strategy to fulfil Northern Ireland's commitments to the new post 2020 international targets. It is anticipated that a first draft will be complete by late 2021.

**Mr Beggs** asked the Minister of Agriculture, Environment and Rural Affairs to detail what discussions he has had in relation to a Border Control Post at the Port of Larne.

**(AQW 5738/17-22)**

**Mr Poots:** Jobs Created by the Leader Programme

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs to detail how many jobs have been created by the Leader programme, from 2014.

**(AQW 5762/17-22)**

**Mr Poots:** The Rural Business Investment Scheme is the key economic measure within the LEADER Programme for supporting micro and small rural businesses to stimulate growth and rural employment opportunities in rural areas.

EU Commission guidance requires part time jobs to be reported as whole units i.e. Full Time Equivalent (FTE). Therefore, I can advise that at the end of June 2020 there has been 789 full time and 170 part time jobs vouched as having been created, which makes up a figure of 874 FTE jobs created in rural areas.

**Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs (i) whether he is aware that the Irish Government is providing a one-off financial scheme for poultry farmers impacted by avian influenza, subtype H6N1; and (ii) whether he is willing to consider a similar scheme given the devastating impact this has had on poultry farmers.

**(AQW 5763/17-22)**

**Mr Poots:** I am aware of the scheme recently announced by the Irish Government to reimburse poultry farmers for the costs of flock depopulation and disposal in cases where low pathogenic Avian Influenza (AI) H6N1 has been confirmed, up to a maximum limit of €10k.

My Department has no powers to compel culling nor provide compensation in cases of confirmed AI H6N1 as it is not a notifiable disease. However, in the recent outbreak of the disease in Northern Ireland, my officials assisted with the depopulation and disposal of the affected poultry and carried out an epidemiological investigation to determine the potential disease source and methods of spread. Enhanced biosecurity recommendations were also developed and implemented in conjunction with industry. I am satisfied that all possible measures to spread the disease were taken. No further cases have been reported in Northern Ireland since 23 March 2020.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs what is the Northern Ireland Environment Agency doing to (i) increase the outcomes of complaints on pollution, fly-tipping, oil spills, fish kills and other environmental damage; and (ii) ensure these offences result in penalties for those responsible.

**(AQW 5810/17-22)**

**Mr Poots:**

- (i) The Northern Ireland Environment Agency (NIEA) seeks to protect the environment through a variety of proactive and reactive measures including; monitoring, the development and implementation of strategic plans, advice and regulation, supporting research, and on the ground response to combat or minimise the effects of pollution. These activities aim to reduce the risk of pollution incidents from occurring and therefore the risk of fly-tipping, fish kills, oil spills and other environmental damage.

The majority of what is commonly regarded as fly-tipping (the casual, ad hoc disposal of small scale wastes) is primarily the responsibility of local Councils. The NIEA's Enforcement Branch may investigate, and enforce against larger scale, higher risk, fly-tipping incidents involving hazardous wastes and quantities of waste material over 20m<sup>3</sup> by volume.

Enforcement branch also works closely with other agencies including councils, PSNI and NIFRS to help best address illegal dumping; in 2019-20 it contributed to 12 Council led multi-agency meetings to help address Environmental and Health issues relating to traditional bonfires. Earlier this year, as a proactive measure aimed at combatting fly-tipping and littering, the Department has issued a series of communications. A flyer was sent to every household in Northern Ireland with details of how to manage waste and recycling during the Covid 19 crisis, which included sections on fly-tipping.

There have also been radio adverts on local stations throughout May 2020 and a range of social media posts on various platforms continuing into June, highlighting the problems of fly-tipping, littering, illegal waste dumping, and pollution in our waterways

Pollution of our valuable water, air and land resource is both environmentally and economically damaging. Taking simple pro-active steps to prevent pollution, or reduce the risk of pollution at its source not only serves to protect the environment through greater regulatory compliance, but is cost effective in terms of clean-up costs, fines from penalties and reputational damage. There is a duty on us all to help protect our environment and I would encourage all citizens to continue to report incidents of pollution and environmental damage to NIEA as soon as it is observed. This can be done using the 24/7 hotline 0800 807060.

- (ii) All cases of pollution are robustly investigated and where the polluter can be identified NIEA will pursue formal Enforcement Action in line with the enforcement policy for significant breaches in legislation. NIEA takes a graduated risk based approach to the enforcement of pollution, from providing proactive advice and working with those responsible to resolve issues, to formal enforcement including waste clearance notices, fixed penalty notices, and the preparation of enforcement files for the Public Prosecution Service. The level of fines levied in the courts as you are aware is a matter for the Judiciary. There are current sentencing guidelines which are available to Magistrates to provide for a consistent approach to sentencing.

**Mr Blair** asked the Minister of Agriculture, Environment and Rural Affairs whether he intends to use Section 75 monitoring to enable inclusion by publishing the proactive approaches taken to promote equity rather than publishing Equality Monitoring information that confirm discrimination has not happened.

**(AQW 5908/17-22)**

**Mr Poots:** DAERA is fully committed to fulfilling its Section 75 duties in relation to its relevant functions. Our Equality Scheme is designed to ensure this. In compliance with our Section 75 duties, our Equality Scheme and the Equality Commission for Northern Ireland (ECNI) requirements, we publish all Equality Screening forms on a quarterly basis, as well as our Annual Progress Report to ECNI on an annual basis.

Our progress reports set out a wide range of projects that have been set up for the various groups and individuals within NI. I attach a link to these annual reports as an example of the work that my Department is doing to assist in ensuring that an equal and equitable society exists: <https://www.daera-ni.gov.uk/publications/annual-progress-reports-equality-commission-daera>

## Department for Communities

**Mr Easton** asked the Minister for Communities what training is in place for people conducting Personal Independence Payment medical consultations.

**(AQW 2785/17-22)**

**Ms Hargey (The Minister for Communities):** Personal Independence Payment (PIP) assessments are carried out by Disability Assessors (DAs) employed by Capita Business Services Ltd. (Capita).

All DAs are registered Health Professionals who must have a minimum of two years post registration experience.

All DAs complete a 12 week training programme which consists of:

- A 5 week foundation training programme prior to carrying out PIP assessments. This training provides them with the knowledge and experience to conduct a PIP assessment which focuses on the individual's functional ability. This includes condition specific sessions, scenarios and role plays, addressing cognitive, intellectual, mental and physical conditions.

- Mental health, trauma and Post-Traumatic Stress Disorder are also comprehensively addressed throughout this programme. Following completion of the foundation programme, DA's are assigned a peer buddy for a further period of 4 weeks.
- For the final three weeks of training DAs must then complete 20 assessment reports which are fully audited. The DA must achieve 5 Grade A reports in a row before moving to the next development stage.

Following the 12 week training programme, all DAs are assigned a pro-active coaching plan for week 13 to week 17 to monitor overall performance and to provide bespoke feedback.

The decision was made to suspend face to face PIP health assessments from 16th March 2020 due to the COVID-19 pandemic. Telephony based assessments were introduced as an alternative. Capita designed a training package to assist DAs in their transition to telephone assessments.

In addition Capita have transferred their foundation training programme to remote delivery via Microsoft Teams. This consists of 4 week's training with a further week focusing on supportive development.

The Departments' Health Assessment Advisory Team (HAAT) review trainee performance prior to giving full approval for the DA to undertake assessments.

Once approved, DAs are required to complete ongoing mandatory Continuous Professional Development training modules, and have access to support mechanisms including specialist mental health leads, online forums and guidance, and telephony based advice services.

**Mr McGlone** asked the Minister for Communities what protective measures are being put in place at medical assessment centres for Personal Independence Payments, Disability Living Allowance and Employment and Support Allowance applications for people with increased health susceptibilities.

**(AQW 3672/17-22)**

**Ms Hargey:** Minister Hargey's announcement on 16 March confirmed that face-to-face assessments for all benefits would be suspended for an initial period of three months effective from 16 March, subject to review. This measure was introduced to reduce health risks to customers. Health assessments have since been carried out by paper based review, where the necessary medical evidence exists or by telephone based assessment which was introduced as an alternative to a face-to-face assessment.

I can confirm that for Personal Independence Payment, Disability Living Allowance and Employment and Support Allowance face-to-face assessments continue to be suspended, however consideration is being given to how face-to-face health assessments can be resumed in a safe manner which adheres to social distancing measures.

**Mr Allister** asked the Minister for Communities whether the North/South Language Body has laid its 2018 accounts before the Northern Ireland Assembly and submitted a statement of accounts for 2018 to the Comptroller and Auditor General for Northern Ireland, as required under law.

**(AQW 4700/17-22)**

**Ms Hargey:** The North/South Language Body has not laid its 2018 accounts before the Assembly.

The North/South Language Body has submitted a statement of accounts for 2018 to the Comptroller and Auditor General.

**Mr McGrath** asked the Minister for Communities what support is available for men who have suffered from domestic abuse.

**(AQW 5389/17-22)**

**Ms Ní Chuilín:** The 24 hour Domestic Violence and Sexual Abuse Helpline is co-funded by my Department, the Department of Health and the Department of Justice. It is available for all victims of Domestic Violence and abuse.

My Department is responsible for oversight of the Housing Executive's Supporting People (SP) programme, which funds homeless temporary accommodation services, most of which cater for the housing support needs of men (86 total homelessness schemes, of which 15 are women only). As part of the implementation of the SP review, an evidence-based assessment of need for housing support services is due to be completed by September 2020, and this will inform a three year strategy for 2020-2023, which will consider the existing needs and emerging demands on housing support services.

In addition, the Sanctuary Scheme is available to all Housing Executive tenants who are victims of domestic violence. A 'Sanctuary' comprises enhanced security measures designed to enable households to remain safely in their homes and where applicable a Sanctuary room.

The Department of Justice has advised that a range of services and support mechanisms are available to victims of domestic abuse regardless of their gender. This includes the 24hr Domestic and Sexual Abuse Helpline, Multi Agency Risk Assessment Conferences as well as plans to introduce a new advocacy support service in 2021/22. Advertising campaigns to raise awareness around domestic abuse, and the support available, apply to victims irrespective of gender.

The Department of Health has confirmed that the Men's Advisory Project (MAP) are commissioned by the Health and Social Care Board to provide counselling support services to male victims of domestic abuse.

They are also piloting the IRIS (Identification and Referral to Improve Safety) programme with GP practices in two GP Federation areas (East Belfast and the Newry/Down district). IRIS provides GPs with training and support to help identify patients (male and female) affected by domestic and sexual abuse and refer them to specialist support. The pilot, which is being delivered through a 'consortium' approach by Women's Aid, MAP, Nexus NI and Victim's Support Service, is running for 12 months and will be evaluated at the end of the year to inform consideration of any further roll out.

Further information, including the contact number for the 24 hour helpline, is available through the following links:

<https://www.nihe.gov.uk/Housing-Help/Homelessness/Finding-local-services>

<https://www.psnl.police.uk/crime/domestic-abuse/who-can-help-me/>

**Mr Givan** asked the Minister for Communities whether his Department, after discussions between Land and Property Services and the Housing Executive, plans to bring forward new legislation to supersede the Housing (N.I.) Order 1983, to manage the requirements of lending institutions who hold concerns about the diminishing leasehold terms on flats sold under the Right to Buy scheme.

**(AQW 5410/17-22)**

**Ms Ní Chuilín:** The Housing Executive has advised that they continue to engage with Land & Property Services on the available options to address the requirements of lending institutions and the diminishing leasehold terms on flats sold under the Right to Buy scheme. Consideration of the available options remains at an early stage.

**Mr K Buchanan** asked the Minister for Communities when Jobs and Benefits offices in Cookstown and Magherafelt will open to the public.

**(AQW 5576/17-22)**

**Ms Ní Chuilín:** The re-opening of our Jobs & Benefit offices has begun, on a very limited basis. I am conscious that the Education Authority has begun its annual exercise for eligible parents to claim Free School Meals and support to buy a school uniform. Whilst many of these applications can be made directly between the Education Authority and the applicant, I am conscious that many families use our JBO network to have their application forms validated.

I have already excused signing for people claiming Job Seekers Allowance and we will continue to manage our Universal Credit activities remotely. That will not change. I can confirm that both Cookstown and Magherafelt JBOs have now opened on this limited basis.

**Ms Armstrong** asked the Minister for Communities what process her Department uses to ensure that all policies and legislation proactively enables inclusion and equity, particularly for people with disabilities and black and ethnic minority persons.

**(AQW 5747/17-22)**

**Ms Ní Chuilín:** Under section 75 my Department, as a public authority, is required to have due regard to the need to promote equality of opportunity between the nine equality categories including people with disabilities and black and ethnic minority persons.

In accordance with Departmental Equality Scheme commitments, equality of opportunity and good relations are central to policy development with the tools of equality screening and equality impact assessment assisting policy makers to take into account the needs and effects of a particular policy on people within the section 75 equality groups.

**Mrs Barton** asked the Minister for Communities, with regard to the COVID-19 Hardship Fund for sports clubs, to detail (i) the sports clubs that were successful in their grant applications; (ii) the sports clubs that were not successful in their grant applications; and (iii) the sports clubs that have received funding from the further £750,000 identified.

**(AQW 5758/17-22)**

**Ms Ní Chuilín:** A comprehensive breakdown of the Sports Hardship Fund including details of the sports clubs that were successful in their grant applications is published on the Sport NI website at the following link:

<http://www.sportni.net/funding/our-funding-programmes/sports-hardship-fund-2/>

Please note, this website is updated on a weekly basis.

Table 1 below details the sports clubs that were not successful in their grant applications:

**Table 1:**

Organisation Name	Reason for Declination
500 Motor Racing Club of Ireland Ltd	Ineligible project/costs
Ballymena Sea Cadets	Ineligible organisation
Basketball Northern Ireland	Ineligible project/costs



Organisation Name	Reason for Declination
Belfast Celtic Young Men & Ladies Football Club	Ineligible project/costs
Bleary Farmers Hall Management Committee	Ineligible organisation
Bushido Karate Lisburn	Ineligible organisation
Cookstown Youth Football Club	Ineligible project/costs
County Londonderry Football Association	Ineligible project/costs
Crusaders Strikers Womans Football Club	Ineligible project/costs
Dundonald Sea Cadets	Ineligible organisation
Dunmurry Sports Association	Ineligible project/costs
Evolve Martial Arts Club	Ineligible organisation
Fermanagh Sports And Cultural Awareness Association	Ineligible organisation
Fivemiletown Royal British Legion	Ineligible organisation
I.M.M.A Gym / Next Generation NI	Ineligible organisation
Illusion Dance School	Ineligible organisation
JM Brazilian Jiu Jitsu Ltd t/a RMNU Ireland	Ineligible organisation
Kazoku Karate	Ineligible organisation
Maiden City Soccer Academy	Ineligible project/costs
McConomy Bradley Doherty Academy (MCBDA)	Ineligible organisation
Mickey Finns Karate Academy	Ineligible organisation
Newry Muay Thai	Ineligible organisation
NI School of Music & Theatre	Ineligible organisation
Rosario Youth Club	Ineligible organisation
Savage Martial Arts	Ineligible organisation
Scoil Rince Fionn	Ineligible organisation
TKDNI TaeKwon Do	Ineligible organisation
Ventures II Karate	Ineligible organisation
Wellington Rec Youth	Ineligible project/ costs

The Sports Hardship Fund reopened on 21 July and it will remain open for applications until 5 August. The successful applicants will be notified in due course.

**Mr McCrossan** asked the Minister for Communities to detail all Housing Executive maintenance schemes in West Tyrone. (AQW 5764/17-22)

**Ms Ní Chuilín:** The tables below detail the Housing Executive maintenance schemes in West Tyrone. Table 1 details the schemes currently on site for 2019/20 for West Tyrone Constituency. It should be noted the schemes listed under 2019/20 are still ongoing, as works have been halted due to the restrictions in place around Covid-19.

Table 2 details the planned schemes for 2020 to 2022 in the West Tyrone Constituency.

**Table 1**

Work Group	Scheme	Dwgs
<b>Schemes 19/20</b>		
Bathroom/Kitchen/Rewire	Millbrook Gardens	75
Bathrooms	Ballycolman Phase 2	60
External Cyclical Maintenance	Castlefin/Mourne /Orr Park	198
External Cyclical Maintenance	Meelmore/Knockmoyle	256

Work Group	Scheme	Dwgs
<b>Schemes 19/20</b>		
Heating	Strabane	84
Heating	Strabane	139
Heating	Meelmore Drive	103

**Table 2**

Work Group	Scheme	Dwgs
Schemes Planned 2020/22		
Bathroom/Kitchen/Rewire	Blackstone/Bluebell/Lawson/Stoneyfalls	107
Bathroom/Kitchen/Rewire	Drumnabey Pk/Parkside Gdns/Listymore Pk	100
Bathroom/Kitchen/Rewire	Brookmount / Strathroy, Omagh	106
Bathroom/Kitchen/Rewire	Strathroy/Rural	54
Bathroom/Kitchen/Rewire	Meelmore, Omagh	86
Bathroom/Kitchen/Rewire	Brookmount / Clonmore	58
Bathrooms	Lisnafin Phase1	94
Bathrooms	Lisnafin Phase 2	76
Bathrooms	Strule/Summerhill/Watson	79
Bathrooms	Buchanan Villas, Omagh	32
Bathrooms	O'Neill / Festival / Fox Pk, Omagh	124
Double Glazing	South West	26
Double Glazing	South West	61
Double Glazing	South West	97
Double Glazing	Strathroy Estate, Omagh	250
External Cyclical Maintenance	Glebe Park/Millbrook Gardens	135
External Cyclical Maintenance	Lismore/Oakland/ Townsend	224
External Cyclical Maintenance	Ardnalee / Innisfree Gdns	143
External Cyclical Maintenance	Slievecoole / Mullaghmore	122
External Cyclical Maintenance	Hospital Road, Omagh	117
External Cyclical Maintenance	Lammy / Tamlagh, Omagh	101
External Wall Insulation (EDRF)	Brookmount/ Derry Road, Omagh	13
Fence Painting	Strabane/ Magherafelt Lot 10	974
Fence Painting	South West	TBA
Heating	Strabane Phase 3	160
Heating	Strabane Phase 4	161
Heating	Strabane Phase 5	217
Heating	Strabane Drumrallagh	189
Heating	Omagh Town ( Strathroy)	114
Heating	Omagh Town	67
Heating	Omagh/Drumquin/Fintona	85
Heating	Omagh / Brookmount	108
Heating	Omagh/Fintona	96

Work Group	Scheme	Dwgs
Heating	Lammy / Shandon	56
Heating	Omagh District Rural	101
Heating	Mullaghmore/Killyclogher/Hospital Road	116
Heating	Lisanelly/Gortin	79
Heating	Omagh General	58
Heating	Dromore/Fintona	29
Kitchens	Linkside/Chestnut Park Strabane	69
Kitchens	South West	1
Multi Element	330A-F Lisnafin Park	6
Roofs	Culmore/O'Kane Omagh	86
Roofs	South West	116
Special Capital	Culmore Pk, Omagh Maisonettes	16

**Mr McGrath** asked the Minister for Communities, pursuant to AQW 4903/17/22, in relation to some staff in the investigation unit that have been temporarily redeployed to assist with urgent benefit administration in light of the pandemic, to detail (i) the normal complement of staff in the unit; and (ii) how many were redeployed.

**(AQW 5776/17-22)**

**Ms Ní Chuilín:** There are 66 staff currently in post in the Fraud Investigation Unit.

Throughout the period of the pandemic 31 staff from this unit were redeployed to assist with urgent benefit administration in light of the increased demand for these services.

Across my Department we are actively working towards recovery of all services which includes when temporary redeployed staff will return to normal duties. Part of this work includes risk assessments of offices to ensure workplaces are safe in line with the changed environment we now find ourselves in. The staff who were temporarily redeployed from this unit are now returning to their roles on a phased basis and normal level of service will resume by end of August.

**Mr Allen** asked the Minister for Communities whether her Department intends to reform the Special Rules for Terminal Illness in social security law, in line with the findings of the Rader Review in 2018, the Westminster All-Party Parliamentary Group on Terminal Illness inquiry in 2019 and the Belfast High Court ruling on 8 July 2020.

**(AQW 5791/17-22)**

**Ms Ní Chuilín:** The judgment on the special rules delivered by the Court did not provide a decision around remedy. As such, legal proceedings have not concluded until the Court files a final Order dealing with the questions of remedy and costs. The Department will continue to carefully consider the implications of the judgment before taking any decisions around next steps. As the matter is sub judice I am unable to comment any further.

On the DWP review into provision for those with severe conditions and those nearing the end of life my Department has been actively involved in all aspects from the outset. My officials have been committed to ensuring that local views and experiences of claimants, charities and clinicians were captured and considered as part of that review. I understand that all of the key stages of the evaluation have now been completed and I look forward to the outcome of that review.

**Mr Allen** asked the Minister for Communities whether her Department intends to take action to reform the Special Rules for Terminal Illness in social security law independently of the Department for Work and Pensions UK-wide review into how the benefits system supports terminally ill people, which was launched over one year ago and for which no date has been set for the publication of its findings.

**(AQW 5792/17-22)**

**Ms Ní Chuilín:** The judgment on the special rules delivered by the Court did not provide a decision around remedy. As such, legal proceedings have not concluded until the Court files a final Order dealing with the questions of remedy and costs. The Department will continue to carefully consider the implications of the judgment before taking any decisions around next steps. As the matter is sub judice I am unable to comment any further.

On the DWP review into provision for those with severe conditions and those nearing the end of life my Department has been actively involved in all aspects from the outset. My officials have been committed to ensuring that local views and experiences of claimants, charities and clinicians were captured and considered as part of that review. I understand that all of the key stages of the evaluation have now been completed and I look forward to the outcome of that review.

**Ms Armstrong** asked the Minister for Communities when her Department will issue letters of offer to local councils for the revitalisation funding.

**(AQW 5945/17-22)**

**Ms Ní Chuilín:** Letters of offer for the COVID-19 Recovery Revitalisation Programme have been issued to all eleven Local Councils.

## Department of Education

**Ms Bunting** asked the Minister of Education what funding is available to youth centres in circumstances where they may be required to purchase perspex screens or personal protection equipment.

**(AQW 5699/17-22)**

**Mr Weir (The Minister of Education):** No specific funding for personal protection equipment (PPE) has been made available for youth organisations for the delivery of youth services.

I appreciate the concerns youth services may have regarding the need for additional resources to allow a safe reopening and I do not underestimate the challenges that still lie ahead in this fluid and changing environment. I fully acknowledge that additional support may be needed.

The Department of Education is currently working in conjunction with the Education Authority (EA) and the Department of Finance (DOF) to quantify and monitor the financial pressures associated with the Restart Programme, this includes provision of personal protective equipment (PPE).

The Department is keeping all of these issues under review and any change in circumstances or funding arrangements will be communicated as a priority.

I will continue to engage with my Executive colleagues in an effort to secure additional funding to facilitate the safe reopening of schools and youth services.

**Ms Armstrong** asked the Minister of Education when classroom assistants will receive training or guidance on how to support children with a statement of special education needs, to ensure not only COVID-19-related protections are in place, but also to ensure children's recognised needs will be met.

**(AQW 5750/17-22)**

**Mr Weir:** Special School Principals have attended a webinar from the Department of Education (DE) and Safeguarding Board for Northern Ireland (SBNI) on the emotional impact of COVID-19 on young people. Principals will disseminate this training as is appropriate within their own schools with staff, including classroom assistants.

The required Manual Handling training will be provided by the Education Authority (EA) under usual procedures for classroom assistants, and any required First Aid or health related training will be delivered by Health Trusts directly, as is usual procedure.

Individual risk assessments in relation to delivering education for children with statements will be required as part of the overall facilitation of the return to school. Existing guidance states that Personal Protective Equipment (PPE) is only needed in a very small number of cases. These are:

- Working with children, young people and pupils whose care routinely already involves the use of PPE, due to their intimate care needs and
- Giving children medication.

A training programme for classroom assistants to support the social, behavioural, emotional and wellbeing needs of children with a statement will be available to all assistants in an online capacity from the EA from 17th August 2020. An online engagement briefing is planned with classroom assistants to seek their views on any further training requirements in supporting young people during Restart.

Training which is accessible to classroom assistants, including those working with children with statements of SEN, will continue to be provided by EA Support Services in the 2020-2021 school year through the Children and Young People Services Training Programme. This training will be adapted as required to ensure that necessary guidance is reflected in the training content. This will also be the case for any training and capacity building provided to classroom assistants as part of on-going support for individual children.

**Mr McCrossan** asked the Minister of Education for his assessment of the need to replace school bus shelters across the wider Castlederg area.

**(AQW 5765/17-22)**

**Mr Weir:** Schools can make applications for Minor Works to the Department for works such as upgrades to bus shelters on their premises and these will be assessed along with all other competing minor works applications in line with Ministerial

priorities. Due to the current volume of Minor Works applications, only those that meet inescapable statutory requirements such as Health and Safety, Fire Protection and the Disability Discrimination Act are currently being progressed.

The repair or replacement of bus shelters outside of school premises is not within the Department of Education's remit.

**Mr Lyttle** asked the Minister of Education why the Emotional Health and Wellbeing Framework has yet to be published, despite the Department of Education receipt of the National Children's Bureau scoping study in February 2019.  
(AQW 5769/17-22)

**Mr Weir:** My Department continues to work collaboratively with the Department of Health, the Public Health Agency (PHA), the Health and Social Care Board (HSCB), the Education Authority, other Government Departments and stakeholders, to develop the 'Emotional Health and Wellbeing in Education Framework'.

The National Children's Bureau study was completed in May 2019. Since then, a considerable amount of work and engagement has taken place which includes designing this framework to align with the new HSCB/PHA 'Children & Young Peoples' Emotional Health & Wellbeing Services Framework'. Both of these frameworks present the opportunity for joining services together in a way that improves access and delivers a more positive experience of services for the benefit of children & young people and their families and as such are complementary.

I can confirm that the Wellbeing in Education Framework is progressing well and is on target to meet its December 2020 deadline. The document includes a detailed implementation plan for which £5m has been allocated this year. This budget has also been baselined for future years which will enable the recruitment of permanent staff across education and health to support the proposed intervention

**Mr McGlone** asked the Minister of Education (i) what financial support scheme will be made available for the recovery of the childcare sector; and (ii) when the scheme will open.  
(AQW 5773/17-22)

**Mr Weir:** I announced the £10.5 million Childcare Recovery Support fund for the childcare sector on 22 July.

As part of the childcare recovery plan, the aim of the Fund is to assist childcare providers to re-open, and to support those providers that have already opened.

The Childcare Recovery Fund will provide financial support for the period 1 July to 31 August 2020. The Fund opened for applications from Monday 27 July 2020 and will be administered by Early Years – the organisation for young children, on behalf of my Department.

The package of measures will cover the following:

- **Childcare Settings** - different levels of flat rate funding based on the type of setting and number of registered places. This will support day care providers, stand-alone school age childcare providers and playgroups.
- **Childminder Support** - a flat rate grant for childminders.
- **Approved Home Childcare** - arrangements established under the previous childcare scheme will continue to enable childcare workers, who normally provide childcare to children in daycare and school age childcare facilities, to be matched to parents in order to care for children in their own homes.

Details of the Scheme are available on the attached link:-

<https://www.early-years.org/childcare-recovery-support-fund>

**Mr McCrossan** asked the Minister of Education for an update on capital plans for St Mary's Primary School, Cloughcor.  
(AQW 5875/17-22)

**Mr Weir:** On 8 May 2018 St Mary's Primary School, Cloughcor, was included in the first tranche of projects announced to advance in design under the School Enhancement Programme Second Call (SEP2).

The Business Case for the SEP2 project at the school has been approved by my Department. An Integrated Consultancy Team (ICT) was appointed in December 2019 to take the project through the Design and Construction phases.

The proposed project is to build a new standalone admin/teaching block built on existing grass play area at the rear of the site and refurbish the existing building. It is anticipated that construction work should begin in the 2021/22 financial year.

**Mr Storey** asked the Minister of Education what role his Department plays in promoting educational visits by schools in Northern Ireland to the Houses of Parliament; and how many schools in each constituency have availed of this scheme in each of the last ten years.  
(AQW 5896/17-22)

**Mr Weir:** The UK Parliament provides a wide range of education services for schools. This includes not only educational visits to the Houses of Parliament but also outreach visits, online workshops and tours, curricular resources and professional development opportunities. A Northern Ireland Outreach Officer has recently been appointed. My officials engage directly

with the UK Parliament's Education Service in order to highlight its work to schools, including for example providing information on UK Parliament Week.

Visits by schools in Northern Ireland to the Houses of Parliament are arranged directly with the schools and may be facilitated in a number of ways. My Department does not hold data on this.

**Ms Mullan** asked the Minister of Education what plans are in place to allow schools, teachers and parents to prepare for the safe return of schools on a full time basis in September.

**(AQW 5980/17-22)**

**Mr Weir:** My strategic objective has always been to achieve maximum face-to-face teaching time for all pupils at the earliest opportunity.

I provided guidance to schools on 19 June which outlined processes and requirements for schools returning at end of August. Currently, I have set out that there will be a minimum 40% face-to-face teaching time within primary schools and a minimum 50% face-to-face teaching time within post-primary schools with the balance provided through blended learning

The guidance provided in June was based on planning assumptions for August and was always subject to review and revision.

I am well aware of the improving public health position and the importance of all schools and settings resuming more normal patterns of operation and attendance, in line with standard legislative requirements. I hope this can be achieved as soon as possible in order to mitigate impact of the disruption on educational attainment and pupil well-being. I am also conscious of the changing approach in England, Scotland, Wales and Republic of Ireland and the need to ensure equity of opportunity and access for all pupils across Northern Ireland.

I am therefore currently reviewing guidance and would expect to bring forward revised proposals to the Executive shortly. As with the June guidance, it is important that proposals for the re-opening of schools are developed in co-design with practitioners, trade unions and sectoral bodies as well as being cleared through Chief Medical Officer.

It is understandable that there may be concerns regarding a more ambitious approach to Education Restart. However, I am confident that health risks can be managed and minimised, just as we have done as other restrictions have been relaxed.

## Department of Finance

**Mr Allister** asked the Minister of Finance whether he was conveyed to the funeral of Bobby Storey on 30 June 2020 in an official Executive car.

**(AQW 5609/17-22)**

**Mr Murphy (The Minister of Finance):** The Minister stopped on his way from home en route to official business in Stormont.

**Mr Allister** asked the Minister of Finance, in relation to the email of 17:51 hours on 27 March 2020 from Office of General Procurement in the Irish Government to the Director of Supplies and Services Procurement in Central Procurement Directorate, when (i) he; and (ii) his Permanent Secretary was made aware of the contents of this email, to the effect that no joint order for personal protection equipment had been placed nor had a supplier even been identified.

**(AQW 5696/17-22)**

**Mr Murphy:** CPD officials forwarded details of our order to their OGP counterparts on the afternoon of Friday 27 March.

My Permanent Secretary and I were made aware of the contents of the OGP email on 27 March 2020

There was ongoing communication between my officials and their OGP counterparts over the weekend and in the following days in what remained a fast moving and developing international situation.

On Tuesday 31 March, I provided an update in the Assembly.

On Thursday 2 April, despite the efforts of all involved, confirmation was received that the order would not be fulfilled through that route. No public money was spent.

Despite this setback, my officials working with their counterparts in the Department of Health and in the Executive Office continued to explore local, national and international supply lines.

Contacts made during the joint working with Dublin and continued collaborative working between my department, the Department of Health and the Executive Office resulted in a circa £60m order from China being taken to contract award; the first consignment of which was delivered at the start of June.

I gave details of the circumstances of the joint order with Dublin to the Committee for Finance on 8 April 2020.

**Mr Muir** asked the Minister of Finance, pursuant to AQW 5017/17-22, whether there are plans to review the current Civil Service email retention policy that was introduced in 2007.

**(AQW 5711/17-22)**

**Mr Murphy:** The current Civil Service email retention policy is in place to ensure that all members of staff apply the principles of good record keeping to emails by correctly storing them in the official records repository HPRM "TRIM" if they are to be retained.

Email systems such as Microsoft Outlook are intended to manage correspondence and do not meet the record keeping requirements in respect of accessibility or security as a long term records management repository. The NICS is reviewing its record management policies and practices, including consideration of the most effective records management system to meet the evolving needs of the civil service in the modern digital era.

**Mr Carroll** asked the Minister of Finance whether there are any criteria that employers in the hospitality sector must meet before they can avail of the Job Retention scheme.

**(AQW 5736/17-22)**

**Mr Murphy:** The Treasury has published guidance which details the eligibility criteria for support under the Coronavirus Jobs Retention Scheme (CJRS). These criteria apply to all businesses, including those in the hospitality sector, and indicate that businesses impacted by COVID-19 can claim for employees furloughed through the CJRS if they have:

- i furloughed that employee for at least 3 consecutive weeks between 1 March and 30 June 2020;
- ii. a UK PAYE scheme started on or before 19 March 2020;
- iii. enrolled for PAYE online;
- iv. submitted a report under the Real Time Information (RTI) reporting system for that employee on or before 19 March 2020; and
- v a UK bank account.

The full CRJS guidance is available at: <https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>.

Furthermore, on 8th July the Treasury announced the Job Retention Bonus Scheme which will provide a one-off payment of £1,000 to employers for every furloughed employee who remains continuously employed through to the end of January 2021. Initial criteria outlined by Treasury states that employees must earn above the Lower Earnings Limit of £520 per month on average between the end of the CJRS and the end of January 2021. Further guidance on the Job Retention Bonus Scheme is due to be published shortly.

**Mr McGrath** asked the Minister of Finance when the June monitoring round return was received from the Executive Office.  
**(AQW 5777/17-22)**

**Mr Murphy:** The Executive Office submitted financial data on the 5 June 2020 to the public expenditure database. This was followed up by a formal submission on the 25 June 2020.

**Mr Easton** asked the Minister of Finance what plans his Department has in place to help local councils who currently find themselves with considerable debts due to the COVID-19 pandemic.  
**(AQW 5840/17-22)**

**Mr Murphy:** On 19 May 2020 Minister Hargrey announced that the Executive was allocating £20.3m to local councils for the period mid-March – 30 June 2020, to assist them with their financial pressures as a result of the COVID-19 pandemic. The funding will ensure that local councils can continue to provide essential services and support those in need.

My Department is currently preparing a bid to the Department of Finance to support councils that have lost income as a direct result of COVID-19 and also for costs directly related to COVID-19 for the remainder of this financial year.

**Mr Wells** asked the Minister of Finance to outline why the General Register Office wrote to all churches informing them that their right to perform marriage ceremonies could be withdrawn.  
**(AQW 5868/17-22)**

**Mr Murphy:** On 1st September, the British Government laid Regulations introducing religious same sex marriage. The General Register Office (GRO) incorrectly advised that all registered churches must confirm what types of marriages they wish to carry out. This was an error as only new churches registering need to advise GRO of their position. The current registered churches must advise GRO if they wish to carry out same sex marriages. All churches currently registered have automatically been opted out of same sex marriage until GRO is advised differently. A letter of unreserved apology has been sent to all churches.

**Mr Muir** asked the Minister of Finance to outline the rationale for excluding Allied Health Professional businesses in Independent Practice from full non-domestic rates relief for 2020/21.  
**(AQW 5921/17-22)**

**Mr Murphy:** As the Member is aware because of Covid-19 I took the decision to support all businesses here with a 4-month rates holiday from 1 April. The Executive then decided to target rate relief from 1 August to the sectors identified as having the greatest need, supporting in the region of 30,000 businesses. That identification and targeting did not include the health professional businesses in independent practice. The approach not to include this sector is consistent with that adopted in separate business rate relief schemes in England, Scotland and Wales.

## Department of Health

**Ms Sugden** asked the Minister of Health for an update on recruitment of pharmacists into GP practices; and what impact GP-based pharmacy recruitment will have on staffing levels within community pharmacy.  
(AQW 4841/17-22)

**Mr Swann (The Minister of Health):** Since 2016 Practice Based Pharmacists (PBPs) have been recruited over 5 waves. At January 2020 there were 274 pharmacists (233 whole time equivalent (WTE)) in post in GP practices across Northern Ireland.

The sixth wave of recruitment for PBPs was carried out in February 2020 but implementation of this final wave has been delayed and it is now anticipated that the majority of wave 6 staff will take up post in September 2020.

This will bring the total to approximately 330 pharmacists (281 WTE) and will cover every GP practice in Northern Ireland equating to approximately 1 WTE PBP per 6,500 patients.

Data provided to the Department, to inform the development of the Pharmacy Workforce Review which is currently being finalised, demonstrates that a minority of pharmacists who have left community pharmacy in recent years have been recruited into general practice, with significant movement to take up posts in hospital practice or in the Republic of Ireland or Great Britain.

The Pharmacy Workforce Review found that, unlike for HSC Trusts, there is currently no way of accurately assessing need in community pharmacies. It is intended that this will be addressed during the implementation of the Review with a proposal to develop a structured process to monitor current and projected workforce needs in all sectors.

**Mr Gildernew** asked the Minister of Health when he will publish the Terms of Reference for the independent investigation into the Regulation and Improvement Authority board resignations.  
(AQW 5184/17-22)

**Mr Swann:** The Terms of Reference for the review into the Regulation and Improvement Authority Board Resignations were issued to Mr David Nicholl, who has been appointed to carry out the review, and copied to the Health Committee on 30 June 2020. They have also been published on the Department's website and can be viewed at [www.health-ni.gov.uk/publications/independent-review-rqia-board-resignations-terms-reference](http://www.health-ni.gov.uk/publications/independent-review-rqia-board-resignations-terms-reference).

**Ms Bradshaw** asked the Minister of Health to detail the vacancies of dental staff, across all bands, in the School of Dentistry in the Royal Victoria Hospital.  
(AQW 5350/17-22)

**Mr Swann:** At 8 July 2020 there were 9.59 Whole Time Equivalent (WTE) vacancies. Details of where these vacancies are located within the school are provided in the table below:

Position	WTE Vacancies
Medical & Dental	2.89
Nursing	1.46
Professional & Technical	3.84
Allied Health Professions	1.40

**Source:** Belfast Health & Social Care Trust

**Mrs D Kelly** asked the Minister of Health when IVF treatment will be allowed to recommence; and whether any measures will be provided to make up for time lost due to COVID-19.  
(AQW 5493/17-22)

**Mr Swann:** I launched the Strategic Framework for Rebuilding Health and Social Care Services on 9 June 2020 and Phase 2 Rebuilding Plans, which cover the period July to September, on 10 July. The focus will be on re-starting urgent services first.

The Belfast HSC Trust Phase 2 Rebuilding Plan states that the Trust will be working towards recommencing fertility treatment on a phased basis. I have made it clear that I consider re-instatement of fertility services to be a priority and the Trust is working to put plans in place to enable the service to recommence as soon as possible.



I appreciate that the delay in accessing fertility treatment due to the COVID-19 pandemic may have caused distress to those currently awaiting treatment. In order to mitigate this, the eligibility for anyone currently on the waiting list will be extended by a year.

**Mr Dunne** asked the Minister of Health what efforts are being made to fill the 180 vacant medical posts in an effort to address the £229 million bill for locum Doctors.  
**(AQW 5531/17-22)**

**Mr Swann:** HSC Trusts employ locum staff for several reasons, for example, cover for sickness and maternity/paternity leave; cover for existing vacancies; and when demand increases over the winter months. The primary aim of this is to ensure that safe and effective services are sustained at all times for patients and clients.

Transformation of health and social care in Northern Ireland is a priority in order to change the current configuration of services and address the rising costs of locum provision. The Department has undertaken significant work to try and alleviate the workforce pressures across HSC and it is examining all potential options, and the implications, as to how to address the issues of rising locum expenditure. The Department is currently working with HSC employers and Trade Unions on proposals aimed at reducing agency and locum spend in NI, beginning, as a first step, to reduce and eliminate off-contract agency expenditure.

HSC Trusts generally attempt to fill unfilled posts at least on 2-3 occasions within a 12 month period before exploring other options such as international targeted campaigns or locum placements.

**Mr McCrossan** asked the Minister of Health whether each Health and Social Care Trust is deploying the same policy in terms of allowing partners to attend all appointments with pregnant mothers.  
**(AQW 5592/17-22)**

**Mr Swann:** My Department recently published updated guidance, effective from 6 July 2020, revising the guidance around visiting for all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration of the COVID-19 response. All HSC Trusts in Northern Ireland are required to implement that updated guidance.

The guidance sets out the current position in respect of pregnant women in that, so long as the surge level and the Northern Ireland Executive five step approach permits:

Birth partners will be facilitated to accompany the pregnant woman to dating scan, early pregnancy clinic, anomaly scan, and Fetal Medicine Department, for induction of labour, duration of labour and birth and, to visit in antenatal and postnatal wards as appropriate.

This revised guidance represents a significant relaxing of the restrictions around partners accompanying expectant mothers. However, the underlying intention remains the reduction in footfall across all healthcare settings to reduce the risks of infection during the current crisis, so it does not extend to all scans and appointments. Our approach to managing this crisis has meant that many difficult requests have been and will continue to be made of the public around health service provision, especially regarding presence within hospitals and clinics during these unprecedented times.

The full guidance is available online on the Department's website at <https://www.health-ni.gov.uk/covid-visiting-guidance>.

**Mr Harvey** asked the Minister of Health whether he plans to reintroduce car parking charges for health care staff at hospitals.  
**(AQW 5660/17-22)**

**Mr Swann:** Free car parking was provided to HSC staff for the period 1 April 2020 to 30 June 2020 in recognition of the unprecedented nature of the Covid-19 pandemic, and the work and commitment the staff were making to keep the health and social care service going during the initial surge.

Whilst the initial free staff car parking period has now concluded, the position will be kept under review in the context of the evolving position as regards the prevalence and impact of Covid-19.

**Mr Dickson** asked the Minister of Health whether his Department intends to make free parking permanent for Health and Social Care staff.  
**(AQW 5673/17-22)**

**Mr Swann:** Free car parking was provided to HSC staff for the period 1 April 2020 to 30 June 2020 in recognition of the unprecedented nature of the Covid-19 pandemic, and the work and commitment the staff were making to keep the health and social care service going during the initial surge.

As hospital visiting and attendance at outpatient clinics is now increasing, charging for car parking on hospital sites where space is limited is an effective mechanism to encourage turnover to help ensure that spaces are available for patients and visitors. If the policy of charging staff for car parking was to permanently cease, this would not only create accessibility issues for patients and visitors, but the revenue raised to meet the cost of the provision and maintenance of car parking would similarly cease, ultimately reducing the amount of money I would have available to fund patient care.

Whilst the initial free car parking period for staff has now concluded, the position will be kept under review in the context of the evolving position as regards the prevalence and impact of Covid-19.

**Mr McNulty** asked the Minister of Health (i) to detail the number of additional staff required by the Northern Ireland Ambulance Service (NIAS) to meet the new Ambulance Clinical Response Model introduced last year; (ii) when the identified posts will be filled; (iii) to detail the number of frontline vacancies within the NIAS; and (iv) for his assessment of the impact of the vacancies on ambulance response times.

**(AQW 5675/17-22)**

**Mr Swann:**

- (i) The table below details the estimated numbers and roles of additional staff required by Northern Ireland Ambulance Service (NIAS) to meet the new Ambulance Clinical Response Model.

<b>Demand and Capacity Review</b>	<b>WTE</b>
Paramedic	158.0
Emergency Medical Technician (EMT)	164.0
Ambulance Care Attendant (ACA)	4.0
Emergency Medical Dispatcher	3.0
Clinical Support Desk	6.0
<b>Total:</b>	<b>335.0</b>

- (ii) My Department continues to work with the NIAS to ensure the Strategic Outline Case for the Clinical Response Model (CRM) meets the requirements of the Northern Ireland Guide to Expenditure Appraisal and Evaluation. The progression of the CRM Programme will be dependent on value for money and affordability.
- (iii) AE refers to Paramedics or Emergency Technicians. RRV refers to vacancies on the Rapid Response Vehicle tier.

<b>Division</b>	<b>Funded AE</b>	<b>Vacant AE</b>	<b>Funded RRV</b>	<b>Vacant RRV</b>
Northern	166	10	17	8
South Eastern	131	4.5	19	10
Southern	122	3.5	17	2
Western	142	0	15	6
Belfast	122	10	17	7
<b>Total</b>	<b>683</b>	<b>28</b>	<b>85</b>	<b>33</b>

- (iv) As noted above, NIAS currently has a total of 61 vacancies for clinicians of varying grades.

Current response definitions and performance standards are as follows:

**Definitions**

<b>Call Type</b>	<b>Standard</b>
999 Immediately life threatening	Category 1
999 Emergency – potentially serious incident	Category 2
Urgent Problem	Category 3
Less Urgent Problem	Category 4
Non Urgent	Category 5

**Standards and Performance – Northern Ireland (13 November 2019 to 31 March 2020)**

<b>Category</b>	<b>Standard</b>	<b>13 Nov 2019 - 31 March 2020</b>
Category 1 – Mean Response Time	8 minutes	11 mins 12 secs
Category 1 – 90th Percentile Response Time	15 minutes	21 mins 28 secs
Category 1T – Mean Response Time	19 minutes	14 mins

Category	Standard	13 Nov 2019 - 31 March 2020
Category 1T – 90th Percentile Response Time	30 minutes	26 mins 45 secs
Category 2 – Mean Response Time	18 minutes	22 mins 43 secs
Category 2 – 90th Percentile Response Time	40 minutes	46 mins 14 secs
Category 3 – 90th Percentile Response Time	120 minutes (2 hours)	2 hours 11 mins
Category 4 – 90th Percentile Response Time	180 minutes (3 hours)	3 hours 23 mins

**Mr Lyttle** asked the Minister of Health how his Department and the Education Authority are working with health professionals, specifically speech and language therapists, to ensure that children with special educational needs receive a school placement for September.

**(AQW 5684/17-22)**

**Mr Swann:** There is on-going engagement between the health and education sectors at a regional and local level to help support the restart of education and the HSC rebuild programme. This builds on collaborative working that was underway before the COVID-19 pandemic to improve outcomes for children with special educational needs. Alongside public health guidance, this work will inform how therapy provision can be delivered in schools in a safe manner to meet the needs of children, and the outcomes will be kept under review as the education restart programme is rolled out.

**Ms Bradshaw** asked the Minister of Health why people contacting the diabetes helpline, using numbers given to them by Health and Social Care personnel, are receiving a recorded message.

**(AQW 5695/17-22)**

**Mr Swann:** The Diabetes Helpline was established to provide advice and information to people living with diabetes in response to COVID-19. The phone-line was set up on 7 April as a 12-week service. Following assessment of demand and patient need, it was agreed to close the helpline on 28 June 2020.

The recorded message on the Helpline telephone number and the automated e-mail response for the Helpline e-mail address now re-direct people to telephone 111 if experiencing emergency COVID-19 symptoms, the Diabetes UK website for information and advice on diabetes and COVID-19, or their GP, community pharmacy or local Health and Social Care Trust diabetes team.

**Ms Flynn** asked the Minister of Health for a breakdown of the number of Department of Health officials who have been; (i) working from home full time; (ii) working from home for a portion of the week; and (iii) working within Department of Health offices or premises, broken down by month since September 2019.

**(AQW 5723/17-22)**

**Mr Swann:** The Department does not hold this information.

In normal circumstances my Department's approach to 'homeworking' is as a voluntary and co-operative arrangement between a line manager and an individual officer which involves an officer carrying out some of their duties while working at home.

In response to the outbreak of COVID-19, and in line with Executive and Public Health Agency Guidance, Northern Ireland Civil Service (NICS) staff including those in the Department of Health (DoH), were instructed to work from home where possible. Staff are only to work from NICS/DoH premises, either on a daily or ad hoc basis, if their work is deemed business critical and could not be carried out from home.

**Ms Flynn** asked the Minister of Health what mental health and addiction services have been restarted to date.

**(AQW 5725/17-22)**

**Mr Swann:** Statutory mental health services, including the majority of addiction services, have been operating throughout the COVID-19 period and there has been no blanket closure of services. However, many services have operated in different ways, avoiding face to face contact where possible. Plans are being made to resume face to face appointments when it is appropriate to do so. When this will take place will depend on individual circumstances.

In accordance with Trust surge planning, the 3 regional in-patient addiction units were stepped down during March 2020 at the beginning of the pandemic. The Health and Social Care Board is currently working with the Northern, Western and South Eastern Trusts on the reopening of the regional addiction in-patient units as part of plans to rebuild Health & Social Care services in a phased approach post peak of the pandemic

**Ms Flynn** asked the Minister of Health whether he intends to implement the recommendations from the First Do No Harm report, which was published on 8 July 2020.

**(AQW 5726/17-22)**

**Mr Swann:** This report and its recommendations requires careful consideration before my full response can be provided. My Department is now engaging with colleagues across the UK including the Medicines and Healthcare Regulatory Agency in this regard.

**Mr Givan** asked the Minister of Health why female dentists' maternity leave is being included in the 12 month period in which his Department is calculating Financial Support Scheme payments, leading to a lesser payment.

**(AQW 5731/17-22)**

**Mr Swann:** The Financial Support Scheme payment calculations for most General Dental Practitioners (GDPs) are based on the average monthly Item of Service (IoS) payment they received in 2019-20. However for GDPs who were on maternity leave during 2019-20 the calculations are adjusted to remove the months when a maternity leave payment was received. In addition, the approach has recently been amended to also exclude the three months with the lowest IoS payments in the remaining months.

**Mr Carroll** asked the Minister of Health what measures his Department has taken to look at how waiting times are measured, to reflect the entire patient journey, from referral to treatment, with appropriate targets to reflect the true length of time people are waiting for joint replacement surgery.

**(AQW 5734/17-22)**

**Mr Swann:** A move to Referral to Treatment Time (RTT) targets which measure the entire patient journey for elective care is highly desirable as it better reflects patient experience and the true length of time patients wait for elective care. To this end, the New Decade, New Approach document published earlier this year included a commitment to consider the scope for changing how waiting times are measured, to reflect the entire patient journey, from referral to treatment, with appropriate targets. The timescale for proceeding with this scoping exercise will be identified in the context of the HSC's response to the ongoing pandemic. In the interim, my focus will continue to be on improving waiting times for the individual elements of the patient pathway.

**Ms S Bradley** asked the Minister of Health to detail what (i) logistical; and (ii) financial support he plans to provide dentists in securing and paying for personal protective equipment.

**(AQW 5745/17-22)**

**Mr Swann:** At the end of June I agreed that dentists should be provided with Personal Protective Equipment (PPE) to assist them during the phased re-establishment of General Dental Services (GDS). Approximately £1m worth of PPE has been procured and is being distributed to individual dental practices; equating to approximately £2,600 of PPE per practice.

Throughout the Covid-19 pandemic the Department of Health has provided significant financial support to dentists, primarily through the Financial Support Scheme (FSS). There have been 4 months of FSS payments made to date between April and July 2020. The total level of FSS and net Item of Service payments made over this period is just under £20 million (£16 million FSS) which represents a 23% increase compared with the net IoS payments made over this period in 2019-20.

Further financial support arrangements are under active consideration as is the position in respect of PPE.

**Mr Sheehan** asked the Minister of Health whether he has developed an urgent communications strategy to encourage citizens to avail of the flu vaccine in the coming months.

**(AQW 5753/17-22)**

**Mr Swann:** Work is underway to finalise a communications plan for the forthcoming flu vaccination programme including production of communication materials

**Mrs Barton** asked the Minister of Health (i) for an update on the planned recruitment for the Fire and Rescue Service; (ii) for an update on the planned recruitment (a) in West Tyrone; and (b) in the Castlederg area, which has two appliances and is operating below the agreed staffing level of twenty crew members.

**(AQW 5761/17-22)**

**Mr Swann:**

- (i) Northern Ireland Fire and Rescue Service (NIFRS) is in the process of recruiting Wholetime Firefighters across Northern Ireland. The recruitment campaign launched on 28 May 2020. Initial appointments from this process are anticipated to be made in January 2021.

NIFRS is also processing ongoing recruitment for forty-one On-Call (retained) fire stations across Northern Ireland. Conditional offers have been made to forty candidates (to date) across twelve stations. Initial appointments from this process are anticipated to be made in September 2020.

NIFRS conduct a rolling cycle of recruitment for On-Call/retained firefighters. A number of stations have recommenced interviews for On-Call positions. Some interviews had been postponed due to the Covid-19 pandemic. Further conditional offers of employment for On-Call firefighter appointments are anticipated once these interviews have completed.

(ii) (a) West Tyrone

Strabane, Omagh and Fintona Stations are included in the current on-going recruitment and selection process for On-Call (retained) Stations. Conditional offers of employment for On-Call firefighter appointments are anticipated for these stations once the recruitment process has completed.

Retained/On-Call firefighter appointments were made in both Newtown Stewart and Dromore Stations in March 2019. Both these Stations are currently at full establishment.

(b) Castlederg

Castlederg is one of seven on-call stations where staffing levels have been temporarily reduced pending a full review of the service delivery model.

There are seventeen people currently employed in Castlederg Station. Three On-Call Firefighters were appointed on 20 June 2020 to manage forecasted attrition rates.

**Mr McGlone** asked the Minister of Health for an update on the proposed mental health hospital in Antrim.  
(AQW 5774/17-22)

**Mr Swann:** In December 2018, the Northern Health and Social Care Trust was given permission by my Department to progress the proposal for a Mental Health facility in Antrim to Construction and Procurement Delivery Health Projects Stage 1 – Preparation and Briefing - subject to the necessary business case approval being in place.

Stage 1 typically includes feasibility studies, surveys of existing sites or buildings and initial cost appraisals.

The business case is in the final stages of approval.

Further progress is also subject to funding being available.

**Mr Allister** asked the Minister of Health whether it is considered effective and safe for churches and other public buildings to use fogging machines in respect of meeting their COVID-19 obligations.  
(AQW 5781/17-22)

**Mr Swann:** Fogging Machines can be used to enhance environmental hygiene, however it is important to stress they do not eliminate the critical requirement for effective and routine pre-cleaning of all surfaces prior to use of any type of fogging machine. In any space in which the public congregate it is important the environment is regularly cleaned with detergent and water and/or combined disinfectant particularly all touch surfaces, that there is appropriate provision for hand washing/sanitizers and that social distancing is maintained. It is also important that the use of chemical aerosol decontamination approaches such as fogging machines have been risk assessed and all chemicals used comply with Health and Safety and COSHH Regulations.

**Dr Archibald** asked the Minister of Health for his assessment of current measures to control the COVID-19 cluster in the Limavady area.  
(AQW 5797/17-22)

**Mr Swann:** The Test, Trace and Protect programme currently in place has been successful in identifying a number of cases linked to this cluster. Additional contact tracing staff have been brought in to facilitate the response, to date all contacts associated with the cluster have been followed up. All cases and their contacts have been given advice on self-isolation, infection control and testing if subsequently symptoms develop. A Mobile Testing Unit (MTU) was deployed to Limavady on 16/7/2020 to enable access to testing for symptomatic individuals and for asymptomatic contacts who are referred by the Contact Tracing Service. The MTU remains in place.

I would highlight the importance of asking everyone to be mindful of the risk that this SARS-CoV-2 virus continues to pose in Northern Ireland. This virus has the potential to make its presence felt in any district and at any time. Everyone should act on the basis that it might potentially be in their neighbourhood right now. That is why following the public health advice on maintaining social distance and ensuring the highest standards of hand and respiratory hygiene remains vitally important.

Any individual who is concerned that they are experiencing any of the symptoms of coronavirus infection, must self-isolate immediately, arrange a test as soon as possible and engage fully with our contact tracing service.

**Mr Newton** asked the Minister of Health to detail (i) the planned number of qualified Occupational Therapists; (ii) the number of qualified Occupational Therapists in post; and (iii) the average waiting time for an appointment with an Occupational Therapist, in the Belfast Health and Social Care Trust.  
(AQW 5800/17-22)

**Mr Swann:** A regional workforce review of HSC's long-term requirements for Occupational Therapists is nearing completion and will provide significant evidence to inform the future level of pre-registration training commissioning.

I recently announced an increase in the number of commissioned undergraduate pre-registration training places for Occupational Therapy. The increase of five places, effective for the September 2020 intake, will bring the total number of commissioned places to 55.

- (i) At 31st May 2020, the Belfast Health and Social Care (HSC) Trust was funded for 315.23 whole-time equivalent Occupational Therapists.
- (ii) At 31st May 2020, 283.43 whole-time equivalent Occupational Therapists were employed in the Belfast HSC Trust.
- (iii) Information on the average waiting time for an appointment with an Occupational Therapist is not available, however information on waiting times (in bands) for completed waits is available and shown in the table below.

Table 1. Number of completed waits for an assessment by an occupational therapist, by waiting time-bands, in Belfast HSC Trust, as at 31 May 2020.

HSC Trust	0-3 weeks	3-6 weeks	6-9 weeks	9-13 weeks	Over 13 weeks
Belfast	184	166	116	458	762

**Source:** Health and Social Care Board Pine Lodge Care Home

**Mr Newton** asked the Minister of Health to detail his plans, and the time scale, for the use of the vacant Pine Lodge Care Home, Belmont Road, Belfast.

**(AQW 5801/17-22)**

**Mr Swann:** Pine Lodge was temporarily closed as a nursing home in 2016, pending the outcome of a review into the closure of nursing homes commissioned by then Minister for Health, Simon Hamilton.

The Trust is currently in the process of commissioning a feasibility study to establish the cost of refurbishment of the facility to meet statutory standards and RQIA requirements. The outcome of this will allow the Trust to assess the potential of bringing the building back into operation. It is expected the feasibility study will report in January 2021.

**Mrs Cameron** asked the Minister of Health for an update on progress in ensuring that hospital visitation rights, including for maternity appointments, are implemented fully across all Health and Social Care Trusts.

**(AQW 5883/17-22)**

**Mr Swann:** The Department of Health recently updated visiting guidance to apply from 6 July 2020 to all Health and Social Care (HSC) Trust inpatient services including maternity services, mental health and learning disability inpatient services, Care Homes and Hospices for the duration for the COVID-19 response. The full guidance is available online on the Department's website at <https://www.health-ni.gov.uk/covid-visiting-guidance>, and all HSC Trusts in Northern Ireland are required to implement that guidance.

My Chief Nursing Officer, Professor Charlotte McArdle, is in regular formal contact with the Directors of Nursing in all five of our Health & Social Care Trusts, and during such meetings receives assurance that the new guidance is being applied fully and in a uniform fashion across all Trusts including midwifery.

**Mr O'Dowd** asked the Minister of Health what orthopaedic services and day care procedures will be removed or added to Craigavon Area Hospital or Lurgan Hospital, as a result of his statement to the Assembly on Tuesday 28 July 2020.

**(AQW 5948/17-22)**

**Mr Swann:** The initial focus for the resumption of elective orthopaedic activity will be on regional hubs located at the Musgrave Park Hospital and Altnagelvin Area Hospital sites, with the longer term aim of introducing a region wide network of orthopaedic practice based on an alliance of the existing orthopaedic units.

A Regional Network will be established and tasked with overseeing the regional planning and commissioning of elective orthopaedic activity. Only when this Regional Network has considered these issues and produced recommendations will the impact on other locations and services be known. This will be taken forward on an incremental basis, with a view to delivering the service from existing units.

In the short term the development or reconfiguration of Lagan Valley Hospital (LVH) as a regional day procedure centre will be carried out in a phased way in order to minimise the impact on existing service users.

A new Regional Network for Day Procedures, working with the South Eastern Trust, will be tasked with identifying and prioritising the procedures to be delivered in LVH in the first instance. Only when this work has concluded will the impact on other services and locations become clear.

## Department for Infrastructure

**Mr K Buchanan** asked the Minister for Infrastructure, given an increase in passenger numbers and the return of school buses, to detail (i) her Department's discussions with; and (ii) the guidance her Department will be producing for (a) the coach industry; and (b) Translink, in relation to passenger numbers, control measures and the implementation of safety measures. **(AQW 5027/17-22)**

**Ms Mallon (The Minister for Infrastructure):**

- (i) My officials and I have met with coach industry representatives to discuss the issues within the regulatory remit of my Department. Officials have also advised coach industry representatives on the information and guidance related to COVID-19 which can be found on NI Direct, with more specific business related information and guidance available on NI Business Info. My Department also issued a notification to all bus operators on 16 March, providing advice from the Public Health Agency. Additionally, my officials have been in regular contact with Translink regarding guidance for the safety of staff and passengers throughout the course of the pandemic. Prior to the introduction of the mandatory requirement for face coverings on public transport from 10 July, my officials and I had discussions with Translink and trade unions on the implications of the proposals and consulted with private operators. My officials continue to work with Translink to monitor the new arrangements. The Executive has also agreed that the cross-departmental group that has been established to consider face coverings will engage with the tour coach and taxi industries to explore extending the requirement to these transport modes.
- (ii) My Department and Translink has also had ongoing discussions with the Department for Education and the Education Authority in relation to the return of schools and the requirements for school transport. These discussions have now moved to very detailed localised planning between Translink and the EA Transport Team as they develop the school transport network in advance of the new school year.

**Mr Frew** asked the Minister for Infrastructure, given that practical driving tests have been cancelled, whether she can give clarification on how cancelled practical driving tests will be reallocated on a fair and timely basis. **(AQW 5054/17-22)**

**Ms Mallon:** On 22 June, I announced plans to reinstate some driver testing services in July for those licence categories, where testing can be done safely in line with Public Health Agency advice and guidance on social distancing requirements. This includes motorbike driver testing from 6 July and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach drivers, from 20 July.

I have also now announced an indicative date of 1 September for the restoration of practical driving tests for cars and lorries. This indicative date will be kept under review and is subject to sufficient progress being made on the risk assessments for driving tests so that services can be resumed safely for staff and customers. The DVA will continue to work with staff and Trade Union side in the coming weeks and will take account of all relevant public health guidance in making changes to the normal driving test process. These changes will be communicated to driving instructors and learner drivers as soon as possible.

When we are able to reintroduce practical driving tests in cars, the DVA will prioritise those requests from key workers whose role is critical to the COVID-19 response. They also plan to prioritise those customers who had their test cancelled due to the lockdown.

In order to help mitigate the impact on customers, I announced plans to amend the Driving Licence Regulations that would allow an eight month extension to the validity of theory test pass certificates, which expire between 1 March and 31 October 2020. This legislative change is intended to come into effect in September 2020 and when it becomes law will apply retrospectively to those theory test certificates that have expired from 1 March.

**Miss Woods** asked the Minister for Infrastructure, pursuant to AQW 4875/17-22, (i) for her assessment of the use of glyphosate in light of the International Agency for Research on Cancer report that the herbicide and its formulated products are probably carcinogenic in humans; (ii) whether she has any plans to ban the use of glyphosate products given the risk to human health; and (iii) for her assessment of the environmental harm caused by using these herbicides, including the effects on biodiversity. **(AQW 5662/17-22)**

**Ms Mallon:** My Department is aware of various studies, reports and opinions, including that of the International Agency for Research on Cancer as referenced, regarding the safety and environmental impacts associated with the use of glyphosate containing products. Given the complexity of the research into this subject matter and considering the range of opinions published by various bodies, we rely on the direction and expert advice provided by the relevant Northern Ireland enforcement and designated competent authorities, namely the Health and Safety Executive Northern Ireland (HSENI) and the Department of Agriculture, Environment and Rural Affairs (DAERA).

All pesticide approvals are subject to periodic review at EU level and this includes a rigorous assessment of safety and any risks to human health and the environment. On 28 November 2017, the EU re-approved the continued use of glyphosate following reviews of the scientific data by the European Food Safety Authority and the European Chemicals Agency's

Committee for Risk Assessment. They found no safety concerns that would prevent continued use and both the Health and Safety Executive's Chemicals Regulation Division's (CRD) scientists and DAERA agree with this assessment.

The current EU approval lasts until 15 December 2022 and use beyond that date would be subject to a further decision. In light of this my Department does not have any imminent plans to ban the use of glyphosate containing products, however we will, along with HSENI and DAERA, continue to monitor any future developments and will respond accordingly.

In relation to your third question, my Department ensures that any herbicide products used within its contracts are listed on the Pesticides Register of UK Authorised Products, which is available to view on the Health and Safety Executive website. Prior to the application of pesticides, environmental contractors must produce suitable risk assessments and outline the necessary control measures to effectively manage the identified environmental and health and safety risks associated with their use.

**Mr Boylan** asked the Minister for Infrastructure for an update on the Environmental Impact Assessment guidance that her Department has been developing.

**(AQW 5671/17-22)**

**Ms Mallon:** Officials in my Department are developing a number of pieces of guidance relating to different aspects of the environmental impact assessment (EIA) process. The first element of guidance deals with unauthorised EIA development and I would anticipate that this will be ready for issue in the autumn.

**Mr Blair** asked the Minister for Infrastructure for an update on her Department's plans to increase the provision of pop-up cycle lanes and similar initiatives in South Antrim.

**(AQW 5706/17-22)**

**Ms Mallon:** The £20 million funding which I recently announced for blue / green infrastructure will support our communities through transformation, promoting active travel and shaping our places to live in the new normal. This funding will be community led and departmentally supported.

I am keen to see progress on better walking and cycling infrastructure throughout Northern Ireland and am currently considering the basis upon which funding may be allocated for walking and cycling infrastructure. I recently wrote to Councils seeking information on the status of their greenway projects.

No plans to implement pop up cycle lanes in the South Antrim constituency have been forwarded to my Department as yet. I can confirm, however, that in line with my commitment to improving walking and cycling infrastructure, my Department is currently developing a scheme to deliver a shared use footway / cycleway along the existing verge and hard shoulder on Paradise Walk and Parkgate Road, Antrim to improve pedestrian and cycle links between Templepatrick and Parkgate.

**Mr Blair** asked the Minister for Infrastructure in order to assist in the rapid rollout of mobile infrastructure in rural areas, whether her Department plans to review the planning permitted development rights for the installation of telecommunication masts.

**(AQW 5708/17-22)**

**Ms Mallon:** I recognise that improving our digital infrastructure is vital to Northern Ireland's economy and Planning has an important role to play in this.

As you may be aware in May 2016 my Department issued a consultation paper seeking views on a range of proposals to amend permitted development rights for telecommunications development. While the consultation proposals would not change the current requirement that planning permission is required for new ground based mobile phone masts, they would enhance the ability of operators to undertake works such as replacing, altering or extending an existing mast or installing antenna on a mast or building as quickly as possible, without having to go through the planning process.

I am currently considering the proposals and responses to the previous consultation as well as other views expressed more recently, including from the mobile industry.

**Mr Muir** asked the Minister for Infrastructure whether any consideration has been given to making it the default position in Northern Ireland that pavement parking is illegal, as is the case in Scotland.

**(AQW 5714/17-22)**

**Ms Mallon:** My Department is committed to increasing the level of sustainable travel in Northern Ireland and I am aware that cars parked inconsiderately on footways present real challenges for footway users. Consequently my Department carries out enforcement action against cars parked on footways where there are parking restrictions on the adjacent carriageway. The PSNI also can and does take enforcement action against cars found to be obstructing footways. To promote and encourage compliance, regular reminders of the relevant Highway Code rule on footway parking are also posted on our road safety and sustainable travel social media channels. I am, however, keen to explore if further measures may be necessary.



**Mr Muir** asked the Minister for Infrastructure whether consideration will be given to updating the Design Manual for Roads and Bridges, in light of the Inclusive Mobility and Transport Advisory Committee May 2020 recommendations concerning pavement café licensing.

**(AQW 5715/17-22)**

**Ms Mallon:** The Licensing of Pavement Cafés Act (Northern Ireland) 2014 empowers District Councils to manage Pavement Café requests. The Department for Communities (DfC) has published guidelines to assist district councils with the implementation of this statutory licensing scheme, however my Department takes an active role and is a key partner in that process.

Within the DfC guidance it is recognised that there are many factors that need to be taken into account when considering the potential for pavement cafes with traffic volumes and footfall being key considerations as well as the type of premises and facilities available. Minimum standards are identified within the DfC guidelines and I have suggested to Councils that when considering individual sites, solutions need to be developed that best meets the needs of the various stakeholders, including IMTAC and other disability groups, to ensure their concerns are taken into account.

To help with the evaluation of each site my Department has drafted further, more detailed guidance on the siting of pavement cafes on our streets and this has drawn upon various sources of guidance, including the Design Manual for Roads and Bridges and Inclusive Mobility, which is the Department for Transport guide to best practice on making transport accessible for passengers and pedestrians. My Department is currently in the process of finalising this guidance including statutory S75 Equality considerations.

I welcome the interest of IMTAC in the design of pavement cafés and fully appreciate the concerns raised. I have emphasised to Councils the need to consider the needs of all groups, including those with visual and mobility difficulties, when considering proposals for pavement cafes.

**Ms Armstrong** asked the Minister for Infrastructure (i) why Strangford village is regularly gridlocked by Strangford ferry queues; (ii) when regular traffic management to stop gridlock will be provided; and (iii) to specify the reasons for not returning to the Pre-COVID-19 ferry timetable.

**(AQW 5748/17-22)**

**Ms Mallon:**

- (i) Queuing of ferry traffic through Strangford village does occur at times, but I am advised it tends to be infrequent and short-lived. Queues occur when demand exceeds the capacity of the ferry, for example during spring and summer holiday weekends.
- (ii) Traffic management measures were implemented in 2016, aimed at facilitating traffic progression during periods of increased demand for the ferry. This included provision of additional road markings and parking restrictions in Strangford village. In 2017 enhanced measures were introduced for use during predicted busy periods, including managing traffic into the marshalling area away from the main town, to hold vehicles until the next ferry sailing. During the recent busy July holiday weekends, additional resources were deployed to help manage traffic and implement more frequent sailings by using a 'load and go' system.
- (iii) Unfortunately the ferry service has experienced significant disruption primarily due to a reduction in the number of crew available, as a result of the COVID-19 pandemic and shielding. The ferry service must operate in accordance with the requirements of its licence, issued by the Maritime and Coastguard Agency (MCA), to ensure the safety of both passengers and crew. A minimum of four crew members, each certified as competent by the MCA, are required for the vessel to operate. Due to the need to ensure availability of this minimum crew number from a reduced pool, while providing a reliable and sustainable service, it was necessary to introduce the temporary reduced timetable. This timetable has primarily focused on morning and evening traffic peaks, to facilitate those travelling to and from work and other essential users. The midday break is necessary, as the ferry is being operated each day by a single crew. The Department is working to safely resume the ferry timetable to pre-Covid-10 levels as quickly as possible.

**Mr McHugh** asked the Minister for Infrastructure what the estimated time period is for a street light fault to be repaired after being logged on the online reporting system.

**(AQW 5813/17-22)**

**Ms Mallon:** My Department has a range of response times for street lighting repairs: 1 hour for emergencies; 24 hours for urgent repairs (normally group outages); and five working days for normal outage repairs.

I am pleased to be able to inform the Member that I have allocated funding that should enable my Department to provide a full street lighting maintenance programme for the current 2020/21 financial year.

**Mr Muir** asked the Minister for Infrastructure to detail the current laws (i) to prevent trespassing; and (ii) to ensure proper use of user worked crossings on heritage railways.[R]

**(AQW 5816/17-22)**

**Ms Mallon:**

- i The current law to prevent trespassing on heritage railways is the Regulation of Railways Act 1868 (which is still extant) Sections 2, and 23. Fines are imposed on people trespassing on the lines.
- ii. The law to ensure the proper use of user worked crossings on heritage railways is Section 6 of the Railway Safety Act 2002. This Act gives the Department powers to prescribe in regulations for the placing of signs and barriers at private crossings. The Department subsequently made the Private Crossings (Signs and Barriers) Regulations (Northern Ireland) 2007 which would apply to heritage railways.

**Mr Muir** asked the Minister for Infrastructure (i) for her assessment of the levels of compliance with the mandatory face covering rule on public transport; and (ii) what action she proposes, if any, to increase compliance.[R]

**(AQW 5820/17-22)**

**Ms Mallon:**

- (i) Since the introduction of the mandatory requirement for face coverings on public transport on 10 July 2020, Translink have reported anecdotal compliance rates of between 60-85% of passengers wearing face coverings across bus and rail services, compared to 10% previously. This corresponds with compliance figures from GB and reflects the significant educational and promotional measures undertaken by my Department and Translink to raise awareness and encourage compliance with the new legislation.
- (ii) While these initial figures are positive, there is still room for improvement and my Department and Translink continue to focus on engagement, encouragement and education to increase compliance. In line with that, Translink continues to communicate to passengers through social media, information posters in vehicles and in stations, and a public information campaign has been initiated to help educate passengers. Staff are leading by example by wearing assigned PPE and, in the early days of implementation, passengers had access to staff in various locations who offered advice and handed out free disposable face coverings. Translink staff have also been asked to remind passengers of their legal obligation and actively encourage them to wear face coverings. The measures outlined above will continue and going forward will be supported by an Executive public information campaign to encourage the wearing of face coverings in all indoor settings where social distance is difficult to maintain.

## Department of Justice

**Mr Durkan** asked the Minister of Justice, given the recently tabled amendments to the UK Domestic Abuse Bill to now include Parental Alienation and Contact Denial as coercive control, whether she will introduce a similar amendment to the Domestic Abuse and Family Proceedings Bill.

**(AQW 5770/17-22)**

**Mrs Long (The Minister of Justice):** I consider that parental alienation and contact denial can be captured by the new domestic abuse offence, depending on the specific circumstances of the case, and this will be reflected in the statutory guidance associated with the new offence. I therefore have no plans to introduce an amendment to the Domestic Abuse and Family Proceedings Bill on this issue. I understand that this has also been the position adopted in relation to the Westminster Domestic Abuse Bill.

**Mr Storey** asked the Minister of Justice to detail how many custodial prisoners violated parole conditions, broken down by the nature of the pre-existing offence, in each of the last five years.

**(AQW 5790/17-22)**

**Mrs Long:** Temporary release from prison is granted by the Prison Service for a number of reasons, for example on compassionate grounds or as part of a process aimed at reintegrating prisoners. The number of prisoners released on a temporary basis on at least one occasion in each of the last five calendar years is outlined in the table below.

	Year				
	2015	2016	2017	2018	2019
Number released on a temporary basis	666	564	531	505	425

To collate the information requested in relation to those prisoners who breached the terms of their temporary release over the past five years would require a manual review of prisoner files and would incur a disproportionate cost.

## Department for the Economy

**Mr Blair** asked the Minister for the Economy to outline the timetable for the conclusion of an updated tourism strategy.

**(AQW 1989/17-22)**

**Mrs Dodds (The Minister for the Economy):** Officials are currently working on a draft Tourism Strategy to 2030. The timeline for the conclusion of this Strategy will be impacted by the outcome of the public consultation exercise to be undertaken on the draft Strategy. Currently, the intention is to publish a draft for public consultation later this year.

**Mr McGrath** asked the Minister for the Economy what consideration is being given to the provision of a short-term basic income model especially for self employed people to assist them during the COVID-19 outbreak.  
(AQW 3818/17-22)

**Mrs Dodds:** The cost of a short-term basic income model, for the self-employed is beyond the funding envelope available to the Northern Ireland Executive. Consideration of such a proposal would be a matter for the UK Government. However, this is an evolving situation and my Department, along with Executive colleagues, continue to explore all potential options to identify further means of offering support to as many local businesses as possible during the Covid-19 pandemic.

Currently there are UK wide means of support available to the self-employed, including the Self-employed Income Support Scheme. This offers 80% of trading profits up to a maximum of £2,500 per month for 3 months. To date over 69,000 claims have been made to the scheme from individuals in Northern Ireland. Other support is available such as HMRC Time to Pay, Income Tax Deferral, the recently extended mortgage holiday and changes to the rules of Universal Credit. Further details are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus> .

Specific to Northern Ireland, the Minister of Finance announced a 3 months rates holiday which has been extended by one month for all businesses and for the remainder of this financial year for businesses in the retail, hospitality, tourism and leisure sectors, childcare facilities and Belfast City Airport, Belfast International Airport and the City of Derry Airport.

Additionally, on 5 May 2020 I announced the development of the NI Microbusiness Hardship Fund. Self-employed people who employed at least one other person were eligible to apply for the fund. This scheme closed to new applications 12 June 2020.

**Ms Kimmins** asked the Minister for the Economy whether she will provide financial support for the taxi sector during COVID-19.  
(AQW 4118/17-22)

**Mrs Dodds:** Regulation and policy for the transport sector is the responsibility of Department for Infrastructure. Schedules 1 and 3 to the Budget Act 2020 allocate funding to the Department for Infrastructure for “transport licensing, enforcement and regulation”, as well as “support for transport services including grants in respect of rail and road passenger services including fare concessions”. Taxis are clearly regarded as “transport services”. Within this context I have set out below my own Department’s actions, as well as those of the Executive and UK government, in providing financial support and guidance to businesses and individuals including those in this industry.

The Executive and UK Government has introduced an unprecedented number of interventions and packages of financial support to help those who have been affected by the consequences of Covid-19.

Information on current and evolving support options are being updated continuously on the NI Business Info website:

<https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>

I understand that over 30 taxi firms which met the eligibility criteria, were able to access the business support grants available in Northern Ireland. In addition taxi firms and self-employed taxi drivers who met the relevant criteria are able to access national support packages including the Coronavirus Job Retention Scheme (CJRS) and the Self-Employment Income Support Scheme (SEISS), which have both been extended to October 2020.

I recognise that there are many businesses and individuals who have not been able to access support through the local schemes and who are facing ongoing difficulty. Any decisions on funding of further business support measures, and the respective employment and business sectors within these, will require Executive agreement.

**Mr Muir** asked the Minister for the Economy whether she will establish a discretionary fund to assist those excluded from COVID-19 Grant Support Schemes thus far.  
(AQW 4306/17-22)

**Mrs Dodds:** On 28th March 2020, the First Minister and deputy First Minister, announced a series of enhanced containment measures, agreed by the Executive, designed to restrict the spread of the Coronavirus.

In addition, the Executive and the UK Government have since introduced a number of interventions and packages of financial support to help those who have been affected by the consequences of COVID-19. These include but are not limited to the following:

- Business Grants Schemes;
- Self-Employment Income Support Scheme;
- Job Retention Scheme;
- Coronavirus Business Interruption Loan Scheme;
- Coronavirus Large Business Interruption Loan Scheme; and
- Relief packages with non-domestic Rates

On 16th May 2020, I announced a new 'Hardship Fund' to help Northern Ireland based micro-businesses and social enterprises who meet the criteria and who have been unable to access other regional and national support measures. My Department will make up to £40 million available through this fund, which is being administered by Invest Northern Ireland.

Details of the Hardship Fund including the eligibility checker have been published on the NI Business Info website: <https://www.nibusinessinfo.co.uk/content/coronavirus-ni-micro-business-hardship-fund>

Information on all of current and evolving support options are being updated continuously at <https://www.nibusinessinfo.co.uk>. In addition, the Consumer Council for Northern Ireland, provides advice and guidance for small businesses and organisations experiencing difficulties during this challenging period.

Despite government's best efforts, and the significant funding that has been made available in such a short period of time, I do understand that some businesses, employers, organisations and individuals have been unable to avail of all or some of the support options thus far, nor do I underestimate how difficult a time this is for all concerned.

I have recently provided the Executive with an options paper on how any underspend in the grant schemes could be used to best serve those needing support. Some of those schemes would be delivered by other Ministers who

have responsibility for those areas, and any decision on how to use that money is for the Executive, collectively.

**Mr Robinson** asked the Minister for the Economy whether bridal boutiques are permitted to organise private fittings for brides with upcoming weddings.

**(AQW 4619/17-22)**

**Mrs Dodds:** Regulation 4(2) of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 has been amended and now states businesses offering goods for sale or hire in a shop including clothing, footwear and accessories are now free to open. Bridal boutiques fall into this category and as such are permitted to operate.

Details of the regulations and revisions are available at <https://www.health-ni.gov.uk/publications/health-protection-coronavirus-restrictions-northern-ireland-regulations-2020>

As with all businesses that are reopening, I would urge all members of this sector to familiarise themselves with all relevant guidance available and ensure that they have the necessary mitigations and procedures in place so that they can conduct their business in the safest manner possible.

**Mr Muir** asked the Minister for the Economy what financial support she intends to provide to Allied Health professional businesses in independent practice unable to access the Coronavirus Business Support Grant Schemes and the NI Micro-business Hardship Fund.

**(AQW 4759/17-22)**

**Mrs Dodds:** I am aware of the hardship faced by businesses across the economy, including Allied Health Professional businesses, as a result of the COVID-19 pandemic. However, regulation and policy for Allied Health Professionals is the responsibility of the Department of Health. I will continue to work with my Executive colleagues to consider what further support we can provide as we seek to make our economic recovery. Any decisions on funding of further business support measures, and the respective employment and business sectors within these, will require Executive agreement.

Allied Health Professional businesses were eligible to apply for both the Small Business Support Grant scheme and the NI Microbusiness Hardship Fund provided the eligibility criteria were met.

Outside of the Business Support Schemes implemented by my Department, other local and UK-wide support has been available to businesses. In Northern Ireland, all businesses have received a four months rates holiday, and a full year's rates relief has been introduced for businesses in the retail, hospitality, tourism and leisure sectors. A range of UK-wide measures are available such as the Coronavirus Job Retention Scheme and the Self-Employed Income Support Scheme. Details of these schemes can be found at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

**Mr McHugh** asked the Minister for the Economy to detail the financial assistance available, or forthcoming, to support the coach industry during the COVID-19 restrictions.

**(AQW 5099/17-22)**

**Mrs Dodds:** Regulation and support for the transport sector is the responsibility of the Department for Infrastructure. However I recognise that the connectivity provided by coaches is particularly important to our tourism industry and

I will continue to work with my Executive colleagues to consider what further support we can provide as we seek to make our economic recovery. Any decisions on funding of further business support measures, and the respective employment and business sectors within these, will require Executive agreement.

The Executive has introduced an unprecedented range of financial support to help those impacted by COVID-19. My Department has implemented the £10k and £25k Business Support Grant schemes for which businesses in the coach industry could apply provided the eligibility criteria were met. Approximately 20 companies listed as coach / bus hire or tour businesses availed of these grants, receiving either £10k or £25k, depending on their circumstances. Coach businesses were also able to apply for the NI Microbusiness Hardship Fund, again provided the eligibility criteria were met.

Outside of the Business Support Schemes implemented by my Department, other local and UK-wide support has been available to businesses. In Northern Ireland, all businesses have received a four months rates holiday, and a full year's rates relief has been introduced for businesses in the retail, hospitality, tourism and leisure sectors. A range of UK-wide measures are available such as the Coronavirus Job Retention Scheme and the Self-Employed Income Support Scheme. Details of these schemes can be found at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>

**Mr Muir** asked the Minister for the Economy whether she intends to bring a funding proposal to the Minister of Finance concerning a qualified support package for the haulage industry, to assist those facing extreme hardship in light of financial pressures experienced as a result of COVID-19.

**(AQW 5153/17-22)**

**Mrs Dodds:** I am aware of the hardship faced by businesses across the economy, including the haulage sector, as a result of the COVID-19 pandemic. However, regulation and policy for haulage is the responsibility of the Department for Infrastructure. I will continue to work with my Executive colleagues to consider what further support we can provide as we seek to make our economic recovery. Any decisions on funding of further business support measures, and the respective employment and business sectors within these, will require Executive agreement.

My Department has launched two support schemes, for which hauliers were eligible to apply, subject to the eligibility criteria being met. The £10,000 Small Business Support Grant Scheme was available to businesses in receipt of Small Business Rates Relief or Industrial derating. The NI Microbusiness Hardship Fund provided up to £10,000 of support to businesses that employ between one and nine employees via PAYE. Further details of the schemes are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

Hauliers are able to avail of UK-wide schemes such as the Coronavirus Job Retention Scheme and other local measures including the non-domestic rates holiday. Details of the all business support schemes are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

**Ms Kimmins** asked the Minister for the Economy whether she will consider providing financial support to those businesses who are above the £51,000 Net Asset Value and have not been able to operate as a result of COVID-19, but have not been eligible for any of the grant funding schemes during this period.

**(AQW 5230/17-22)**

**Mrs Dodds:** Whilst I understand the frustrations that not all business have been eligible for grant support schemes, there are no immediate plans to extend the eligibility criteria to businesses above the £51,000 Total Net Annual Value.

The eligibility criteria for the grant schemes was designed to maximise the number of eligible businesses within the funding envelope available to the Northern Ireland Executive.

This is an evolving situation and I remain committed, along with Executive colleagues to provide support to as many local businesses as possible. Any decision on funding further business support measures will require agreement by the Executive.

Further information on all local and UK wide support options available to businesses can be found at: <https://www.nibusinessinfo.co.uk/business-support/coronavirus>

**Ms McLaughlin** asked the Minister for the Economy to detail the retention rate in the 2018/19 year, for each further education college.

**(AQW 5405/17-22)**

**Mrs Dodds:** The retention rates for each further education college in the 2018/19 academic year are as follows:

Belfast Metropolitan College	90.6%
Northern Regional College	84.9%
North West Regional College	92.0%
South Eastern Regional College	90.6%
Southern Regional College	90.3%
South West College	90.4%

This information is also available on the Department's website at Further Education Activity Northern Ireland 2014/15 to 2018/19 Excel Tables (Table A34).

**Ms Sheerin** asked the Minister for the Economy, mindful of the anxiety that has been placed on our young people this year in the context of a global pandemic, whether she will work with universities to proactively issue course placements earlier than August, based on predicted grades.

**(AQW 5438/17-22)**

**Mrs Dodds:** Queen's University Belfast and Ulster University have already taken steps to confirm places for local students in advance of the qualification results due in August. However I am deeply concerned that the actions taken by the institutions will cause greater uncertainty and anxiety for those students who must still await their qualification results before a place is secured.

I will therefore be seeking assurances from both institutions that any student whose place will not be secured until their results are known be provided with advice and support during this extremely worrying time.

**Dr Archibald** asked the Minister for the Economy for an update in relation to a Mobile Action Plan.

**(AQW 5471/17-22)**

**Mrs Dodds:** Responsibility for many of the issues which may need to be addressed in a Mobile Action Plan fall within the remit of other Departments. Additionally other bodies, such as Councils, also have an interest.

I intend, therefore, to establish a cross sector group to take forward the work necessary to develop a Mobile Action Plan for Northern Ireland.

Work is underway to agree the constitution and remit of that group.

**Mr Easton** asked the Minister for the Economy to provide details of the funding allocated to Queen's University, Belfast, for the purpose of the Queen's University Students' Union.

**(AQW 5519/17-22)**

**Mrs Dodds:** My Department has not provided any funding to Queen's University Belfast for the purpose of the Queen's University Students' Union. Funding for the operation of a Student's Union is a matter for the University.

**Mr Easton** asked the Minister for the Economy to detail the current religious breakdown of students attending Queen's University, Belfast.

**(AQW 5521/17-22)**

**Mrs Dodds:** Information on religion is only collected for Northern Ireland (NI) domiciled students studying at Northern Ireland Higher Education institutions. Religious affiliation is not a mandatory question and therefore can have a high non-response rate.

The table below sets out the total number of Northern Ireland domiciled students enrolled at Queen's University Belfast on undergraduate, postgraduate, full and part time courses by religion for academic year 2018/19. This is the most recent data available.

Institution/Campus	Academic Year	
	2018/19	
	Catholic	Protestant
QUB	8,675	6,210

To prevent the identification of individuals, figures in the attached table are rounded to the nearest 5, with 0, 1 and 2 rounded to 0.

**Mr Dickson** asked the Minister for the Economy what action her Department is taking to ensure that apprentices and interns are compensated fairly for the work they undertake for businesses.

**(AQW 5534/17-22)**

**Mrs Dodds:** An apprenticeship is a job combining work, training and study allowing the individual to earn while they learn. Apprenticeships play a hugely important role in our skills system and generate strong labour market and wage returns for participants.

My Department supports two apprenticeship programmes:

- ApprenticeshipsNI (Level 2 and Level 3)
- Higher level Apprenticeships (HLAs) (Level 4 and above)

Under the ApprenticeshipsNI programme, DfE funds the cost of off-the-job training for apprentices aged 16-24 undertaking a Level 2 or Level 3 apprenticeship programme. Funding support for off-the-job training for apprentices aged 25 years and over is set at fifty percent of that available for 16-24 year olds and is focused on priority economic areas. Funding for HLAs is not currently subject to an age cap or limited by priority economic sector.

As with any employee, apprentice wages are the responsibility of the employer.

The apprentice's wage should be commensurate with the industry rate for that job and, in accordance with the National Minimum Wage (NMW) regulations, which can be found at <https://www.nidirect.gov.uk/articles/national-minimum-wage-and-living-wage>

The Department's Training for Success (TfS) programme, primarily designed for young people aged 16 – 17, provides participants with the opportunity to complete work related qualifications and gain experience in a work placement in their chosen occupational area to assist them in their progression to employment/further training or study. TfS participants receive a weekly non means-tested Educational Maintenance Allowance of £40 per week. In addition, assistance is provided towards the costs of travel and, where required, the cost of childcare. Disability Support is also provided for young people with a disability in order that they can fully benefit from their training.

The Further Education Colleges have a large number of students engaging in work-based learning courses, either as a core part of their programme or at the choice of the student. These courses include relevant work experience which is undertaken alongside a course of study and may include, internships, work placement and work experience.

The work experience enables the students to gain real world experience and any remuneration, which can vary considerably, is at the discretion of the employer e.g. they may reimburse for travel expenses. The colleges have no record of the nature of any discretionary payment on the part of the employer as this is not the primary purpose of internships.

**Ms Armstrong** asked the Minister for the Economy to detail (i) how much underspend there is, broken down by each of the COVID-19 grants and loans; (ii) what plans are in place to utilise this money to help existing businesses that were unable to apply for support; and (iii) her plans to finance a resilience package for business that will include rural proofing measures. **(AQW 5539/17-22)**

**Mrs Dodds:** Although the Business Support Grant Schemes have closed and are all likely to be underutilised, a final figure for the underspend cannot be provided at this stages as a number of applications and appeals remain to be processed.

For the £10,000 Small Business Support Grant, approximately £240 million of support has been provided to date to 24,085 businesses.

For the £25,000 Retail, Hospitality, Tourism and Leisure Grant, approximately £72 million of support has been provided to date to 2,946 businesses.

There were 4,949 applications to the NI Microbusiness Hardship Fund, Currently, around 900 applications are still being processed.

I recognise that many businesses have not been able to avail of the support schemes as they have fallen outside of the eligibility criteria. I have circulated an Options Paper to my Executive Colleagues which sets out proposals for utilisation of available funds following the closure of the schemes. The decision on utilising these funds, and the allocation of any additional financial support, is a matter for Executive agreement and I look forward to further discussions with Executive Colleagues in due course.

**Ms Armstrong** asked the Minister for the Economy (i) to provide a copy of the Tourism Strategy for Northern Ireland; (ii) what strategy there is to develop the tourism potential of the Ards Peninsula; and (iii) if there is none, why has this area been excluded. **(AQW 5540/17-22)**

**Mrs Dodds:** Prior to the onset of Covid-19, officials from the Department for the Economy had been working closely with Tourism NI to bring forward a draft Northern Ireland Tourism Strategy to 2030; one which would set out the principles, vision and key aims necessary to continue to position Northern Ireland as an internationally competitive tourism destination.

The intention had been to bring the draft forward for public consultation later in 2020 (subject to the Executive's approval). However, COVID-19 delivered an immediate and full stop to international tourism right across the world with Northern Ireland being no exception.

Consequently, it became necessary to redirect our efforts into working with our tourism industry to support businesses through these past difficult months and to take the necessary actions to restart our tourism Sector. You will be aware of the mitigations implemented at a national and local level (e.g. grant schemes, business rates relief, loan schemes etc.) which have played an important part in helping to sustain many tourism and hospitality businesses through the recent difficult months.

In addition, the decisive action taken by the NI Executive to accelerate the timeframe for re-opening the industry has played a key role in enabling businesses to begin to generate the revenue needed to retain jobs across Northern Ireland.

Re-opening is a significant step forward but I am acutely aware that the road ahead will remain very challenging, and that planning to support rebuilding and enable renewed growth of the Sector in the longer term will be of singular importance.

You will be aware that I established and Chair a Tourism Recovery Steering Group, supported by a Tourism NI led Working Group, to lead on the planning and preparation for the recovery of the industry. The work being facilitated by these Groups will enable us to step through the process from restarting and rebuilding our Tourism Sector to planning strategically for the renewal and regrowth of the Sector in the longer term.

Work to develop a Tourism Strategy will progress in this context. The operational environment in which Tourism now exists, locally, regionally and internationally has altered radically. The world's current circumstances are uncertain, complex and ambiguous and thereby severely impact the effectiveness of conventional planning and management processes.

Consequently our approach to the development of a strategy will require new

and innovative ways of thinking but I remain confident that we can return Northern Ireland to its rightful place as an internationally competitive visitor destination.

The strategy will be a strategy for all of Northern Ireland, including the Ards Peninsula.

You may also wish to note that my officials and Tourism NI are currently involved in advising and supporting Councils to bring forward proposals for tourism projects in the various Council areas that comprise the Belfast Regional City Deal (BRCD) Area. This includes the Ards & North Down Council area; my officials are continuing to work closely with the Council, both on a one-to-one level and through the BRCD's Tourism & Regeneration Advisory Board, which is Chaired by the Chief Executive of Ards and North Down Council.

**Mrs Cameron** asked the Minister for the Economy what assistance is available for registered sole traders who have been unable to access the various UK Government or NI Executive business support grants.

**(AQW 5547/17-22)**

**Mrs Dodds:** I recognise that the impacts of the Covid-19 crisis continue to be felt across the Northern Ireland economy. Whilst I welcome that around £320million has been provided in support through the three existing business support measures, I recognise that there remains gaps in coverage and not all businesses have been able to avail of that support.

Currently there are UK wide means of support available to the self-employed, including the extended Self-employed Income Support Scheme. This offers 80% of trading profits up to a maximum of £2,500 per month. Other support is available such as HMRC Time to Pay, Income Tax Deferral, the recently extended mortgage holiday and changes to the rules of Universal Credit. Further details are available at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

Specific to Northern Ireland, the Minister of Finance announced a 3 months rates holiday which has been extended by one month for all businesses and for the remainder of this financial year for businesses in the retail, hospitality, tourism and leisure sectors, childcare facilities and Belfast City Airport, Belfast International Airport and the City of Derry Airport.

Additionally, on 5 May 2020 I announced the development of the NI Microbusiness Hardship Fund. Self-employed people who employed at least one other person were eligible to apply for the fund. This scheme closed to new applications 12 June 2020.

This is an evolving situation and I remain committed, along with Executive colleagues to provide support to as many local businesses as possible. Any decision on the further business support measures will require consideration and consensus by the Executive. I am working with the Minister of Finance to bring forward further options for discussion and decision by the Executive.

**Mr Allister** asked the Minister for the Economy (i) whether guidance published on 26 June 2020 by The Insolvency Service, entitled Insolvency Act 1986 Part A1: Moratorium - A Guide to Monitors, is applicable to Northern Ireland; and (ii) if not, when Northern Ireland specific guidance is to be issued.

**(AQW 5553/17-22)**

**Mrs Dodds:** Question (i)

I can confirm that the guidance referred to in the question is not applicable to Northern Ireland.

Question (ii)

Northern Ireland specific guidance is currently being prepared by the Northern Ireland Insolvency Service and will be published as soon as possible.

**Mr Allister** asked the Minister for the Economy, in relation to the recently enacted Corporate Insolvency and Governance Act 2020, to explain why, if the provisions for moratoriums in Northern Ireland are the same as for Great Britain, no Northern Ireland specific guidance is currently available.

**(AQW 5554/17-22)**

**Mrs Dodds:** Factsheets about key aspects of the Corporate Insolvency and Governance Act 2020, including the moratorium, are available on the Insolvency Service of England and Wales website. As the provisions included in the Act for Northern Ireland are similar to those made for Great Britain, and the information contained in these factsheets is general in nature, they are applicable in Northern Ireland. Therefore, it is not intended to publish separate ones and the factsheets have been brought to the attention of Insolvency Practitioners that operate in Northern Ireland.

More detailed Northern Ireland specific guidance on moratoriums is currently being prepared by the Northern Ireland Insolvency Service and will be published as soon as possible. Once completed, the guidance will be brought to the attention of Insolvency Practitioners.

**Mr McCrossan** asked the Minister for the Economy to detail (i) all gaps identified for (a) individuals; and (b) businesses in terms of receiving financial assistance for COVID-19; and (ii) the action her Department is taking to rectify.

**(AQW 5595/17-22)**

**Mrs Dodds:** The Executive has introduced an unprecedented range of financial support for our economy during the COVID-19 pandemic in order to prevent business closure, retain jobs and to promote our economic recovery. My Department



has provided around £320 million of financial assistance to date through three business support measures; the £10,000 and £25,000 Business Support Grant Schemes and the Micro-Business Hardship Fund. The business rates relief and specific sector funds, such as sports and childcare, have also provided much needed support as well as UK-wide measures such as the Coronavirus Job Retention Scheme and Self-Employed Income Support Scheme which are available to local businesses.

Unfortunately, whilst the budget allocation for regional support is recognised by all as being significant, there are still limits, and it was deemed necessary to apply criteria to the various schemes and financial supports, with the intention of supporting as many businesses and individuals as possible during these very difficult times. I am aware that there remains gaps in coverage and not all businesses and individuals have been able to avail of that support offered regionally or nationally.

The allocation of funds for the business support measures established by my Department are not expected to be fully utilised. The economy has been hit hard by the pandemic and significant investment will be required to rebuild and renew the economy. In considering the approach to COVID-19 recovery it will be for the Executive to determine how funding, including that which may be available from grant related underspends, would be allocated to support economic recovery moving forward.

**Mr McGlone** asked the Minister for the Economy, pursuant to AQW 5085/17-22, (i) how many of the 21 inspections were unannounced; (ii) how many of the 21 inspections recorded deficiencies in those food processing plants; and (iii) where deficiencies were recorded, what enforcement actions were taken by the Health and Safety Executive.  
(AQW 5596/17-22)

**Mrs Dodds:** HSENI carried out 21 unannounced inspections and did not identify any breaches requiring formal enforcement action (enforcement notices or prosecution) in relation to COVID-19 control measures.

A total of 115 improvements were identified by HSENI Inspectors across the 21 sites. In line with normal procedure, at each site where potential improvements were identified, these were raised by the Inspectors during the inspection and 18 sites were followed up by letter or e-mail to the management of the business detailing any actions to strengthen their COVID-19 (or other health or safety) controls.

Timescales were set for improvements to be made and the majority of the sites have completed remedial actions and the cases closed. Where longer term actions are required, follow up is continuing and the cases remain open until completion of actions is confirmed.

**Miss Woods** asked the Minister for the Economy (i) why there is no guidance related to collecting or retaining customer details for the purposes of contact tracing in the Working Safely during COVID-19 in Restaurants, Pubs, Bars and Food Services document; (ii) whether her Department intends to issue guidance on the collection of customer details for contact tracing; and (iii) what measures are in place for the hospitality industry to use customer details in restaurants, pubs, bars and food service premises for the purposes of contact tracing.  
(AQW 5625/17-22)

**Mrs Dodds:** The NI Visitor Economy guidance for Restaurants, Pubs & Bars which applies to any food preparation or service setting where food and drink is sold for consumption at venues or for takeaway or delivery does not currently include a requirement for businesses to retain customer details for contact tracing.

This position is under review and the guidance will be updated, following advice from health officials.

**Ms McLaughlin** asked the Minister for the Economy for her assessment of the potential impact on Ulster University's balance sheet of including its full share of costs from the deficit of the university-sponsored pension scheme.  
(AQW 5628/17-22)

**Mrs Dodds:** The representation of pension schemes on Ulster University's (UU) balance sheet is a matter for the University and its advisors. However, I have asked the University to provide an understanding of its pension schemes.

UU participates in two schemes, the Universities Superannuation Scheme (USS) and the Northern Ireland Local Government Officers Superannuation Committee Pension Fund (NILGOSC). The schemes are defined benefit schemes, which are externally funded. The assets of each scheme are held in a separate trustee-administered fund. It is not possible to fully identify the institution's share of the underlying assets and liabilities of the scheme in USS.

In the financial statements to 31 July 2019 the University had a pension provision of £105.5m in the Balance Sheet as detailed below.

#### Pension Provision

	Obligation to Fund deficit on USS Pension	Defined Benefit Obligations	Total Provision
	£'000	£'000	£'000
At 1 August	20,171	25,416	45,587
Charged in year	38,482	4,054	42,536

	Obligation to Fund deficit on USS Pension	Defined Benefit Obligations	Total Provision
	£'000	£'000	£'000
Actuarial gain	-	17,448	17,448
At 31 July 2019	58,653	46,918	105,571

### USS deficit

Following the completion of the 2018 actuarial valuation, a new deficit recovery plan was agreed. Since the year end, and with all other assumptions used to calculate the provision unchanged, this would have resulted in a revised provision of £34.5m, a decrease of £24.1m from the 2019 provision of £58.6m shown above.

USS is a mutual pension scheme and, as all institutions within the sector will face the same pressures in relation to the pension, it requires a mutual solution.

Ulster University will continue to review the situation as it develops. As an area of risk, shared amongst the sector, it remains a matter of concern for all universities.

**Ms McLaughlin** asked the Minister for the Economy for her assessment of the Institute for Fiscal Study's report on UK universities, which warns that one Northern Ireland higher education institution is at risk of having negative net assets by 2024 and, therefore, may not be viable without a government bail-out or debt restructuring.

(AQW 5629/17-22)

**Mrs Dodds:** I note the Institute for Fiscal Study's report on UK universities and the potential for financial problems in the higher education sector and the threat of insolvency for some institutions.

I am acutely aware of the ongoing financial pressures being faced by the higher education sector here, especially those recently created as a result of Covid-19.

I have taken steps to secure additional funding for the local sector to address the short-term pressures it currently faces.

I have also been working closely with Ministerial colleagues across the UK in securing a package of support for the UK higher education sector.

I will continue to work with the sector to ensure the long term viability of our institutions.

**Mr O'Toole** asked the Minister for the Economy how many meetings she has had with groups representing the Northern Ireland business community to discuss concerns regarding the lack of clarity on Brexit and the implementation of the Protocol, specifically whether she has addressed when her Department plans to issue a checklist to businesses outlining the new measures they will need to implement before the end of the transition period on 31 December 2020.

(AQW 5630/17-22)

**Mrs Dodds:** As Minister for the Department for the Economy I regularly have meetings with business representatives and businesses. Their concerns regarding the lack of clarity on EU Exit and the implementation of the Protocol have been discussed frequently at these meetings. As such, I cannot advise on the exact number of meetings where the concerns of the business community on EU Exit have been discussed.

In regards to the checklist to businesses outlining the new measures they will need to implement before the end of the transition period, unfortunately we cannot provide this at this time as we do not have clarity on the measures businesses will have to take. I continue to raise the need for clarity on this issue with UK Government and seek the best outcome for our businesses.

**Mr Beggs** asked the Minister for the Economy to detail the discussions her Department has had with her counterparts in Great Britain to mitigate the effects of a customs border in the Irish Sea on the local economy.

(AQW 5639/17-22)

**Mrs Dodds:** I have raised the need to mitigate any impact of customs processes on East/West trade at nearly every meeting with my counterparts from BEIS and Department for International Trade. My officials have also raised these issues consistently, and worked with the business community to ensure that the business issues are understood by Whitehall Departments.

I have also consistently raised the need to mitigate any customs processes at the Executive, and worked with colleagues to come to collective positions to represent NI interests with UK Government.

**Mr O'Dowd** asked the Minister for the Economy, pursuant to AQW 5339/17-22, what amount, broken down by year, was Invest NI support as shown at point (iii) in the original answer.

(AQW 5641/17-22)

**Mrs Dodds:** The response to AQW 5339/17-22 included the following investment data.

**Investment Secured (£m) by Invest NI in Upper Bann Constituency (2015-16 to 2019-20)**

PCA	2015-16	2016-17	2017-18	2018-19	2019-20
Upper Bann	33.95	29.33	33.78	27.39	45.14

The table below provides the amount of support relating to the investment data above. This support is contained within the investment figures.

**Invest NI Support (£m) by Invest NI in Upper Bann Constituency (2015-16 to 2019-20)**

PCA	2015-16	2016-17	2017-18	2018-19	2019-20
Upper Bann	6.34	7.59	7.22	4.88	11.51

**Mr O'Dowd** asked the Minister for the Economy to detail (i) what measures Invest NI put in place to support local textile firms to bid for personal protection equipment (PPE) contracts during the COVID-19 crisis; (ii) what criteria was used to identify local companies which may have been of assistance in providing PPE; and (iii) how many local companies, from all sectors which received Invest NI assistance or were contacted by Invest NI, were awarded PPE contracts.

**(AQW 5644/17-22)**

- Mrs Dodds: At the start of the pandemic and lockdown, Invest NI set up an informal team to work closely with the DoF (Central Procurement Directorate (CPD)), DOH and Business Services Organisation (BSO) teams to identify key priorities and work with companies wishing to offer help and willing to repurpose and manufacture PPE.
- BSO supplied a list of essential items including PPE and Hand Sanitiser and asked Invest NI to identify companies which would have the capability and capacity to supply. Invest NI worked with its team of Client Executives in the sector and regional teams and provided the list of essential items to companies and invited companies to highlight what they could supply.
- Invest NI helped HSC and BSO field the offers and ensured that companies with capability and ability to deliver a secure supply were highlighted.
- Invest NI received over 400 offers of support from companies from the beginning of the pandemic in mid-March. The offers of support were categorised as follows
  - PPE- 138
  - Sanitiser- 26
  - Testing- 12
  - Ventilators- 79
  - Other supplies & support & queries- 150
- Invest NI worked with other relevant organisations (Manufacturing NI, CBI, IOD, Councils) to identify as far as possible the capabilities of local companies who were willing and able to supply the required PPE.
- As stock levels and usage models were updated, BSO/PALS (Patient Advice & Liaison Service) identified two priorities, facemasks (IIR or N95) and gowns. INI actively worked with several companies that had indicated their ability to manufacture gowns and masks.
- Invest NI provided support in terms of providing PPE specs, advising on PPE certification requirements and strategic sourcing of raw material. Several of the companies have considered further investment and are discussing investment projects with Invest NI.
- As BSO has formalised its purchasing models, it has launched a new Dynamic Purching System for PPE and a new framework for PPE was published on 25th June 2020. BSO confirmed that those companies which provided offers of assistance would be notified of the new system to enable them to register their interest accordingly.
- In addition and in anticipation that the demand for PPE would increase as companies returned to work, Invest NI also supported the development of a COVID supplies page on [www.buysupplyni.com](http://www.buysupplyni.com). This allowed companies to register their products for other businesses/organisations to source materials including PPE and materials to assist with social distancing. Invest NI promoted the call for Offers of Help and signposted to the relevant contact points through regular communications via newsletters and social media.
- Invest NI is not party to the contract negotiations between government departments and individual companies, however it is aware from BSO/PALS that over £52m has been spent on PPE with local companies.
- Companies which have been successful include Copeland Distillery, Echlinville Distillery, Bloc Blinds, and Denroy.

**Mrs Barton** asked the Minister for the Economy whether she will consider re-profiling the combined underspend from the three business support schemes her Department rolled out, to provide support for (i) sole traders; (ii) businesses who were above the £51,000 Net Asset Value; (iii) businesses below the £10,000 Net Asset Value; and (iv) a business that has multiple outlets in different locations.

**(AQW 5683/17-22)**

**Mrs Dodds:** I recognise that many businesses have not been able to avail of the previous Business Support Schemes as they have fallen outside of the eligibility criteria. I have circulated an Options Paper to my Executive Colleagues which sets out proposals for utilisation of any underspend from the schemes. The decision on how to reallocate the underspend is a matter for Executive and I look forward to further discussions with Executive Colleagues on these matters in due course.

To note, businesses with a Total Net Annual Value below £10,000 would have been eligible to apply for the Small Business Support Grant provided they were in receipt of Small Business Rates Relief or Industrial Derating and met the wider eligibility criteria of the scheme.

Outside of the Business Support Schemes implemented by my Department, other local and UK-wide support has been available to businesses. In Northern Ireland, all businesses have received a four months rates holiday, and a full year's rates relief has been introduced for businesses in the retail, hospitality, tourism and leisure sectors as well as for childcare and airports. In addition, wider support measures have been introduced including a Childcare Support Scheme, Charities Fund and a Hardship Fund for sports clubs and sporting organisations. A range of UK-wide measures are available such as the Coronavirus Job Retention Scheme and the Self-Employed Income Support Scheme. Details of these schemes can be found at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>

**Mr Carroll** asked the Minister for the Economy whether she plans to inspect companies that are availing of the Job Retention scheme and also undermining workers terms and conditions.  
(AQW 5735/17-22)

**Mrs Dodds:** The Coronavirus Job Retention Scheme (CJRS) is a UK wide Government initiative administered by Her Majesty's Revenue and Customs (HMRC).

The Chancellor announced changes to the CJRS on 29 May 2020 including flexibility to bring furloughed employees back part time in July, and a new taper requiring employers to contribute to furloughed salaries from August. Full details can be found at: <https://www.gov.uk/government/publications/changes-to-the-coronavirus-job-retention-scheme/changes-to-the-coronavirus-job-retention-scheme>

My Department has no powers of inspection for companies availing of this scheme. That would be a matter for HMRC.

Employees who believe they have been unfairly treated, or their terms of contract breached, may be able to complain to an Industrial Tribunal. Anyone who finds themselves in this position may wish to consider contacting the Labour Relations Agency - Workplace Information Service on 03300 555 300 for confidential and impartial information.

In addition, the Law Centre NI provides free, independent, specialist legal advice on employment rights. The Law Centre can be contacted on its advice line on 028 9024 4401 or by email: [employmentadvice@lawcentreni.org](mailto:employmentadvice@lawcentreni.org).

**Mr Dickson** asked the Minister for the Economy what process her Department uses to ensure that all policies and legislation proactively enables inclusion and equity, particularly for people with disabilities and black and ethnic minority persons.  
(AQW 5743/17-22)

**Mrs Dodds:** Section 75 of the Northern Ireland Act 1998 requires public authorities to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the Act, including people with disabilities, and black and ethnic minority persons. My Department publishes an Equality Scheme (2016-21) that sets out how we fulfil the Section 75 statutory duties, including our procedures to promote equality of opportunity. The Equality Scheme is available at <https://www.economy-ni.gov.uk/sites/default/files/publications/economy/DfE-Equality-Scheme-2016-2021.pdf>.

Also, in line with Section 75 guidance issued by the Equality Commission for Northern Ireland, my Department undertakes an audit of inequalities to identify potential inequalities, across all of the Section 75 categories, relevant to our functions. This provides the basis for an action plan to promote equality of opportunity and good relations. Our Audit and associated Action Plan provide a strategic overview of inequalities and sets out the actions by which we intend to address inequality. The Audit of Inequalities and Action Plan are available at <https://www.economy-ni.gov.uk/sites/default/files/consultations/economy/Draft-2016-2021-Audit-of-Inequalities.pdf>

With regard to disability, my Department is required to discharge important duties under Section 49A of the Disability Discrimination Act 1995 (DDA 1995). This requires us, when carrying out our functions, to have due regard to the need to promote positive attitudes towards disabled people, and to encourage participation by disabled people in public life. These are collectively referred to as the 'disability duties'. My Department publishes a Disability Action Plan that sets out how we fulfil our obligations in respect of our disability duties under the DDA 1995. The Disability Action Plan is available at <https://www.economy-ni.gov.uk/sites/default/files/consultations/economy/Draft-2016-2021-Disability-Action-Plan.pdf> .

**Mr McCrossan** asked the Minister for the Economy whether the Green Homes Grant Scheme, recently announced by the Chancellor, will be available in Northern Ireland.  
(AQW 5768/17-22)

**Mrs Dodds:** The Green Homes Grant Scheme applies in England only and does not extend to Northern Ireland. Furthermore, as it does not constitute a new funding commitment, it has not resulted in any additional Barnett consequential funding to deliver a similar scheme here.

Support for energy efficiency in buildings is a key theme being considered in the new Energy Strategy for Northern Ireland currently under development. My officials will be engaging closely with their counterparts in Whitehall as the new Greens Homes Grant scheme is developed, in order to identify best practice and suitable options for future support mechanisms that might be developed for Northern Ireland.

**Mr Frew** asked the Minister for the Economy to detail (i) whether the Utility Regulator approved the (a) cross-charging policy; or (b) cost allocation and recharge policy, developed by EirGrid PLC between EirGrid PLC and the System Operator for Northern Ireland Ltd; and (ii) if so, when this was approved.

**(AQW 5782/17-22)**

**Mrs Dodds:** The Northern Ireland Utility Regulator does not have an approval role in relation to any policy developed by EirGrid PLC as it is not a licensed entity in Northern Ireland. The Utility Regulator has not, therefore, approved the (a) cross-charging policy; or (b) cost allocation and recharge policy referenced in the question. The cost allocation and recharge policy is an internal EirGrid PLC document relating to EirGrid PLC and their group of companies, one of which is the System Operator for Northern Ireland (SONI).

The Utility Regulator scrutinises SONI costs in the context of its work on the SONI price control. It also ensures the allowances given to the company are sufficient for an effective and efficient Transmission System Operator operating on behalf of consumers in Northern Ireland.

**Mr Frew** asked the Minister for the Economy (i) whether the service level agreement between EirGrid Plc and System Operator for Northern Ireland Ltd, signed and dated 28 January 2011, is still enforced and practiced; (ii) if not, when was it voided; and (iii) who approved this.

**(AQW 5783/17-22)**

**Mrs Dodds:** This question does not fall within my ministerial responsibility, however, I can report that the Utility Regulator understands that the service level agreement referred to is no longer in place. The Utility Regulator has no role in the approval of that service level agreement or its termination. The Member is aware of the Utility Regulator's ongoing governance review of SONI.

**Dr Archibald** asked the Minister for the Economy to detail, in tabular form, the total amount of foreign direct investment from 2005 to the most recent year for which data is available, broken down by (i) year; and (ii) destination sector.

**(AQW 5793/17-22)**

**Mrs Dodds:** The table below shows the £4.6bn of inward investment commitments secured by Invest NI between 2005-06 and 2019-20 broken down by year and sector.

Year	Advanced Engineering & Manufacturing £m	Agri-Food £m	Construction £m	Digital & Creative Technologies £m	Financial, Professional & Business Services £m	Leisure & Tourism £m	Life & Health Sciences £m
2005-06	183.45	70.73	1.34	49.79	57.11	0.00	18.23
2006-07	30.25	10.48	1.44	6.49	133.72	23.53	0.96
2007-08	139.89	13.29	4.25	75.20	54.10	0.01	9.81
2008-09	629.13	6.35	2.18	63.51	23.40	0.55	2.64
2009-10	128.75	2.15	2.06	49.74	63.27	0.00	7.41
2010-11	94.10	1.17	1.03	30.51	122.34	0.06	2.72
2011-12	48.11	9.07	1.95	21.62	49.60	0.00	0.31
2012-13	51.45	29.00	1.07	40.34	86.62	0.01	19.82
2013-14	242.61	3.48	1.24	70.09	140.42	0.01	0.72
2014-15	147.52	172.17	6.56	60.29	223.45	0.00	8.97
2015-16	7.01	10.01	1.12	39.67	75.87	0.00	5.21
2016-17	64.95	6.24	2.95	40.30	40.48	0.01	6.30
2017-18	46.09	31.11	16.96	70.29	19.45	0.00	0.25
2018-19	231.07	1.43	0.08	49.68	101.67	0.00	18.34

Year	Advanced Engineering & Manufacturing £m	Agri-Food £m	Construction £m	Digital & Creative Technologies £m	Financial, Professional & Business Services £m	Leisure & Tourism £m	Life & Health Sciences £m
2019-20	42.01	1.99	2.12	62.78	52.30	0.00	14.23
<b>Total</b>	<b>2,086.41</b>	<b>368.67</b>	<b>46.36</b>	<b>730.31</b>	<b>1,243.80</b>	<b>24.19</b>	<b>115.92</b>

**Notes:**

- 1 Inward investment includes investment from Great Britain.
- 2 Totals may not add due to rounding.
- 3 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.

**Dr Archibald** asked the Minister for the Economy (i) for an update on the procurement process for Project Stratum; (ii) when it is expected that the contract will be awarded; and (iii) to outline the timetable for the rolling out of the project.

**(AQW 5795/17-22)**

**Mrs Dodds:**

- (i) The closing date for receipt of tenders for Project Stratum has now passed and the evaluation of bids is underway. Once complete, this will allow for the necessary corporate governance and internal approvals processes to be undertaken.
- (ii) Contract award is expected in late September 2020.
- (iii) It will not be possible to confirm the deployment plan for Project Stratum until after contract award. It is anticipated, however, that deployment of infrastructure will commence a number of months after contract award, with completion by 31 March 2024.

**Dr Archibald** asked the Minister for the Economy to detail (i) the total amount of imported fossil fuels used to generate power in Northern Ireland; broken down by type of fuel used, for transport, heat or power; (ii) the plants in which the fuel is converted to power; and (iii) an estimate of the total cost of this imported fuel, at sale price or by estimated market value.

**(AQW 5796/17-22)**

**Mrs Dodds:**

- (i) My department does not collect information on the amount of coal, gas or oil imported into Northern Ireland for the purposes of electricity generation. However, data from the most recent Northern Ireland Gas Capacity Statement published by the Gas Market Operator for Northern Ireland showed that gas demand by the power sector for the period October 2018 to September 2019 was 816 million standard cubic meters<sup>1</sup>. In addition, figures from the latest Annual Coal Inquiry published by the Northern Ireland Statistics and Research

<sup>1</sup> Figure taken from Table 1 on page 15 at <http://gmo-ni.com/assets/documents/Transparency/NI-Gas-Capacity-Statement/Northern-Ireland-Gas-Capacity-Statement-2019-20-to-2028-29.pdf>

Agency (NISRA)<sup>2</sup> show that 460 thousand tonnes of coal were imported into Northern Ireland in 2019 for 'Generation of electricity'.

- (ii) My department recently published the Energy in Northern Ireland 2020 report which provides a comprehensive and accessible overview of key statistics and information relating to energy in Northern Ireland. Within the report it sets out three major power generating sites in Northern Ireland and their fuel sources:
  - Ballylumford provides 616 MW capacity from natural gas generation with a further 116 MW capacity from diesel/gas oil generation;
  - Coolkeeragh provides 413 MW capacity from natural gas generation with a further 53 MW capacity from diesel/gas oil generation; and
  - Kilroot provides 559 MW of capacity from coal fuelled generation, alongside 143 MW from diesel/gas oil generation.
- (iii) My Department does not hold, nor produce, information on the sale price or estimated market value of imported fuel for transformation to power.

**Mr Muir** asked the Minister for the Economy to detail the criteria used to determine eligibility for the £25,000 Retail, Hospitality, Tourism and Leisure Grant where the business is not entirely engaged in retail, hospitality, tourism or leisure.

**(AQW 5817/17-22)**

**Mrs Dodds:** The £25,000 grant was available to eligible businesses that have a Total Net Annual Value (NAV) of between £15,001 and £51,000 and operate within the retail, hospitality, tourism and leisure sectors, subject to some exclusions.

The range of activities undertaken by businesses that applied for the 25k scheme was very broad and did not always fit neatly into the broad descriptions of the four eligible sectors, retail, hospitality, leisure and tourism. Indeed the sectors themselves are not easily defined and there is not a comprehensive database from which identification of the cohort of eligible businesses in these sectors could be made.

In cases where the business is not entirely engaged in retail, hospitality, tourism or leisure, assuming all other criteria is satisfied, an application would be deemed eligible if there is evidence of reasonable activity within one of the eligible sectors. This was determined on a case by case basis on the evidence available.

Businesses within the four eligible sectors were among the first to experience an adverse economic impact of the pandemic and the most vulnerable as they rely on people to be able to travel, shop and socialise. The aim of the scheme was to provide support to as many businesses as possible in order to prevent closures and to retain jobs.

**Ms McLaughlin** asked the Minister for the Economy, pursuant to AQW 5322/17-22, when the Longitudinal Education Outcomes (LEO) database for Northern Ireland is established, whether it will include data on outcomes from further education courses.

**(AQW 5824/17-22)**

**Mrs Dodds:** The LEO database for Northern Ireland will include further education (FE) data relating to the six FE colleges and the College of Agriculture, Food & Rural Enterprise (CAFRE). Data on higher education courses, apprenticeships and the Training for Success programme will also be included in the database.

The creation of the LEO database, by linking education data with both earnings and benefits data, will allow research on the labour market outcomes of FE College leavers to be conducted.

**Ms McLaughlin** asked the Minister for the Economy (i) to outline the reasons for the disparity between financial support provided by Student Finance NI and other UK student finance bodies; and (ii) whether she has plans to bring Student Finance NI into line with other UK student finance bodies to alleviate the student hardship and distress that this disparity is causing, particularly during the ongoing pandemic.

**(AQW 5825/17-22)**

**Mrs Dodds:** Higher Education is a devolved matter for the four jurisdictions of the United Kingdom. Each country has differing policy priorities around Higher Education and differing budgetary constraints, and it is therefore inevitable that financial support amounts and terms and conditions will vary in each jurisdiction.

While there are no immediate plans to change the student support package available to Northern Ireland students through Student Finance NI, I have doubled the amount of support funds available to students facing genuine financial hardship from £2.8m to £5.6m for the current financial year in response to the Covid-19 pandemic.

**Mr Dickson** asked the Minister for the Economy for a timescale for the completion of her Department's review into Postgraduate Education in Northern Ireland.

**(AQW 5856/17-22)**

**Mrs Dodds:** The Postgraduate Loan Review is a complex piece of work comprising differing strands of the postgraduate funding systems in Northern Ireland. The appropriateness of the current Postgraduate fee loan, of up to £5,500 towards the cost of taught postgraduate courses, will be reviewed alongside a range of potential options for maintenance loans or grants. Separate from that, there will be a review of the Postgraduate Awards Scheme.

It is anticipated that a public consultation on the Postgraduate Loan Review, comprising the different options for fee loans and maintenance provision, will be published before the end of this year.

**Dr Archibald** asked the Minister for the Economy what advice and support is available to employers and workers impacted by the change in health advice regarding travel from Spain.

**(AQW 5899/17-22)**

**Mrs Dodds:** Advice on travel is available on NIDirect at <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-travel-advice>.

Anyone making a decision on travel for a holiday should consult it before making that decision. That advice sets out the requirement to fill in a Public Health Passenger Locator Form on arrival home, even where travel has been to a country on the exempt list. The advice also highlights the possibility of countries being removed from the exempt list, and the need to have a 14-day self-isolation plan in place to cover that eventuality.

The Labour Relations Agency website contains much useful advice on employment issues in the context of Covid-19. That includes advice on holidays and the importance of flexibility on the part of both employers and employees. This is at <https://www.lra.org.uk/covid-19-advice-employers-and-employees#section-846>. The Labour Relations Agency - Workplace Information Service on 03300 555 300 is also available to provide confidential and impartial information.

Advice remains that if people can work from home, they should work from home. That should be possible while quarantining. Some employers may be able to accommodate working from home for employees in quarantine even where they have not been working from home up to now.

All employees and workers have a statutory entitlement to 5.6 weeks paid leave in their current leave year. Up to now, many people have had difficulty in taking leave because of the Covid-19 situation, and DfE has made legislation allowing people who have been prevented from taking leave by Covid-19 to carry over up to 4 weeks leave to the next 2 leave years.

Where an employee has used up all their paid annual leave, it might be possible to request special paid leave or to anticipate leave from a future year. An employer might be willing to pay contractual sick pay to cover this situation – though Statutory Sick Pay is not available. Or perhaps an employee could work additional hours later in the year to make up for being unavailable for work while in self-isolation on return from holiday. All these options would be at the discretion of the employer.

If this is not possible, unpaid leave may be possible, and there are certain grounds on which this can be a statutory entitlement, such as parental leave (18 weeks for each parent for each child up to their 18th birthday).

The normal set of employment rights continues to apply to all workers – in particular, the law on unfair dismissal. Workers have the right to complain to an Industrial Tribunal if they believe those rights have been infringed or their employment contract has been breached.

**Miss Woods** asked the Minister for the Economy, pursuant to AQW 5317/17-22, (i) whether her Department will publish the tender; (ii) whether her Department will publish the terms of reference of the Strategic Review on Petroleum Licensing; and (iii) whether she can confirm that the Strategic Review will not replace the EU Commissioner's recommendations from 2014, where EU Member States would be required to give priority to the protection of public health via the undertaking of a Strategic Environmental Assessment in the event that hydraulic fracturing is likely to be used in the exploration and exploitation of petroleum resources.

**(AQW 5915/17-22)**

**Mrs Dodds:**

- (i) The tender referred to in AQW 5317/17-22 included a Specification for research into the economic, societal and environmental impacts of onshore petroleum exploration and production in Northern Ireland. I intend to make this document available on the Department's website from 10 August.
- (ii) The high level review document which sets out the draft Terms of Reference (TOR) for the Review of Petroleum Licensing is very much a live document which is subject to change as the review process progresses. The outworking of the independent research will play a significant role in shaping the final TOR. Once the TOR are finalised they will be published.
- (iii) I can confirm that, as any policy proposals stemming from the Review of Petroleum Licensing will set the strategic direction for future oil and gas extraction, they will be subject to Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (which transpose European Directive 2001/42/EC).

**Mr Dickson** asked the Minister for the Economy whether she will provide support to businesses that have thus far received little or no assistance from COVID-19 Business Support Schemes.

**(AQW 5940/17-22)**

**Mrs Dodds:** I acknowledge many businesses have not been able to receive support despite extensive local support measures brought forward by the Executive, such as the Business Support Schemes and the business rates relief, as well as the UK-wide schemes including the Self-Employed Income Support Scheme.

The Northern Ireland economy has been hit hard by the pandemic and significant investment will be required to rebuild and renew the economy. In considering further interventions, it will be for the Executive to determine how future funding, including that which may be available from grant related underspends, would be allocated to support economic recovery moving forward.

**Mr Muir** asked the Minister for the Economy whether any plans exist to assist private coach operators as a result of downturn in trade due to COVID-19.[R]

**(AQW 5989/17-22)**

**Mrs Dodds:** Regulation and support for the transport sector is the responsibility of the Department for Infrastructure. However, I am aware that coach operators have been particularly badly affected by the COVID-19 pandemic. Challenges facing our coach sector have been stressed to me via the Tourism Recovery Steering Group and Working Group that I established to help our tourism industry to emerge from COVID-19. I recognise that they are a key component in our transport infrastructure and the connectivity provided by coaches is particularly important to our tourism industry. I will continue to work with my Executive colleagues to consider what further support we can provide as we plan for economic recovery. Any decisions on funding of further support measures will require be a matter for Executive agreement.



Coach operators were eligible to apply to the Business Support Schemes implemented by my Department. Approximately 20 companies listed as coach / bus hire or tour businesses availed of these grants, receiving either £10k or £25k, depending on their circumstances. Coach businesses were also able to apply for the NI Microbusiness Hardship Fund, again provided the eligibility criteria were met.

Outside of the Business Support Schemes implemented by my Department, other local and UK-wide support have been available to businesses. In Northern Ireland, all businesses have received a four months rates holiday, and a full year's rates relief has been introduced for businesses in the retail, hospitality, tourism and leisure sectors. A range of UK-wide measures are available such as the Coronavirus Job Retention Scheme and the Self-Employed Income Support Scheme. Details of these schemes can be found at <https://www.nibusinessinfo.co.uk/business-support/coronavirus>

## Northern Ireland Assembly Commission

**Mr Allister** asked the Assembly Commission (i) how many representations or comments were received following the decision not to illuminate Parliament Buildings for European Day for Victims of Terrorism; and (ii) of those comments, how many were (a) critical; and (b) supportive of the decision.

**(AQW 5555/17-22)**

**Mr Blair (The Representative of the Assembly Commission):** The Assembly Commission's 'Parliament Buildings: Special Lighting Policy (2020)' is published on the Northern Ireland Assembly's website. The Special Lighting Policy sets out the parameters and criteria that must be met for special lighting to be allowed and the process through which applications can be made, considered and, if approved, put into effect.

The Assembly Commission considers each application for special lighting solely on the basis of the parameters and criteria set out in the Special Lighting Policy. The Commission takes decisions on the basis of the application for special lighting itself, and not on the basis of any further representations or comments.

Other than the representation from yourself as the applicant, I can confirm that no other representations or comments were submitted to the Assembly Commission following its decision not to illuminate Parliament Buildings for European Day for Victims of Terrorism.



# Revised Written Answers

This section contains the revised written answers to questions tabled by Members. The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

Friday 3 July 2020

## Revised Written Answer

### Department for Communities

*In this Bound Volume, page WA 236, replace the answer given for AQW 4882/17-22 with:*

**Mr Hilditch** asked the Minister for Communities for her assessment of the Housing Executive intimidation points policies; and whether she has any plans to reform these policies.

**(AQW 4882/17-22)**

**Ms Ní Chuilín:** A consultation on 'A Fundamental Review of Social Housing Allocations' ran from September to December 2017.

This was the culmination of a Department-led review to examine the Housing Selection Scheme, which sets out rules governing the allocation of social homes and is administered by Housing Executive.

I am currently considering the Review, options and next steps.



# Journal of Proceedings





# Minutes of Proceedings



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# Northern Ireland Assembly

**Tuesday 9 June 2020**

*The Assembly met at 10.30am, the Principal Deputy Speaker in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion: Suspension of Standing Order 20A

**Proposed:**

That Standing Order 20A be suspended until 4 July 2020.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried** with cross-community support.

## 3. Executive Committee Business

### 3.1 Statement – Rebuilding HSC Services

The Minister of Health, Mr Robin Swann, made a statement regarding Rebuilding HSC Services, following which he replied to questions.

### 3.2 Motion: The draft Northern Ireland Criminal Injuries Compensation (Amendment 2020) Scheme (2009)

**Proposed:**

That the draft Northern Ireland Criminal Injuries Compensation (Amendment 2020) Scheme (2009) be approved.

*Minister of Justice*

*Debate ensued.*

The Question being put, the motion was **carried**.

### 3.3 Legislative Consent Motion: Birmingham Commonwealth Games Bill

**Proposed:**

That this Assembly agrees to the extension to Northern Ireland of a number of provisions within the Birmingham Commonwealth Games Bill relating to the creation of a new offence which prohibits the unauthorised sale or resale of Games tickets.

*Minister of Justice*

*Debate ensued.*

The Question being put, the Motion was **carried**

## 4. Private Members' Business

### 4.1 Motion: Support for Sheep and Beef Farmers through the COVID-19 Pandemic

#### Proposed:

That this Assembly notes the important role that sheep and beef farmers play in ensuring a safe and secure supply of food for the population; acknowledges that a significant portion of sheep and beef farmers, such as hill farmers, are situated in areas of natural constraint and severely disadvantaged areas and face considerable challenges in running their farms; recognises that COVID-19 has had a huge impact on the sheep and beef sector with the closure of restaurants, hotels and the wider food services industry; further recognises that due to low incomes and the minimal support from other COVID-19-related schemes that sheep and beef farmers in areas of natural constraint have been disproportionately impacted by the pandemic; and calls on the Minister of Agriculture, Environment and Rural Affairs to ensure that equality and fairness underpins the allocation of the £25 million Agri-Food Sector Market Intervention Fund and that sheep and beef farmers from areas of natural constraint receive the support they need through the distribution of this funding.

*Mr Declan McAleer  
Mr Philip McGuigan  
Ms Emma Sheerin  
Ms Jemma Dolan*

*Debate ensued.*

*The sitting was suspended at 12.50pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker, Mr Beggs, in the Chair.*

## 5. Question for Urgent Oral Answer

### 5.1 Police Enforcement of Belfast Mass Gathering

The Minister of Justice, Mrs Naomi Long, responded to a Question for Urgent Oral Answer tabled by Mr Paul Givan.

### 5.2 Job Losses at Thompson Aero Seating

The Minister for the Economy, Mrs Diane Dodds, responded to a Question for Urgent Oral Answer tabled by Mr John O'Dowd.

## 6. Private Members' Business (cont'd)

### 6.1 Motion: Support for Sheep and Beef Farmers through the COVID-19 Pandemic (cont'd)

*Debate resumed.*

The Question being put, the Motion was **carried** (Division 1).

### 6.2 Motion: Stress Experienced by Northern Ireland Prison Service staff

#### Proposed:

That this Assembly notes the stress experienced by members of the Northern Ireland Prison Service in the course of their duties; calls on the Minister of Finance to ensure that the Northern Ireland Civil Service Human Resources policy on Inefficiency Sickness Absence Management takes into account the stress experienced by Northern Ireland Prison Service staff; and further calls on the Minister to cease the issuing of written warnings to members of the Northern Ireland Prison Service who are suffering from diagnosed mental health conditions and instead to manage the needs of these individuals through positive engagement and compassionate management which focuses on their needs.

*Mr Doug Beattie  
Mr Robbie Butler*

*Debate ensued.*

*The Principal Deputy Speaker took the Chair.*

The Question being put, the motion **fell** (Division 2).

## 7. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.10pm.*

**Mr Alex Maskey**

The Speaker

9 June 2020

# Northern Ireland Assembly

9 June 2020

## Division 1

### Support for Sheep and Beef Farmers through the COVID-19 Pandemic

#### Proposed:

That this Assembly notes the important role that sheep and beef farmers play in ensuring a safe and secure supply of food for the population; acknowledges that a significant portion of sheep and beef farmers, such as hill farmers, are situated in areas of natural constraint and severely disadvantaged areas and face considerable challenges in running their farms; recognises that COVID-19 has had a huge impact on the sheep and beef sector with the closure of restaurants, hotels and the wider food services industry; further recognises that due to low incomes and the minimal support from other COVID-19-related schemes that sheep and beef farmers in areas of natural constraint have been disproportionately impacted by the pandemic; and calls on the Minister of Agriculture, Environment and Rural Affairs to ensure that equality and fairness underpins the allocation of the £25 million Agri-Food Sector Market Intervention Fund and that sheep and beef farmers from areas of natural constraint receive the support they need through the distribution of this funding.

*Ms Declan McAleer  
Mr Philip McGuigan  
Ms Emma Sheerin  
Ms Gemma Dolan*

The Question was put and the Assembly divided.

**Ayes:** 55

**Noes:** 27

#### AYES

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

*Tellers for the Ayes: Mr McAleer, Mr McGuigan.*

#### NOES

*Mr Allister, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Newton, Mr Poots, Mr Robinson, Mr Storey, Mr Weir.*

*Tellers for the Noes: Mr Buckley, Mr Irwin.*

The Motion was **carried**.

The following Members' votes were cast by their notified proxy in this division:

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley [Teller, Noes], Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin [Teller, Noes], Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Storey and Mr Weir.*

*Mr O'Toole voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGrath, Mr McGlone, Ms McLaughlin, Mr McNulty.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer [Teller, Ayes], Mr McCann,*

*Mr McGuigan [Teller, Ayes], Mr Mchugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

9 June 2020

## Division 2

Stress Experienced by Northern Ireland Prison Service staff

### Proposed:

That this Assembly notes the stress experienced by members of the Northern Ireland Prison Service in the course of their duties; calls on the Minister of Finance to ensure that the Northern Ireland Civil Service Human Resources policy on Inefficiency Sickness Absence Management takes into account the stress experienced by Northern Ireland Prison Service staff; and further calls on the Minister to cease the issuing of written warnings to members of the Northern Ireland Prison Service who are suffering from diagnosed mental health conditions and instead to manage the needs of these individuals through positive engagement and compassionate management which focuses on their needs.

*Mr Doug Beattie  
Mr Robbie Butler*

The Question was put and the Assembly divided.

**Ayes:** 37

**Noes:** 46

### AYES

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

*Tellers for the Ayes: Mr Beattie, Mr Givan.*

### NOES

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

*Tellers for the Noes: Mr Catney, Ms Dillon.*

The Motion **fell**.

The following Members' votes were cast by their notified proxy in this division:

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan [Teller, Ayes], Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Swann.*

*Mr O'Toole voted for Ms S Bradley, Mr Catney [Teller, Noes], Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin and Mr McNulty.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon [Teller, Noes], Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann,*



*Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

## Papers Presented to the Assembly on

3 June 2020 – 9 June 2020

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly

Historical Institutional Abuse Inquiry Report (The Executive Office)

Coronavirus Act 2020 Temporary Modification of Education Duties Notice (No.7) 2020 (Department of Education)

Reports of unannounced inspections of Ash House Women's Prison and Hydebank Wood Secure College (Criminal Justice Inspection Northern Ireland)

5. Assembly Reports

Committee for Justice Report on the Air Traffic Management and Unmanned Aircraft Bill Legislative Consent Motion (NIA 27/17-22) (Committee for Justice)

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees Twelfth Report of Session 2019 – 2020 (NIA 29/17-22) (Examiner of Statutory Rules)

6. Statutory Rules

SR 2020/90 The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/93 The Sexual Offences Act 2003 (Prescribed Police Stations) Regulations (Northern Ireland) 2020 (Department of Justice)

SR 2020/95 The Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020 (Department of Agriculture, Environment and Rural Affairs)

SR 2020/96 The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/97 The Health Protection (Coronavirus, Public Health Advice for Persons Travelling to Northern Ireland) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/98 The Student Fees (Amounts) (Amendment) Regulations (Northern Ireland) 2020 (Department for the Economy)

### For Information Only

SR 2020/75 The Direct Payments to Farmers (Crop Diversification Derogation) Regulations (Northern Ireland) 2020 (for information only) (Department of Agriculture, Environment and Rural Affairs)

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as 9 June 2020

### 2017-2022 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill (NIA Bill 02/17-22)	24/02/20	25/02/20	/	/	02/03/20	03/03/20	09/03/20	26/03/20
Domestic Abuse and Family Proceedings Bill (NIA Bill 03/17-22)	31/03/20	28/04/20	15/10/20					
Private Tenancies (Coronavirus Modifications) Bill (NIA 04/17-22)	21/04/20	21/04/20	/	/	28/04/20	/	28/04/20	04/05/20
Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/				

**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

**Proxy Voting Notices – Tuesday 9 June 2020**

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Tuesday 9 June 2020:

Martina Anderson	Catherine Kelly
Caoimhe Archibald	Dolores Kelly
Clare Bailey	Gerry Kelly
John Blair	Liz Kimmins
Cathal Boylan	Naomi Long
Maurice Bradley	Gordon Lyons
Paula Bradley	Séan Lynch
Sinéad Bradley	Chris Lyttle
Paula Bradshaw	Nichola Mallon
Thomas Buchanan	Declan McAleer
Jonathan Buckley	Fra McCann
Joanne Bunting	Daniel McCrossan
Pat Catney	Patsy McGlone
Trevor Clarke	Colin McGrath
Stewart Dickson	Philip McGuigan
Linda Dillon	Maolíosa McHugh
Diane Dodds	Michelle McIlveen
Jemma Dolan	Sinead McLaughlin
Gordon Dunne	Justin McNulty
Mark Durkan	Andrew Muir
Alex Easton	Karen Mullan
Sinéad Ennis	Conor Murphy
Arlene Foster	Robin Newton
Paul Frew	Carál Ní Chuilín
Órlaithí Flynn	Michelle O'Neill
Colm Gildernew	Edwin Poots
Paul Givan	George Robinson

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Deirdre Hargey	Emma Rogan
Harry Harvey	Pat Sheehan
David Hilditch	Emma Sheerin
William Humphrey	Christopher Stalford
Cara Hunter	Mervyn Storey
William Irwin	Robin Swann
Declan Kearney	Peter Weir

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# Northern Ireland Assembly

**Tuesday 16 June 2020**

*The Assembly met at 10.30am, Deputy Speaker Beggs in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Speaker's Business

- 2.1** The Deputy Speaker informed Members that the Speaker had received notification from the First Minister and the deputy First Minister that Deirdre Hargey had resigned the office of Minister for Communities, effective from 14 June 2020. The Deputy Speaker also informed Members that the Speaker had received notification from the nominating officer for Sinn Féin that Ms Carál Ní Chuilín had been nominated as Minister for Communities. Ms Ní Chuilín accepted the nomination and affirmed the pledge of office in the presence of the Speaker, who participated remotely, and the Clerk/Chief Executive on Monday 15 June 2020.
- 2.2** The Deputy Speaker informed Members that the Speaker had received, on Monday 15 June 2020, notification of the resignation of Ms Ní Chuilín as Chairperson of the Procedures Committee with immediate effect, and that he was satisfied that the requirements of the relevant Standing Order had been met.
- 2.3** **The late Mr Billy Bell.**

The Speaker announced the death of Mr Billy Bell, a former Member for the Lagan Valley constituency.

*Members paid tribute to Mr Bell on behalf of their parties.*

## 3. Assembly Business

### 3.1 Motion: Committee Membership

**Proposed:**

That Mr Jim Allister be appointed as a member of the Audit Committee.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried**.

## 4. Executive Committee Business

### 4.1 Consideration Stage: Housing (Amendment) Bill (NIA 6/17-22)

*Minister for Communities*

The Minister for Communities, Ms Carál Ní Chuilín, moved the Consideration Stage of the Housing (Amendment) Bill.

Three amendments were tabled to the Bill.

#### **Clauses**

The question being put, it was **agreed** without division that Clause 1 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 2 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 3 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 4 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 5 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 6 stand part of the Bill.

After debate, Amendment 1 to Clause 7 was **negatived** (Division).

*After debate, Amendment 2 was not moved.*

The question being put, it was **agreed** without division that Clause 7 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 8 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 9 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 10 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 11 stand part of the Bill.

#### **Schedule**

The question being put, it was **agreed** without division that the Schedule stand part of the Bill.

#### **Long Title**

*As Amendment 1 was not made, Amendment 3 to the Long Title was not called.*

The question being put, the Long Title was **agreed** without division.

The Housing (Amendment) Bill (NIA Bill 06/17-22) stood referred to the Speaker.

### 4.2 Motion: The Social Security Benefits Up-Rating Order (Northern Ireland) 2020

#### **Proposed:**

That the Social Security Benefits Up-rating Order (Northern Ireland) 2020 be approved.

*Minister for Communities*

### 4.3 Motion: The Social Security Benefits Up-Rating Regulations (Northern Ireland) 2020

#### **Proposed:**

That the Social Security Benefits Up-rating Regulations (Northern Ireland) 2020 be approved.

*Minister for Communities*

*A single debate on both motions ensued.*

The Question being put, the motion on the Social Security Benefits Up-Rating Order (Northern Ireland) 2020 was **carried**.

The Question being put, the motion on the Social Security Benefits Up-Rating Regulations (Northern Ireland) 2020 was **carried**.



#### **4.4 Motion: The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2020**

**Proposed:**

That the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2020 be approved.

*Minister for Communities*

*Debate ensued.*

The Question being put, the Motion was **carried**

*The sitting was suspended at 12.54pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker, Mr Beggs, in the Chair.*

## **5. Question Time**

### **5.1 The Executive Office**

Questions were put to, and answered by, the First Minister, the Rt Hon Arlene Foster. The junior Minister, Mr Gordon Lyons, also answered a number of questions.

### **5.2 Agriculture, Environment and Rural Affairs**

Questions were put to, and answered by, the Minister of Agriculture, Environment and Rural Affairs, Mr Edwin Poots.

## **6. Executive Committee Business (cont'd)**

### **6.1 Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020**

**Proposed:**

That the Health Protection (Coronavirus, Restrictions) (Amendment No. 4) Regulations (Northern Ireland) 2020 be approved.

*The Executive Office*

*Debate ensued.*

The Question being put, the Motion was **carried**.

### **6.2 Legislative Consent Motion: Medicines and Medical Devices Bill**

**Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions within the Medicines and Medical Devices Bill as introduced to Parliament on 13 February 2020 dealing with human medicines and veterinary medicines.

*Minister of Health*

*Debate ensued.*

The Question being put, the motion was **carried**.

## 7. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.47pm.*

**Mr Alex Maskey**

The Speaker

16 June 2020

# Northern Ireland Assembly

16 June 2020

## Division

The Housing (Amendment) Bill (NIA 6/17-22) – Amendment 1

### Proposed:

In page 6, line 34, leave out subsection (1) and insert:

‘(1) Article 3 and Article 3A of the Housing (Northern Ireland) Order 1983 are repealed (and, accordingly, the schemes under those Articles cease to have effect); but this is subject to subsection (2).’

Mr Mark Durkan

The Question was put and the Assembly divided.

**Ayes:** 14

**Noes:** 70

### AYES

*Ms Bailey, Ms S Bradley, Mr Carroll, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, Mr McNulty, Mr O’Toole, Miss Woods.*

*Tellers for the Ayes: Mr Carroll, Mr Catney.*

### NOES

*Dr Aiken, Mr Allen, Mr Allister, Ms Anderson, Dr Archibald, Ms Armstrong, Mrs Barton, Mr Beattie, Mr Blair, Mr Boylan, Mr M Bradley, Ms P Bradley, Ms Bradshaw, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Miss McIlveen, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr O’Dowd, Mrs O’Neill, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stafford, Mr Stewart, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Ms Ennis, Ms Flynn.*

The Amendment was **negatived**.

The following Members’ votes were cast by their notified proxy in this division:

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Stafford, Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Swann.*

*Mr O’Toole voted for Ms S Bradley, Mr Catney [Teller, Ayes], Mr Durkan, Ms Hunter, Mrs D Kelly, Mr McCrossan, Mr McGrath, Mr McGlone, Ms McLaughlin, and Mr McNulty.*

*Mr O’Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Noes], Ms Flynn [Teller, Noes], Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O’Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

## Papers Presented to the Assembly on

10 June 2020 – 16 June 2020

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly

The LandWeb Project: An Update (Northern Ireland Audit Office)

5. Assembly Reports

Committee for Justice Report on the Domestic Abuse Bill Legislative Consent Motion (NIA 28/17-22) (Committee for Justice)

Committee for Health Report on the Medicines and Medical Devices Bill Legislative Consent Motion (NIA 30/17-22) (Committee for Health)

6. Statutory Rules

SR 2020/99 The Drumnagoon Road and Kernan Hill Road, Portadown (Abandonment) Order (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/100 The Footpath at Mowhan Road and Bunker Hill, Markethill (Abandonment) Order (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/101 The Kernan Road, Portadown (Footpath) (Abandonment) Order (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/102 The Craigs Road, Carrickfergus (Abandonment) Order (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/103 Health Protection (Coronavirus Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/104 The Misuse of Drugs (Amendment No. 2) Regulations (Northern Ireland) 2020 (Department of Health)

### For Information Only

SR 2020/36 The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2020 (for information only) (Department for Communities)

SR 2020/40 The Social Security Benefits Up-rating Order (Northern Ireland) 2020 (for information only) (Department of Communities)

7. Written Ministerial Statements

2020/21 Budget Settlement (Minister for Infrastructure)

Statement by the First Minister and deputy First Minister on the Attorney General (The Executive Office)

8. Consultation Documents

Consultation on Parental Bereavement Leave and Pay (Department for the Economy)

9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as 16 June 2020

### 2017-2022 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill (NIA Bill 02/17-22)	24/02/20	25/02/20	/	/	02/03/20	03/03/20	09/03/20	26/03/20
Domestic Abuse and Family Proceedings Bill (NIA Bill 03/17-22)	31/03/20	28/04/20	15/10/20					
Private Tenancies (Coronavirus Modifications) Bill (NIA 04/17-22)	21/04/20	21/04/20	/	/	28/04/20	/	28/04/20	04/05/20
Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/	16/06/20			

**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

**Proxy Voting Notices – Tuesday 16 June 2020**

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Tuesday 16 June 2020:

Martina Anderson	Catherine Kelly
Caoimhe Archibald	Dolores Kelly
Clare Bailey	Gerry Kelly
John Blair	Liz Kimmins
Cathal Boylan	Naomi Long
Maurice Bradley	Gordon Lyons
Paula Bradley	Séan Lynch
Sinéad Bradley	Chris Lyttle
Paula Bradshaw	Nichola Mallon
Thomas Buchanan	Declan McAleer
Jonathan Buckley	Fra McCann
Joanne Bunting	Daniel McCrossan
Pat Catney	Patsy McGlone
Trevor Clarke	Colin McGrath
Stewart Dickson	Philip McGuigan
Linda Dillon	Maolíosa McHugh
Diane Dodds	Michelle McIlveen
Jemma Dolan	Sinead McLaughlin
Gordon Dunne	Justin McNulty
Mark Durkan	Andrew Muir
Alex Easton	Karen Mullan
Sinéad Ennis	Conor Murphy
Arlene Foster	Robin Newton
Paul Frew	Carál Ní Chuilín
Órlaithí Flynn	Michelle O'Neill
Colm Gildernew	Edwin Poots
Paul Givan	George Robinson

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Deirdre Hargey	Emma Rogan
Harry Harvey	Pat Sheehan
David Hilditch	Emma Sheerin
William Humphrey	Christopher Stalford
Cara Hunter	Mervyn Storey
William Irwin	Robin Swann
Declan Kearney	Peter Weir



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# Northern Ireland Assembly

**Tuesday 23 June 2020**

*The Assembly met at 10.30am, Deputy Speaker Beggs in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Speaker's Business

### 2.1 Royal Assent

The Deputy Speaker informed the Assembly that the Budget (No. 2) Bill had received Royal Assent. The Budget (No. 2) Act (Northern Ireland) 2020 became law on 17 June 2020.

### 2.2 Committee on Procedures

The Deputy Speaker informed Members that the Speaker had been notified that Ms Linda Dillon had been nominated to fill the vacancy of Chairperson of the Committee on Procedures with effect from 18 June 2020, and that the Speaker was satisfied that the requirements of Standing Orders had been met.

### 2.3 Temporary Speakers

The Deputy Speaker referred Members to recent correspondence from the Speaker detailing the current unavailability of the Principal Deputy Speaker to chair Assembly proceedings, and the continuing unavailability of the Speaker and Deputy Speaker Mr McGlone. The Deputy Speaker informed Members that in the weeks ahead, the Assembly would need to rely on its arrangements for Temporary Speakers and that the Speaker had approached Mr Kelly and Mr Wells, as the eldest of the longest-serving eligible Members, and both had confirmed their willingness to assist the Assembly, if required, over the next few weeks.

## 3. Executive Committee Business

### 3.1 Statement – NSMC Institutional Meeting

The Junior Minister, Mr Declan Kearney, made a statement to the Assembly regarding the North/South Ministerial Council institutional meeting of 11 March 2020, following which he replied to questions.

### 3.2 Statement – Green Growth Strategy and Delivery Framework

The Minister of Agriculture, Environment and Rural Affairs, Mr Edwin Poots, made a statement to the Assembly regarding the Green Growth Strategy and Delivery Framework, following which he replied to questions.

*The Temporary Speaker, Mr G Kelly, took the Chair.*

### 3.3 Statement – Major Capital Works Programme

The Minister of Education, Mr Peter Weir, made a statement to the Assembly regarding the Major Capital Works Programme, following which he replied to questions.

The sitting was suspended at 12.58pm.

The sitting resumed at 2.00pm, with the Deputy Speaker, Mr Beggs, in the Chair.

## 4. Question Time

### 4.1 Communities

Questions were put to, and answered by, the Minister for Communities, Ms Carál Ní Chuilín.

### 4.2 Economy

Questions were put to, and answered by, the Minister for the Economy, Mrs Diane Dodds.

## 5. Question for Urgent Oral Answer

### 5.1 Regulation and Quality Improvement Authority (RQIA) Resignations

The Minister for Health, Mr Robin Swann, responded to a Question for Urgent Oral Answer tabled by Mr Colin McGrath.

The Temporary Speaker, Mr G Kelly, took the Chair.

## 6. Executive Committee Business (cont'd)

### 6.1 Statement – Major Capital Works Programme (cont'd)

### 6.2 Further Consideration Stage: Housing (Amendment) Bill (NIA Bill 6/17-22)

The Minister for Communities, Ms Carál Ní Chuilín, moved the Further Consideration Stage of the Housing (Amendment) Bill (NIA Bill 6/17-22).

No amendments were tabled to the Bill.

Housing (Amendment) Bill (NIA Bill 06/17-22) stood referred to the Speaker for consideration in accordance with Section 10 of the Northern Ireland Act 1998.

### 6.3 First Stage: Pension Schemes Bill (NIA Bill 7/17-22)

The Minister for Communities, Ms Carál Ní Chuilín, introduced a Bill to make provision about pension schemes.

The Pension Schemes Bill (NIA Bill 7/17-22) passed First Stage and was ordered to be published.

### 6.4 Legislative Consent Motion: Air Traffic Management and Unmanned Aircraft Bill

#### Proposed:

That this Assembly agrees the extension to Northern Ireland of certain provisions within the Air Traffic Management and Unmanned Aircraft Bill, relating to the interference with unmanned aircraft (drones) over places of detention.

*Minister of Justice*

*Debate ensued.*

The Question being put, the motion was **carried**.

### 6.5 Legislative Consent Motion: Domestic Abuse Bill

#### Proposed:

That this Assembly endorses the principle of the extension to Northern Ireland of the relevant provisions of the Domestic Abuse Bill, introduced in the House of Commons on 3 March 2020, relating to the provisions to extend the power of the courts in Northern Ireland to try in the home jurisdiction certain sexual and violent offences that have been committed abroad, so far as these matters fall within the legislative competence of the Assembly.

*Minister of Justice*

*Debate ensued.*

The Question being put, the motion was **carried**.

The Temporary Speaker, Mr Wells, took the Chair.

## 7. Private Members' Business

### 7.1 Motion: Mental Health and Wellbeing after COVID-19

#### Proposed:

That this Assembly recognises the importance of prioritising mental health and well-being as part of the COVID-19 recovery; notes that the long-term impact of the pandemic on working practices, everyday social interaction and hospital or care home visiting will present new and substantive challenges to individual mental well-being, especially among the most vulnerable; stresses, therefore, the need for refreshed and reformed mental health and well-being service provision that is fit for purpose; further notes, to this end, the transformative role played by community and voluntary providers whose services are subject to increasing demand; and calls on the Minister of Health to outline plans to tackle COVID-19-related mental illness moving forward.

*Mrs Pam Cameron*

*Mr Alex Easton*

#### Amendment 1

##### Proposed:

Leave out all after 'interaction' and insert:

'; individual coping strategies, and hospital or care home visiting will present new and substantive challenges to individual mental wellbeing, especially among the most vulnerable; stresses, therefore, the need for refreshed and reformed mental health and wellbeing service provision that recognises the structural barriers to addressing a dual diagnosis of mental illness and an addiction; further notes, to this end, the transformative role played by community and voluntary providers whose services are subject to increasing demand; and calls on the Minister of Health to outline plans to tackle mental health problems, mental illness and addictions related to COVID-19 moving forward.'

*Ms Órlaithi Flynn*

*Mr Pat Sheehan*

*Mr Philip McGuigan*

*Mr Colm Gildernew*

#### Amendment 2

##### Proposed:

At end insert:

'; and further calls on the Executive to support a cross-cutting and outcomes based approach to providing the funding and resources needed to maximise the Health and Social Care and the community and voluntary sectors' capacity to contribute to addressing poor mental health and promoting wellbeing.'

*Mr Mike Nesbitt*

*Mr Robbie Butler*

*Debate ensued.*

The Question being put, Amendment 1 was **made**.

The Question being put, Amendment 2 was **made**.

The Question being put, the motion as amended was **carried**.

## 8. Adjournment

#### Proposed:

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.59pm.*

**Mr Alex Maskey**

The Speaker

23 June 2020

# Northern Ireland Assembly

## Papers Presented to the Assembly on

17 June 2020 – 23 June 2020

### 1. Acts of the Northern Ireland Assembly

Budget (No. 2) Act (Northern Ireland) 2020

### 2. Bills of the Northern Ireland Assembly

Pension Schemes Bill (NIA Bill 7/17-22)

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Human Rights Guidance for the Public Prosecution Service and the Police Service of Northern Ireland on the application of section 5 of the Criminal Law Act (Northern Ireland) 1967 to victims of serious sexual offences and those to whom they make disclosures (Attorney General for Northern Ireland)

Immigration and Social Security Co-ordination (EU Withdrawal) Bill - Legislative Consent Memorandum (Department of Communities)

Coronavirus Act 2020 Temporary Modification of Education Duties Notice (No.8) 2020 (Department of Education)

Report on the Operation of the 2019/20 Voluntary Buy-Out Arrangements (Department for the Economy)

### 5. Assembly Reports

Committee for Agriculture, Environment and Rural Affairs Report on the Legislative Consent Memorandum on the UK Government Environment Bill 2019-2020 (NIA 12/17-22) (Committee for Agriculture, Environment and Rural Affairs)

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees Thirteenth Report of Session 2019 – 2020 (Examiner of Statutory Rules)

### 6. Statutory Rules

SR 2020/105 The Direct Payments to Farmers (Controls and Checks) (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 (Department of Agriculture, Environment and Rural Affairs)

SR 2020/106 The Mental Capacity (Deprivation of Liberty) (Amendment) (Revocation) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/109 The Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/110 The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020 (Department of Finance)

SR 2020/111 The Business Tenancies (Coronavirus) (Restriction on Forfeiture: Relevant Period) (Northern Ireland) Regulations 2020 (Department of Finance)

#### For Information Only

SR 2020/41 The Social Security Benefits Up-rating Regulations (Northern Ireland) 2020 (Department for Communities)

## 7. Written Ministerial Statements

Commencement of the Criminal Finance Act 2017 and the Crime (Overseas Production Orders) Act 2019 in respect of relevant provisions relating to Northern Ireland (Minister of Justice)

## 8. Consultation Documents

## 9. Departmental Publications

## 10. Agency Publications

General Dental Council Annual Report and Accounts 2019 (For Information only) (General Dental Council)

## 11. Westminster Publications

## 12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

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**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as 23 June 2020

### 2017-2022 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill (NIA Bill 02/17-22)	24/02/20	25/02/20	/	/	02/03/20	03/03/20	09/03/20	26/03/20
Domestic Abuse and Family Proceedings Bill (NIA Bill 03/17-22)	31/03/20	28/04/20	15/10/20					
Private Tenancies (Coronavirus Modifications) Bill (NIA 04/17-22)	21/04/20	21/04/20	/	/	28/04/20	/	28/04/20	04/05/20
Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	17/06/20
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/	16/06/20	23/06/20		
Pension Schemes Bill (NIA 7/17-22)	23/06/20							

**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

**Proxy Voting Notices – Tuesday 23 June 2020**

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Tuesday 23 June 2020:

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Sinéad Bradley	Chris Lyttle
Paula Bradshaw	Nichola Mallon
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Linda Dillon	Michelle McIlveen
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Paul Frew	Michelle O'Neill
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Paul Givan	George Robinson

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Deirdre Hargey	Emma Rogan
Harry Harvey	Pat Sheehan
David Hilditch	Emma Sheerin
William Humphrey	Christopher Stalford
Cara Hunter	Mervyn Storey
William Irwin	Robin Swann
Declan Kearney	Peter Weir



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# Northern Ireland Assembly

**Tuesday 30 June 2020**

*The Assembly met at 10.30am, Deputy Speaker Beggs in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Matter of the Day

### **Condolences to the Family of Noah Donohoe**

Mr John O'Dowd, under Standing Order 24, made a statement of condolence to the family of Noah Donohoe. Other Members were also called to speak on the matter.

## 3. Assembly Business

### **3.1 Motion: Conferral of Functions on the Northern Ireland Assembly Commission**

#### **Proposed:**

That this Assembly notes that Members' salaries and pensions are determined by an independent body and that there should be no change to that arrangement; agrees that alternative provision should be made for Members' allowances; and, in accordance with section 47 of the Northern Ireland Act 1998, resolves that the Assembly Commission may determine the allowances payable to Members of the Assembly, the date from which such allowances are payable, which may be a date before or after the making of the determination or this resolution, and that the Commission shall publish any such determination.

*Mr John Blair  
Mr Keith Buchanan  
Mr Robbie Butler  
Mrs Dolores Kelly  
Mr John O'Dowd*

Amendment

#### **Proposed:**

Leave out all after 'salaries' and insert:

' , allowances and pensions are determined by an independent body and that there should be no change to that arrangement, save that, in accordance with section 47 of the Northern Ireland Act 1998, the Assembly Commission can issue guidance to the independent body on the subject of allowances, with the exception of the quantum thereof, but only in circumstances where the implementation of the arrangements set by the independent body are causing practical difficulties or inequities, and the Commission shall publish all such guidance.'

*Mr Jim Allister*

*Debate ensued.*

The Question being put, the Amendment **fell** (Division).

The Question being put, the motion was **carried**.

*The Principal Deputy Speaker took the Chair.*

## 4. Executive Committee Business

### 4.1 **Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020**

**Proposed:**

That the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 be approved.

*The Executive Office*

### **Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020**

**Proposed:**

That the Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020.

*The Executive Office*

*A single debate on both motions ensued.*

*The sitting was suspended at 12.55pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker, Mr Beggs, in the Chair.*

## 5. Question Time

### 5.1 **Education**

Questions were put to, and answered by, the Minister of Education, Mr Peter Weir.

### 5.2 **Finance**

Questions were put to, and answered by, the Minister of Finance, Mr Conor Murphy.

*The Principal Deputy Speaker took the Chair.*

## 6. Executive Committee Business (cont'd)

### 6.1 **Statement – Public Expenditure: 2019-20 Provisional Outturn, 2020-21 June Monitoring and COVID-19 Re-prioritisation**

The Minister of Finance, Mr Conor Murphy, made a statement to the Assembly regarding the Public Expenditure: 2019-20 Provisional Outturn, 2020-21 June Monitoring and COVID-19 Re-prioritisation, following which he replied to questions.

### 6.2 **Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 (cont'd)**

#### **Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 (cont'd)**

*Debate resumed.*

*The Deputy Speaker, Mr Beggs, took the Chair.*

The Question being put, the motion on the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 was **carried**.

The Question being put, the motion on the Health Protection (Coronavirus, Restrictions) (Amendment No. 6) Regulations (Northern Ireland) 2020 was **carried**.

**6.3 Motion: The Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020****Proposed:**

That the Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020 be affirmed.

*Minister for Infrastructure*

*Debate ensued.*

The Question being put, the motion was **carried**.

**6.4 Legislative Consent Motion: Environment Bill****Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Environment Bill, as introduced on 30 January 2020, dealing with: Environmental Governance: Northern Ireland in clauses 45 and 46 and Schedules 2 and 3; Waste and Resource Efficiency in clauses 47 – 53, 56, 58, 62, 64 and 68 and Schedules 4 - 9; Water Quality in clauses 81 and 83; and Amendment of REACH legislation in clause 125 and Schedule 19.

*Minister of Agriculture, Environment and Rural Affairs*

*Debate ensued.*

The Question being put, the motion was **carried**.

*The Temporary Speaker, Mr Wells, took the Chair.*

**6.5 Final Stage: Housing (Amendment) Bill (NIA Bill 6/17-22)**

The Minister for Communities, Ms Carál Ní Chuilín, moved that the Final Stage of the Housing (Amendment) Bill (NIA Bill 6/17-22) do now pass.

*Debate ensued.*

The Housing (Amendment) (NIA Bill 6/17-22) passed Final Stage.

## 7. Private Members' Business

**7.1 Motion: Concern and Anxiety over the Reopening of Schools****Proposed:**

That this Assembly recognises the concern and anxiety that exists among teaching and non-teaching staff, as well as among parents and young people, in relation to the eventual reopening of schools; understands the challenges facing school Boards of Governors and Principals in keeping children and teachers safe while providing high quality education; believes that any reopening of schools should be based on scientific and medical advice consistent with that provided by the World Health Organisation and the European Centre for Disease Prevention and Control; and calls on the Minister of Education to engage and consult extensively with education stakeholders as well as parents and young people in advance of the reopening of schools in order to provide clear and early guidance.

*Mrs Pam Cameron*

*Mr Alex Easton*

**Amendment****Proposed:**

Leave out all after 'Control;' and insert:

'further recognises the limitations faced by many pupils in accessing online courses and private tutoring; recognises the need for an essential catch up programme to be established for all pupils, especially those from disadvantaged backgrounds; and calls on the Minister of Education to engage and consult with all stakeholders, including teachers, parents and young people, on the reopening of schools and to ensure that no child loses out upon the reopening of schools.'

*Mr Daniel McCrossan*

*Mr Justin McNulty*

*Debate ensued.*

The Question being put, the Amendment was **made**.

The Question being put, the motion as amended was **carried**.

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 10.33pm.*

**Mr Alex Maskey**

The Speaker

30 June 2020

# Northern Ireland Assembly

30 June 2020

## Division

Conferral of Functions on the Northern Ireland Assembly Commission (Amendment)

### Proposed:

Leave out all after 'salaries' and insert:

' allowances and pensions are determined by an independent body and that there should be no change to that arrangement, save that, in accordance with section 47 of the Northern Ireland Act 1998, the Assembly Commission can issue guidance to the independent body on the subject of allowances, with the exception of the quantum thereof, but only in circumstances where the implementation of the arrangements set by the independent body are causing practical difficulties or inequities, and the Commission shall publish all such guidance.'

*Mr Jim Allister*

The Question was put and the Assembly divided.

**Ayes:** 20

**Noes:** 67

### AYES

*Dr Aiken, Mr Allen, Mr Allister, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Beattie, Ms Bradshaw, Mr Butler, Mr Carroll, Mr Chambers, Mr Dickson, Mrs Long, Mr Lyttle, Mr Muir, Mr Nesbitt, Mr Stewart, Ms Sugden, Mr Swann, Miss Woods.*

*Tellers for the Ayes: Mr Allister, Mr Beattie.*

### NOES

*Ms Anderson, Dr Archibald, Mr Boylan, Mr M Bradley, Ms P Bradley, Ms S Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Catney, Mr Clarke, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mr Lunn, Mr Lynch, Mr Lyons, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Miss McIlveen, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Ms Mullan, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Gildernew, Mr Givan.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Blair.*

The Amendment **fell**.

The following Members' votes were cast by their notified proxy in this division:

*Ms Armstrong voted for Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan [Teller, Noes], Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Stewart and Mr Swann.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew [Teller, Noes], Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

## Papers Presented to the Assembly on

24 June 2020 – 30 June 2020

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Food Standards Agency Annual Report and Accounts 2019-20 (Department of Finance)

Sickness Absence in the Northern Ireland Civil Service 2019/2020 (Department of Finance)

Business and Planning Bill Legislative Consent Memorandum - (Department for Infrastructure)

Committee on Climate Change - Reducing UK emissions 2020 Progress Report to Parliament (Department of Agriculture, Environment and Rural Affairs)

Education Authority 2018-19 Annual Report and Accounts (Department of Education)

Advancing Shared Education 2nd Report to the Assembly June 2020 (Department of Education)

Comhairle na Gaelscolaíochta Annual Report and Accounts year ended 31 March 2020 (Comhairle na Gaelscolaíochta)

Report on Child Sexual Exploitation in Northern Ireland (Criminal Justice Inspection Northern Ireland)

Report on Addiction Services in Northern Ireland (Northern Ireland Audit Office)

### 5. Assembly Reports

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees Fourteenth Report of Session 2019 – 2020 (NIA 32/17-22) (Examiner of Statutory Rules)

### 6. Statutory Rules

SR 2020/112 The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2020 (Department of Agriculture, Environment and Rural Affairs)

SR 2020/113 The Attorney General's Human Rights Guidance (The Application of Section 5 of the Criminal Law Act (Northern Ireland) 1967 to Victims of Serious Sexual Offences and those to whom they make Disclosures) Order (Northern Ireland) 2020 (Attorney General for Northern Ireland)

SR 2020/116 The Census Regulations (Northern Ireland) 2020 (Department of Finance)

SR 2020/118 The Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/120 The Local Government (Accounts and Audit) (Coronavirus) (Amendment) Regulations (Northern Ireland) 2020 (Department for Communities)

SR 2020/121 The Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 (Department of Health)

**For Information Only**

SR 2020/114 The Taxis (Portstewart) Order (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/115 The Taxis (Carrickfergus) Order (Northern Ireland) 2020 (Department for Infrastructure)

**7. Written Ministerial Statements**

£25m COVID-19 Support Package (Minister of Agriculture, Environment and Rural Affairs)

**8. Consultation Documents**

Definition of Affordable Housing – Further Stakeholder Engagement (Department for Communities)

**9. Departmental Publications**

**10. Agency Publications**

**11. Westminster Publications**

**12. Miscellaneous Publications**

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as 30 June 2020

### 2017-2022 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill (NIA Bill 02/17-22)	24/02/20	25/02/20	/	/	02/03/20	03/03/20	09/03/20	26/03/20
Domestic Abuse and Family Proceedings Bill (NIA Bill 03/17-22)	31/03/20	28/04/20	15/10/20					
Private Tenancies (Coronavirus Modifications) Bill (NIA 04/17-22)	21/04/20	21/04/20	/	/	28/04/20	/	28/04/20	04/05/20
Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	17/06/20
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/	16/06/20	23/06/20	30/06/20	
Pension Schemes Bill (NIA 7/17-22)	23/06/20							



**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

**Proxy Voting Notices – Tuesday 30 June 2020**

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Tuesday 30 June 2020:

Martina Anderson	Dolores Kelly
Caoimhe Archibald	Gerry Kelly
Clare Bailey	Liz Kimmins
John Blair	Naomi Long
Cathal Boylan	Gordon Lyons
Maurice Bradley	Séan Lynch
Paula Bradley	Chris Lyttle
Sinéad Bradley	Nichola Mallon
Paula Bradshaw	Declan McAleer
Thomas Buchanan	Fra McCann
Jonathan Buckley	Daniel McCrossan
Joanne Bunting	Patsy McGlone
Pat Catney	Philip McGuigan
Trevor Clarke	Maoliosa McHugh
Stewart Dickson	Michelle McIlveen
Linda Dillon	Sinead McLaughlin
Diane Dodds	Justin McNulty
Jemma Dolan	Andrew Muir
Gordon Dunne	Karen Mullan
Mark Durkan	Conor Murphy
Alex Easton	Robin Newton
Sinéad Ennis	Carál Ní Chuilín
Arlene Foster	Michelle O'Neill
Paul Frew	Matthew O'Toole
Órlaithí Flynn	Edwin Poots
Colm Gildernew	George Robinson
Paul Givan	Emma Rogan

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Deirdre Hargey	Pat Sheehan
Harry Harvey	Emma Sheerin
David Hilditch	Christopher Stalford
William Humphrey	John Stewart
Cara Hunter	Mervyn Storey
William Irwin	Robin Swann
Declan Kearney	Peter Weir
Catherine Kelly	

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# Northern Ireland Assembly

**Monday 6 July 2020**

*The Assembly met at noon, the Principal Deputy Speaker in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion: Suspension of Standing Order 20(1)

**Proposed:**

That Standing Order 20(1) be suspended for 6 July 2020.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried** with cross-community support.

### 2.2 Motion: Suspension of Standing Order 15(1)

**Proposed:**

That Standing Order 15(1) be suspended on Tuesday 7 July, for the purposes of the motion on Ministerial Breaches of COVID-19 Regulations and Guidelines, and that amendments to the motion shall be given in writing to the Speaker not later than 9.30am on Tuesday 7 July 2020.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried** with cross-community support.

### 2.3 Motion: Committee Membership

**Proposed:**

That Mr John Stewart replace Mr Doug Beattie as a member of the Committee on Standards and Privileges.

*Mr Robbie Butler*

*Dr Steve Aiken*

The Question being put, the motion was **carried**.

**2.4 Motion: Nomination of a Northern Ireland Public Services Ombudsman****Proposed:**

That this Assembly, in accordance with section 3(1) of the Public Services Ombudsman Act (Northern Ireland) 2016, nominates Margaret Kelly for appointment as the Northern Ireland Public Services Ombudsman.

*Mr John Blair  
Mr Keith Buchanan  
Mr Robbie Butler  
Mrs Dolores Kelly  
Mr John O'Dowd*

*Debate ensued.*

The Question being put, the motion was **carried**.

*Deputy Speaker Beggs took the Chair*

**3. Executive Committee Business****3.1 First Stage: The Executive Committee (Functions) Bill**

The Junior Minister, Mr Declan Kearney, introduced a Bill to make provision concerning the decisions which may be made by Ministers without recourse to the Executive Committee.

The Executive Committee (Functions) Bill (NIA Bill 8/17-22) passed First Stage and was ordered to be published.

**3.2 Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020****Proposed:**

That the Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020 be approved.

*The Executive Office*

**Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020****Proposed:**

That the Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 be approved.

*The Executive Office*

*A single debate on both motions ensued.*

The Question being put, the motion on the Health Protection (Coronavirus, Restrictions) (Amendment No. 7) Regulations (Northern Ireland) 2020 was **carried**.

The Question being put, the motion on the Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 was **carried**.

**3.3 Motion: Accelerated Passage – The Executive Committee (Functions) Bill (NIA Bill 8/17-22)****Proposed:**

That the Executive Committee (Functions) Bill (NIA Bill 8/17-22) proceed under the accelerated passage procedure.

*The Executive Office*

*Debate ensued.*

The Question being put, the motion was **carried** with cross-community support (Division).

**3.4 Motion: Suspension of Standing Order 42(1)****Proposed:**

That Standing Order 42(1) be suspended for 6 July in respect of the passage of the Executive Committee (Functions) Bill (NIA Bill 8/17-22).

*The Executive Office*

*Debate ensued.*

The Question being put, the motion was **carried** with cross-community support.

**3.5 Second Stage: The Executive Committee (Functions) Bill (NIA Bill 8/17-22)**

The Junior Minister, Mr Declan Kearney, moved the Second Stage of the Executive Committee (Functions) Bill.

*Debate ensued.*

The Executive Committee (Functions) Bill (NIA Bill 8-17-22) passed Second Stage

**4. Question for Urgent Oral Answer****4.1 Funeral of Bobby Storey**

The deputy First Minister, Mrs Michelle O'Neill, responded to a Question for Urgent Oral Answer tabled by Mr Jim Allister.

**5. Adjournment****Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.32pm.*

**Mr Alex Maskey**

The Speaker

6 July 2020

# Northern Ireland Assembly

6 July 2020

## Division

**Motion: Accelerated Passage – The Executive Committee (Functions) Bill (NIA Bill 8/17-22)**

**Proposed:**

That the Executive Committee (Functions) Bill proceed under the accelerated passage procedure.

*The Executive Office*

The Question was put and the Assembly divided.

**Ayes:** 80

**Noes:** 4

### AYES

#### Nationalist

*Ms Anderson, Dr Archibald, Mr Boylan, Ms S Bradley, Mr Catney, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin*

#### Unionist

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

#### Other

*Ms Armstrong, Mr Blair, Ms Bradshaw, Mr Dickson, Mrs Long, Mr Lyttle, Mr Muir*

*Tellers for the Ayes: Ms Ennis, Mr Stalford*

### NOES

#### Unionist

*Mr Allister*

#### Other

*Ms Bailey, Mr Carroll, Miss Woods*

*Tellers for the Noes: Ms Bailey, Mr Carroll*

Total Votes	84	Total Ayes	80	[95.2%]
Nationalist Votes	38	Nationalist Ayes	38	[100.0%]
Unionist Votes	36	Unionist Ayes	35	[97.2%]
Other Votes	10	Other Ayes	7	[70.0%]

The motion was **carried** with cross-community support.

The following Members' votes were cast by their notified proxy in this division:

*Ms Armstrong voted for Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford [Teller, Ayes], Mr Storey and Mr Weir.*

*Mr Butler voted for Mr Swann and Mr Stewart.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Ayes], Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey [Teller, Noes].*

# Northern Ireland Assembly

## Papers Presented to the Assembly on

1 July 2020 – 6 July 2020

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

Executive Committee (Functions) Bill (NIA Bill 8-17-22)

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

PC21 Social and Environmental Guidance for Water and Sewerage Services (2021-27) (Department for Infrastructure)

Annual Report and Accounts for the Council for Catholic Maintained Schools 2019-20 (Department of Education)

The Northern Ireland Council for Integrated Education Directors' report and Financial Statements for the year ended 31.3.2020 (Northern Ireland Council for Integrated Education)

Coronavirus Act 2020 Temporary Modification of Education Duties Notice (No.9) 2020 (Department of Education)

Special Advisers Annual Report 1 April 2019 to 31 March 2020 (Department of Finance)

Northern Ireland Authority for Utility Regulation Annual Report 2019-20 (Department for the Economy)

### 5. Assembly Reports

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees Fifteenth Report of Session 2019 – 2020 (NIA 34/17-22) (Examiner of Statutory Rules)

Committee for Infrastructure Report on Legislative Consent Motion on the UK Government Business and Planning Bill 2019-2020 (NIA 33/17-22) (Committee for Infrastructure)

### 6. Statutory Rules

SR 2020/118 The Health Protection (Coronavirus, Restrictions) (Amendment No. 8) Regulations (Northern Ireland) 2020 (Explanatory Memorandum only) (Department of Health)

SR 2020/121 The Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 (Explanatory Memorandum only) (Department of Health)

SR 2020/128 The Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/129 The Universal Credit (Great Britain Reciprocal Arrangements) Regulations (Northern Ireland) 2020 (Department for Communities)

#### For Information Only

SR 2020 88 The Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/122 The Drought (Altnahinch Impounding Reservoir) Order (Northern Ireland) 2020 (Department for Infrastructure) (withdrawn by Department)

SR 2020/123 The Drought (Blacksprings Emergency Abstraction) Order (Northern Ireland) 2020 (Department for Infrastructure) (withdrawn by Department)



SR 2020/124 The Drought (Spelga Impounding Reservoir) Order (Northern Ireland) 2020 (Department for Infrastructure) (withdrawn by Department)

SR 2020/131 The Drought (Altnahinch Impounding Reservoir) Order (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/132 The Drought (Blacksprings Emergency Abstraction) Order (Northern Ireland) 2020 (Department for Infrastructure)

SR 2020/133 The Drought (Spelga Impounding Reservoir) Order (Northern Ireland) 2020 (Department for Infrastructure)

## 7. Written Ministerial Statements

## 8. Consultation Documents

Consultation on Proposals to Amend the Legislation Governing the Retention of DNA and Fingerprints in Northern Ireland (Department of Justice)

## 9. Departmental Publications

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications

### Proxy Voting Notices – Monday 6 July 2020

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Monday 6 July 2020:

Martina Anderson	Dolores Kelly
Caoimhe Archibald	Gerry Kelly
Clare Bailey	Liz Kimmins
John Blair	Naomi Long
Cathal Boylan	Gordon Lyons
Maurice Bradley	Séan Lynch
Paula Bradley	Chris Lyttle
Sinéad Bradley	Nichola Mallon
Thomas Buchanan	Declan McAleer
Jonathan Buckley	Fra McCann
Joanne Bunting	Daniel McCrossan
Pat Catney	Patsy McGlone
Trevor Clarke	Philip McGuigan
Stewart Dickson	Maolíosa McHugh
Linda Dillon	Michelle McIlveen
Diane Dodds	Sinead McLaughlin
Jemma Dolan	Justin McNulty
Gordon Dunne	Andrew Muir
Mark Durkan	Karen Mullan
Alex Easton	Conor Murphy

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Sinéad Ennis	Robin Newton
Arlene Foster	Carál Ní Chuilín
Paul Frew	Michelle O'Neill
Órlaithí Flynn	Matthew O'Toole
Colm Gildernew	Edwin Poots
Paul Givan	George Robinson
Deirdre Hargey	Emma Rogan
Harry Harvey	Pat Sheehan
David Hilditch	Emma Sheerin
William Humphrey	Christopher Stalford
Cara Hunter	John Stewart
William Irwin	Mervyn Storey
Declan Kearney	Robin Swann
Catherine Kelly	Peter Weir

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# Northern Ireland Assembly

Tuesday 7 July 2020

*The Assembly met at 10.30am, Deputy Speaker Beggs in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Assembly Business

### **Motion: Suspension of Standing Order 20A**

#### **Proposed:**

That Standing Order 20A be suspended for 7 July 2020.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried** with cross-community support.

## 3. Executive Committee Business

### **3.1 Second Stage: The Pension Schemes Bill (NIA Bill 07/17-22)**

The Minister for Communities, Ms Carál Ní Chuilín, moved the Second Stage of the Pension Schemes Bill (NIA Bill 07/17-22).

*Debate ensued.*

The Pension Schemes Bill (NIA Bill 07/17-22) passed Second Stage.

### **3.2 Motion: The Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020**

#### **Proposed:**

That the Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 be approved.

*Minister of Agriculture, Environment and Rural Affairs*

#### **Motion: The Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020**

#### **Proposed:**

That the Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020 be approved.

*Minister of Agriculture, Environment and Rural Affairs*

*A single debate on both motions ensued.*

The Question being put, the motion on the Sea Fish Industry (Coronavirus) (Fixed Costs) Scheme (Northern Ireland) 2020 was **carried**.

The Question being put, the motion on the Sea Fish Industry (Coronavirus) (Fixed Costs) (Amendment) Scheme (Northern Ireland) 2020 was **carried**.

**3.3 Motion: The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020****Proposed:**

That the Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2020 be affirmed.

*Minister of Finance*

*Debate ensued.*

The Question being put, the motion was **carried**.

*The Principal Deputy Speaker took the Chair.*

**3.4 Legislative Consent Motion: Business and Planning Bill****Proposed:**

That this Assembly endorses the principle of the inclusion in the Business and Planning Bill of provision for temporary reduction in the duration of certain Northern Ireland driving licences.

*Minister for Infrastructure*

*Debate ensued.*

The Question being put, the motion was **carried**.

## 4. Committee Business

**4.1 Motion: Concerns over COVID-19 Guidance and Financial Support to Industry Sectors****Proposed:**

That this Assembly recognises the impact of the COVID-19 pandemic on the taxi, haulage, driving instruction, and private hire bus and coach sectors; acknowledges that these industries have not been prioritised in terms of guidance and support packages; and calls on the Minister for Infrastructure to bring forward proposals for the formulation of guidance and financial support for these sectors as a matter of urgency.

*Chairperson, Committee for Infrastructure*

Amendment

**Proposed:**

Leave out from 'these industries' to 'Minister for Infrastructure' and insert:

'the powers of the Minister for Infrastructure are limited to regulation of the transport and transit sectors; welcomes the work undertaken by sectoral bodies and the Minister for Infrastructure to ease burdensome regulation during the emergency period; further recognises that these industries have not been included in specific Executive support packages for private businesses; and calls on the Executive'

*Mrs Dolores Kelly*

*Mr Daniel McCrossan*

*Ms Sinead Bradley*

*Debate ensued.*

The sitting was suspended at 12.59pm.

The sitting resumed at 2.00pm, with the Deputy Speaker, Mr Beggs, in the Chair.

## 5. Question Time

**5.1 Executive Office**

Questions were put to, and answered by, the deputy First Minister, Mrs Michelle O'Neill. The junior Minister, Mr Declan Kearney, also answered a number of questions.

## 5.2 Health

Questions were put to, and answered by, the Minister of Health, Mr Robin Swann.

*The Principal Deputy Speaker took the Chair.*

## 6. Committee Business (cont'd)

### 6.1 Motion: Concerns over COVID-19 Guidance and Financial Support to Industry Sectors (cont'd)

#### Amendment (cont'd)

*Debate resumed.*

The Question being put, the amendment was **negatived** (Division).

The Question being put, the motion was **carried**.

## 7. Private Members' Business

### 7.1 Motion: Disability Services and Family Carer Support

#### Proposed:

That this Assembly recognises the significant impact of COVID-19 on children and adults with a disability and the exceptional contribution of family carers further to the cessation of many statutory and non-statutory services; and calls on the Minister of Health to produce a detailed plan for the resumption of services.

*Mr Robbie Butler*

*Mr Colin McGrath*

*Mr Colm Gildernew*

*Ms Kellie Armstrong*

*Mrs Pam Cameron*

*Mr Gerry Carroll*

*Ms Rachel Woods*

*Debate ensued.*

The Question being put, the motion was **carried**.

*The sitting was suspended at 5.50pm.*

*The sitting resumed at 6.00pm, with the Temporary Speaker, Mr Wells, in the Chair.*

### 7.2 Motion: Ministerial Breaches of COVID-19 Regulations and Guidelines and the Associated Damage to Executive Messaging on COVID-19

#### Proposed:

That this Assembly acknowledges the immense sacrifices that people, families and communities have made during the COVID-19 emergency; pays tribute to those who selflessly prioritised the need to keep each other safe above their own personal needs, particularly during times of trauma, loss and grief; expresses disappointment in the actions of those in ministerial office who breached public guidance and failed to share in the sacrifice that we have asked of others; implores members of the public to stay with us and to continue acting in accordance with the regulations in order to keep each other safe and prevent further deaths; recommits to upholding the spirit and the letter of the COVID-19 regulations and the related public health guidance; and calls on the deputy First Minister and the Minister of Finance to apologise for their actions, which have caused immense hurt.

*Mr Christopher Stalford*

*Ms Kellie Armstrong*

*Dr Steve Aiken*

*Mr Colin McGrath*

*Debate ensued.*

The Question being put, the motion was **carried**.

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.45pm.*

**Mr Alex Maskey**

The Speaker

7 July 2020

# Northern Ireland Assembly

7 July 2020

## Division

### **Motion: Concerns over COVID-19 Guidance and Financial Support to Industry Sectors**

(Amendment)

#### **Proposed:**

Leave out from 'these industries' to 'Minister for Infrastructure' and insert:

'the powers of the Minister for Infrastructure are limited to regulation of the transport and transit sectors; welcomes the work undertaken by sectoral bodies and the Minister for Infrastructure to ease burdensome regulation during the emergency period; further recognises that these industries have not been included in specific Executive support packages for private businesses; and calls on the Executive'

*Mrs Dolores Kelly*

*Mr Daniel McCrossan*

*Ms Sinead Bradley*

The Question was put and the Assembly divided.

**Ayes:** 30

**Noes:** 53

#### **AYES**

*Dr Aiken, Mr Allen, Mr Allister, Ms Armstrong, Ms Bailey, Mrs Barton, Mr Beggs, Mr Blair, Ms S Bradley, Ms Bradshaw, Mr Butler, Mr Catney, Mr Chambers, Mr Dickson, Mr Durkan, Ms Hunter, Mrs D Kelly, Mrs Long, Mr Lunn, Mr Lyttle, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Mr O'Toole, Mr Stewart, Miss Woods*

*Tellers for the Ayes: Ms S Bradley, Mr McCrossan*

#### **NOES**

*Ms Anderson, Dr Archibald, Mr Boylan, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Clarke, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr Lyons, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Miss McIlveen, Mr Middleton, Ms Mullan, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Storey, Ms Sugden, Mr Weir*

*Tellers for the Noes: Mr Boylan, Mr Hilditch*

The Amendment **fell**.

The following Members' votes were cast by their notified proxy in this division:

*Ms Armstrong voted for Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch [Teller, Noes], Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Storey and Mr Weir.*

*Mr McGrath voted for Ms S Bradley [Teller, Ayes], Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan [Teller, Ayes], Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan [Teller, Noes], Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

## Papers Presented to the Assembly on 7 July 2020

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly  
Northern Ireland Council for the Curriculum, Examinations and Assessment 2019-20 Annual Report and Accounts  
(Department of Education)
5. Assembly Reports  
Committee for Agriculture, Environment and Rural Affairs Report on the Legislative Consent Memorandum on the UK  
Government Fisheries Bill 2019-2020 (NIA 13/17-22) (Committee for Agriculture, Environment and Rural Affairs)
6. Statutory Rules
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications



# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as 7 July 2020

### 2017-2022 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill (NIA Bill 02/17-22)	24/02/20	25/02/20	/	/	02/03/20	03/03/20	09/03/20	26/03/20
Domestic Abuse and Family Proceedings Bill (NIA Bill 03/17-22)	31/03/20	28/04/20	15/10/20					
Private Tenancies (Coronavirus Modifications) Bill (NIA 04/17-22)	21/04/20	21/04/20	/	/	28/04/20	/	28/04/20	04/05/20
Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	17/06/20
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/	16/06/20	23/06/20	30/06/20	
Pension Schemes Bill (NIA 7/17-22)	23/06/20	07/07/20						
Executive Committee (Functions) Bill (NIA 8/17-22)	06/07/20	06/07/20	/	/				

**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

## Proxy Voting Notices – Tuesday 7 July 2020

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Tuesday 7 July 2020:

Martina Anderson	Catherine Kelly
Caoimhe Archibald	Dolores Kelly
Clare Bailey	Gerry Kelly
Roy Beggs*	Liz Kimmins
John Blair	Naomi Long
Cathal Boylan	Gordon Lyons
Maurice Bradley	Séan Lynch
Paula Bradley	Chris Lyttle
Sinéad Bradley	Nichola Mallon
Thomas Buchanan	Declan McAleer
Jonathan Buckley	Fra McCann
Joanne Bunting	Daniel McCrossan
Pat Catney	Patsy McGlone
Trevor Clarke	Philip McGuigan
Stewart Dickson	Maolíosa McHugh
Linda Dillon	Michelle McIlveen
Diane Dodds	Sinead McLaughlin
Jemma Dolan	Justin McNulty
Gordon Dunne	Andrew Muir
Mark Durkan	Karen Mullan
Alex Easton	Conor Murphy
Sinéad Ennis	Robin Newton
Arlene Foster	Carál Ní Chuilín
Paul Frew	Michelle O'Neill
Órlaithí Flynn	Matthew O'Toole
Colm Gildernew	Edwin Poots
Paul Givan	George Robinson

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Deirdre Hargey	Emma Rogan
Harry Harvey	Pat Sheehan
David Hilditch	Emma Sheerin
William Humphrey	Christopher Stalford
Cara Hunter	Mervyn Storey
William Irwin	Robin Swann
Declan Kearney	Peter Weir

\* Proxy in place for votes on the Motion: Ministerial Breaches of COVID-19 Regulations and Guidelines and the Associated Damage to Executive Messaging on COVID-19



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# Northern Ireland Assembly

**Tuesday 21 July 2020**

*The Assembly met at 10.30am, Deputy Speaker Beggs in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion: Suspension of Standing Order 20(1)

**Proposed:**

That Standing Order 20(1) be suspended for 21 July 2020.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried** with cross-community support.

### 2.2 Motion: Appointment of the Northern Ireland Assembly Commissioner for Standards

**Proposed:**

That this Assembly, in accordance with Section 19(1) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011, appoints Mr Paul Kennedy as the Assembly Commissioner for Standards.

*Mr John Blair*

*Mr Keith Buchanan*

*Mr Robbie Butler*

*Mrs Dolores Kelly*

*Mr John O'Dowd*

The Motion was not moved.

## 3. Executive Committee Business

### 3.1 Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020

**Proposed:**

That the Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 be approved.

*The Executive Office*

**Motion: The Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020**

**Proposed:**

That the Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020 be approved.

*The Executive Office*

*A single debate on both motions ensued.*

*The Temporary Speaker, Mr Wells, took the Chair.*

The Question being put, the motion on the Health Protection (Coronavirus, Restrictions) (Amendment No. 9) Regulations (Northern Ireland) 2020 was **carried**.

The Question being put, the motion on the Health Protection (Coronavirus, Restrictions) (Amendment No. 10) Regulations (Northern Ireland) 2020 was **carried**.

**3.2 Consideration Stage – Executive Committee (Functions) Bill (NIA Bill 8/17-22)**

The junior Minister, Mr Declan Kearney, moved the Consideration Stage of the Executive Committee (Functions) Bill (NIA Bill 8/17-22).

No amendments were tabled to the Bill.

**Clauses**

The question being put, it was **agreed** without division that Clause 1 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 2 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 3 stand part of the Bill.

**Long Title**

The question being put, the Long Title was **agreed** without division.

The Executive Committee (Functions) Bill (NIA Bill 8/17-22) stood referred to the Speaker.

*The Assembly took its ease from 11.41 am to 11.42 am.*

## 4. Committee Business

**4.1 Motion: Climate Change and the Introduction of a Climate Change Act**

**Proposed:**

That this Assembly acknowledges the ongoing climate and biodiversity emergency and calls by the Intergovernmental Panel on Climate Change for rapid decarbonisation; reiterates the Assembly's declaration of a climate and biodiversity emergency, the Assembly's demands for the urgent introduction of a Climate Change Act, the all-party New Decade, New Approach commitment to delivering a Climate Change Act, and the Minister of Agriculture, Environment and Rural Affairs' commitment to a Green Growth Strategy; recognises climate change as a human rights issue that risks deepening existing inequalities; further recognises the need for a stimulus-led, just and green recovery to restart economic activity following the economic disruption arising from COVID-19; calls on the Minister of Agriculture, Environment and Rural Affairs to introduce a Climate Change Act with legally binding and ambitious sectoral emission-reduction targets, and to ensure that any economic recovery strategy is underpinned by rapid decarbonisation and a just transition to protect jobs through upskilling people in carbon intensive sectors; and further calls on the Minister to introduce this Act in the Assembly within three months.

*Chairperson, Committee for Agriculture, Environment and Rural Affairs*

**Amendment**

**Proposed:**

Leave out all after 'delivering a Climate Change Act' and insert:

‘; recognises the all-party commitment to a Green Growth Strategy and the calls for this to be at the centre of the Northern Ireland COVID-19 recovery plan; and calls on the Minister of Agriculture, Environment and Rural Affairs to introduce a consultation on plans for a Climate Change Act.’

*Mr John Stewart*  
*Mrs Rosemary Barton*

*Debate ensued.*

*The Deputy Speaker, Mr Beggs, took the Chair.*

The Question being put, the amendment was **negatived** (Division).

The Question being put, the motion was **carried**.

*The sitting was suspended at 1.35pm.*

*The sitting resumed at 1.50pm, with the Deputy Speaker, Mr Beggs, in the Chair.*

## 5. Question for Urgent Oral Answer

### 5.1 Waste Storage at Edenderry Industrial Estate

The Minister for Agriculture, Environment and Rural Affairs, Mr Edwin Poots, responded to a Question for Urgent Oral Answer tabled by Mr William Humphrey.

## 6. Adjournment

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 2.06pm.*

**Mr Alex Maskey**

The Speaker

21 July 2020

# Northern Ireland Assembly

21 July 2020

## Division

### **Motion: Climate Change and the Introduction of a Climate Change Act (Amendment)**

#### **Proposed:**

Leave out all after 'delivering a Climate Change Act' and insert:

‘; recognises the all-party commitment to a Green Growth Strategy and the calls for this to be at the centre of the Northern Ireland COVID-19 recovery plan; and calls on the Minister of Agriculture, Environment and Rural Affairs to introduce a consultation on plans for a Climate Change Act.’

*Mr John Stewart*

*Mrs Rosemary Barton*

The Question was put and the Assembly divided.

**Ayes:** 36

**Noes:** 47

#### **AYES**

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

*Tellers for the Ayes: Mrs Barton, Mr Stewart*

#### **NOES**

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

*Tellers for the Noes: Mr McAleer, Mr McGuigan*

The Amendment **fell**.

The following Members’ votes were cast by their notified proxy in this division:

*Ms Armstrong voted for Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mr M Bradley, Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Storey and Mr Weir.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O’Toole.*

*Mr O’Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer [Teller, Noes], Mr McCann, Mr McGuigan [Teller, Noes], Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O’Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Mr Butler voted for Mr Allen and Mr Swann.*

*Miss Woods voted for Ms Bailey.*



# Northern Ireland Assembly

## Papers Presented to the Assembly on 8 July 2020 – 21 July 2020

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly

Northern Health and Social Care Trust Annual Report and Accounts 2019-20 (Department of Health)

Northern Ireland Transport Holding Company Annual Report and Accounts 2019-20 (Department for Infrastructure)

Labour Relations Agency Annual Report and Accounts 2019-20 (Department for the Economy)

Police Rehabilitation and Retraining Trust Annual Report and Accounts Year Ended 31 March 2020 (Police Rehabilitation and Retraining Trust)

The Sports Council for Northern Ireland Annual Report and Accounts 2018-19 (Department for Communities)

UK Statistics Authority's Annual Report and Accounts 2019-20 (Department of Finance)

Agriculture and Horticulture Development Board Annual Reports and Accounts 2019-20 (Department of Agriculture, Environment and Rural Affairs)

The Greenhouse Gas Emissions Trading Scheme Order 2020 (Draft Statutory Instrument)

Northern Ireland Public Services Ombudsman's Report 2019-20 (The Northern Ireland Public Services Ombudsman)

Equality Commission for Northern Ireland Annual Report and Accounts 2019-20 (Equality Commission for Northern Ireland)

South Eastern Health and Social Care Trust Annual Report and Accounts 2019-20 (Department of Health)

Professional Standards Authority for Health and Social Care Annual Report and Accounts 2019-20

Professional Standards Authority for Health and Social Care Business Plan

Strategic Investment Board Limited's Annual Review and Financial Statements 2019-20 (The Executive Office)

Public Health Agency Annual Report and Accounts 2019-20 (Department of Health)

Health and Social Care Board Annual Report and Accounts 2019-20 (Department of Health)

Belfast Health and Social Care Trust Annual Report and Accounts 2019-20 (Department of Health)

Strategic Investment Board Limited Annual Review and Financial Statements 2019/20 (The Executive Office)

Southern Health and Social Care Trust Annual Report and Accounts 2019-20 Department of Health)

Committee on Climate Change Annual Report and Accounts 2019/20 (Department of Agriculture, Environment and Rural Affairs)

Press Recognition Panel Annual Report and Financial Statements year ended 31 March 2020 (Press Recognition Panel)

Security Industry Authority Annual Report and Accounts 2019/20 (Department of Justice)

National Heritage Memorial Fund annual report and accounts for year ending 31 March 2020 (National Heritage Lottery Fund)

National Heritage Memorial Fund Lottery distribution annual report and accounts for year ending 31 March 2020 (National Heritage Lottery Fund)

## 5. Assembly Reports

Report on Excess Votes (Northern Ireland) 2016-2017 (NIA 34/17-22) (Public Accounts Committee)

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees Sixteenth Report of Session 2019 – 2020 (NIA 37/17-22) (Examiner of Statutory Rules)

## 6. Statutory Rules

SR 2020/135 The Salaries (Public Services Ombudsman) Order (Northern Ireland) 2020 (Assembly Commission)

SR 2020/136 The Industrial Training Levy (Construction Industry) Order (Northern Ireland) 2020 (Department for the Economy)

SR 2020/138 The Health Protection (Coronavirus, International Travel) (Amendment) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/139 The Health Protection (Coronavirus, Restrictions) (Amendment No. 11) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/140 The Health Protection (Coronavirus, International Travel) (Amendment No. 2) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/141 The Coronavirus Act 2020 (Suspension) Order (Northern Ireland) 2020 (Department of Health)

SR 2020/142 The Mental Health (1986 Order) (Amendment No. 2) Order (NI) 2020 (Department of Health)

SR 2020/143 The Mental Health (Nurses, Guardianship, Consent to Treatment and Prescribed Forms) (Amendment) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/144 The Rates (Coronavirus) (Emergency Relief) (No.2) Regulations (Northern Ireland) 2020 (Department of Finance)

SR 2020/145 The Education (Student Support) (Amendment) (No.2) Regulations (Northern Ireland) 2020 (Department for the Economy)

### **For Information Only**

SR 2020/137 The Road Races (Garron Point Hill Climb) Order (Northern Ireland) 2020 (Department for Infrastructure)

## 7. Written Ministerial Statements

## 8. Consultation Documents

Consultation on Raising the Small Payment Limit Without Probate in Northern Ireland (Department of Finance)

## 9. Departmental Publications

Industrial Injuries Advisory Council Reports (Department for Communities)

Commissioner for Public Appointments Annual Report 2019/2020 (The Executive Office)

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as 21 July 2020

### 2017-2022 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill (NIA Bill 02/17-22)	24/02/20	25/02/20	/	/	02/03/20	03/03/20	09/03/20	26/03/20
Domestic Abuse and Family Proceedings Bill (NIA Bill 03/17-22)	31/03/20	28/04/20	15/10/20					
Private Tenancies (Coronavirus Modifications) Bill (NIA 04/17-22)	21/04/20	21/04/20	/	/	28/04/20	/	28/04/20	04/05/20
Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	17/06/20
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/	16/06/20	23/06/20	30/06/20	
Pension Schemes Bill (NIA 7/17-22)	23/06/20	07/07/20						
Executive Committee (Functions) Bill (NIA 8/17-22)	06/07/20	06/07/20	/	/	21/07/20			

**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

## Proxy Voting Notices – Tuesday 21 July 2020

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Tuesday 21 July 2020:

Andy Allen	Catherine Kelly
Martina Anderson	Dolores Kelly
Caoimhe Archibald	Gerry Kelly
Clare Bailey	Liz Kimmins
John Blair	Naomi Long
Cathal Boylan	Gordon Lyons
Maurice Bradley	Séan Lynch
Paula Bradley	Chris Lyttle
Sinéad Bradley	Nichola Mallon
Thomas Buchanan	Declan McAleer
Jonathan Buckley	Fra McCann
Joanne Bunting	Daniel McCrossan
Pat Catney	Patsy McGlone
Trevor Clarke	Philip McGuigan
Stewart Dickson	Maolíosa McHugh
Linda Dillon	Michelle McIlveen
Diane Dodds	Sinead McLaughlin
Jemma Dolan	Justin McNulty
Gordon Dunne	Andrew Muir
Mark Durkan	Karen Mullan
Alex Easton	Conor Murphy
Sinéad Ennis	Robin Newton
Arlene Foster	Carál Ní Chuilín
Paul Frew	Michelle O'Neill
Órlaithí Flynn	Matthew O'Toole
Colm Gildernew	Edwin Poots
Paul Givan	George Robinson

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Deirdre Hargey	Emma Rogan
Harry Harvey	Pat Sheehan
David Hilditch	Emma Sheerin
William Humphrey	Christopher Stalford
Cara Hunter	Mervyn Storey
William Irwin	Robin Swann
Declan Kearney	Peter Weir



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# Northern Ireland Assembly

**Monday 27 July 2020**

*The Assembly met at noon, Deputy Speaker Beggs in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Assembly Business

**Motion: Suspension of Standing Order 20(1)**

**Proposed:**

That Standing Order 20(1) be suspended for 27 July 2020.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried** with cross-community support.

## 3. Executive Committee Business

### 3.1 Further Consideration Stage: Executive Committee (Functions) Bill (NIA Bill 8/17-22)

The junior Minister, Mr Gordon Lyons, moved the Further Consideration Stage of the Executive Committee (Functions) Bill (NIA Bill 8/17-22).

Three amendments were tabled to the Bill.

#### **Amendments**

After debate, Amendment 1 to Clause 1 was **negatived** (Division 1).

After debate, Amendment 2 to Clause 1 was **negatived** (Division 2).

*After debate, Amendment 3 was not moved.*

The Executive Committee (Functions) Bill (NIA Bill 8/17-22) stood referred to the Speaker for consideration in accordance with Section 10 of the Northern Ireland Act 1998.

*The Principal Deputy Speaker took the Chair.*

## 4. Question for Urgent Oral Answer

### 4.1 Restrictions on travel from Spain

The Minister of Health, Mr Robin Swann, responded to a Question for Urgent Oral Answer tabled by Mr Colm Gildernew.

## 5. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 3.25pm.*

**Mr Alex Maskey**

The Speaker

27 July 2020



# Northern Ireland Assembly

27 July 2020

## Division 1

Further Consideration Stage: Executive Committee (Functions) Bill (NIA Bill 8/17-22) Amendment 1

### Proposed:

Clause 1, Page 1, Line 11

Leave out “subsections (6) to (9)” and insert “subsections (6) and (7)”

*Mr Doug Beattie*

The Question was put and the Assembly divided.

**Ayes:** 10

**Noes:** 73

### AYES

*Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Butler, Mr Chambers, Mr Nesbitt, Mr Stewart, Mr Wells*

*Tellers for the Ayes: Dr Aiken, Mr Wells*

### NOES

*Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms P Bradley, Ms S Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Carroll, Mr Catney, Mr Clarke, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Miss McIlveen, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Mr Newton, Ms Ni Chuilín, Mr O’Dowd, Mrs O’Neill, Mr O’Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Storey, Mr Weir, Miss Woods*

*Tellers for the Noes: Ms Ennis, Mr Middleton*

The Amendment **fell**.

The following Members’ votes were cast by their notified proxy in this division:

*Mr Muir voted for Ms Armstrong, Mr Blair, Mr Dickson, Mrs Long and Mr Lyttle.*

*Mr K Buchanan voted for Ms P Bradley, Mrs Cameron, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Givan, Mr Harvey, Mr Irwin, Mr Lyons, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, and Mr Weir.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O’Toole.*

*Mr O’Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Noes], Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ni Chuilín, Mrs O’Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Mr Beattie voted for Mr Allister.*

*Mr Butler voted for Mr Nesbitt.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

27 July 2020

## Division 2

Further Consideration Stage: Executive Committee (Functions) Bill (NIA Bill 8/17-22) Amendment 2

### Proposed:

Clause 1, Page 1

Leave out lines 20 to line 2 on page 2

*Mr Doug Beattie*

The Question was put and the Assembly divided.

**Ayes:** 10

**Noes:** 73

### AYES

*Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Butler, Mr Chambers, Mr Nesbitt, Mr Stewart, Mr Wells*

*Tellers for the Ayes: Dr Aiken, Mr Wells*

### NOES

*Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms P Bradley, Ms S Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mrs Cameron, Mr Carroll, Mr Catney, Mr Clarke, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Mr Easton, Ms Ennis, Ms Flynn, Mrs Foster, Mr Frew, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Mr Hilditch, Mr Humphrey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Miss McIlveen, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Mr Newton, Ms Ni Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Storey, Mr Weir, Miss Woods*

*Tellers for the Noes: Ms Ennis, Mr Middleton*

The Amendment **fell**.

The following Members' votes were cast by their notified proxy in this division:

*Mr Muir voted for Ms Armstrong, Mr Blair, Mr Dickson, Mrs Long and Mr Lyttle.*

*Mr K Buchanan voted for Ms P Bradley, Mrs Cameron, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Givan, Mr Harvey, Mr Irwin, Mr Lyons, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, and Mr Weir.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis [Teller, Noes], Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ni Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan and Ms Sheerin.*

*Mr Beattie voted for Mr Allister.*

*Mr Butler voted for Mr Nesbitt.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

## Papers Presented to the Assembly on 22 July 2020 – 27 July 2020

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Northern Ireland Guardian Ad Litem Agency Annual Report and Accounts 2019-20 (Department of Health)

The Sports Council for Northern Ireland (Sport NI) Annual Report and Accounts 2018-19 (Department for Communities)

Criminal Justice Inspection Northern Ireland Victims and Witnesses: An Inspection of the Care and Treatment of Victims and Witnesses of by the Criminal Justice System in Northern Ireland (Department of Justice)

### 5. Assembly Reports

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees Seventeenth Report of Session 2019 – 2020 (NIA 38/17-21)

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees Eighteenth Report of Session 2019 – 2020 (NIA 39/17-21)

### 6. Statutory Rules

SR 2020/146 The Mental Health (Nurses, Guardianship, Consent to Treatment and Prescribed Forms) (Amendment) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/147 The Social Security (Electronic Communications) (Amendment) Order (Northern Ireland) 2020 (Department for Communities)

SR 2020/148 The Social Fund and Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2020 (Department for Communities)

SR 2020/149 The Social Security (Income-related Benefits) (Persons of Northern Ireland – Family Members) (Amendment) Regulations (Northern Ireland) 2020 (Department for Communities)

SR 2020/150 The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/151 The Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/154 The Health Protection (Coronavirus, International Travel) (Amendment No. 3) Regulations (Northern Ireland) 2020 (Department of Health)

SR 2020/155 The Health Protection (Coronavirus, International Travel) (Amendment No. 4) Regulations (Northern Ireland) 2020 (Department of Health)

7. Written Ministerial Statements

8. Consultation Documents

9. Departmental Publications

10. Agency Publications

Ofcom Annual Report and Accounts 2019/20 (Ofcom)

11. Westminster Publications

12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

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**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as 27 July 2020

### 2017-2022 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill (NIA Bill 02/17-22)	24/02/20	25/02/20	/	/	02/03/20	03/03/20	09/03/20	26/03/20
Domestic Abuse and Family Proceedings Bill (NIA Bill 03/17-22)	31/03/20	28/04/20	15/10/20					
Private Tenancies (Coronavirus Modifications) Bill (NIA 04/17-22)	21/04/20	21/04/20	/	/	28/04/20	/	28/04/20	04/05/20
Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	17/06/20
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/	16/06/20	23/06/20	30/06/20	
Pension Schemes Bill (NIA 7/17-22)	23/06/20	07/07/20						
Executive Committee (Functions) Bill (NIA 8/17-22)	06/07/20	06/07/20	/	/	21/07/20	27/07/20		

**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

## Proxy Voting Notices – Monday 27 July 2020

The following Members notified the Speaker, under Standing Order 112, that they wished to avail of proxy voting arrangements for the sitting on Monday 27 July 2020:

Jim Allister*	Gerry Kelly
Martina Anderson	Liz Kimmins
Caoimhe Archibald	Naomi Long
Kellie Armstrong	Gordon Lyons
Clare Bailey	Séan Lynch
John Blair	Chris Lyttle
Cathal Boylan	Nichola Mallon
Paula Bradley	Declan McAleer
Sinéad Bradley	Fra McCann
Pam Cameron	Daniel McCrossan
Pat Catney	Patsy McGlone
Stewart Dickson	Philip McGuigan
Linda Dillon	Maolíosa McHugh
Diane Dodds	Sinead McLaughlin
Jemma Dolan	Justin McNulty
Gordon Dunne	Karen Mullan
Mark Durkan	Conor Murphy
Alex Easton	Mike Nesbitt
Sinéad Ennis	Robin Newton
Arlene Foster	Carál Ní Chuilín
Stewart Dickson	Michelle O'Neill
Órlaithí Flynn	Matthew O'Toole
Colm Gildernew	Edwin Poots
Paul Givan	George Robinson
Deirdre Hargey	Emma Rogan
Harry Harvey	Pat Sheehan
Cara Hunter	Emma Sheerin

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William Irwin	Christopher Stalford
Declan Kearney	Robin Swann
Catherine Kelly	Peter Weir
Dolores Kelly	

\* Proxy in place for votes on the Executive Committee (Functions) Bill.





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# Northern Ireland Assembly

**Tuesday 28 July 2020**

*The Assembly met at 10.30am, Principal Deputy Speaker in the Chair.*

## 1. Prayers

Members observed two minutes' silence.

## 2. Assembly Business

**Motion: Suspension of Standing Order 20(1)**

**Proposed:**

That Standing Order 20(1) be suspended for 28 July 2020.

*Mr Keith Buchanan*

*Mr John O'Dowd*

*Mrs Dolores Kelly*

*Mr Robbie Butler*

*Ms Kellie Armstrong*

*Ms Clare Bailey*

The Question being put, the motion was **carried** with cross-community support.

## 3. Executive Committee Business

### 3.1 **Statement – The Appointment of an Expert Panel to examine the links between persistent educational underachievement and socio-economic background.**

The Minister of Education, Mr Peter Weir, made a statement to the Assembly regarding the Appointment of an Expert Panel to examine the links between persistent educational underachievement and socio-economic background, following which he replied to questions.

*The Temporary Speaker, Mr G Kelly, took the Chair.*

### 3.2 **Statement – COVID-19 and Service Rebuilding.**

The Minister of Health, Mr Robin Swann, made a statement to the Assembly regarding COVID-19 and Service Rebuilding, following which he replied to questions.

*The Deputy Speaker, Mr Beggs, took the Chair.*

### 3.3 **Final Stage: Executive Committee (Functions) Bill (NIA Bill 8/17-22)**

The junior Minister, Mr Gordon Lyons, moved that the Final Stage of the Executive Committee (Functions) Bill (NIA Bill 8/17-22) do now pass.

*Debate ensued.*

The Executive Committee (Functions) Bill (NIA Bill 8/17-22) passed Final Stage (Division).

## 4. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.07pm.*

**Mr Alex Maskey**

The Speaker

28 July 2020

# Northern Ireland Assembly

28 July 2020

## Division

Final Stage: Executive Committee (Functions) Bill (NIA Bill 8/17-22)

The Question was put and the Assembly divided.

**Ayes:** 58

**Noes:** 13

### AYES

*Ms Anderson, Dr Archibald, Ms Armstrong, Mr Blair, Mr Boylan, Ms S Bradley, Mr K Buchanan, Mrs Cameron, Mr Catney, Mr Dickson, Ms Dillon, Mrs Dodds, Ms Dolan, Mr Dunne, Mr Durkan, Ms Ennis, Ms Flynn, Mrs Foster, Mr Gildernew, Mr Givan, Ms Hargey, Mr Harvey, Ms Hunter, Mr Irwin, Mr Kearney, Ms C Kelly, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Middleton, Mr Muir, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Mr Poots, Mr Robinson, Ms Rogan, Mr Sheehan, Ms Sheerin, Mr Stalford, Mr Weir.*

*Tellers for the Ayes: Mr Harvey, Mr Sheehan*

### NOES

*Dr Aiken, Mr Allen, Mr Allister, Ms Bailey, Mrs Barton, Mr Beattie, Mr Butler, Mr Carroll, Mr Chambers, Mr Nesbitt, Mr Stewart, Mr Wells, Ms Woods.*

*Tellers for the Noes: Mr Carroll, Mr Wells*

*The following Members voted in both Lobbies and are therefore not counted in the result: Ms P Bradley, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Clarke, Mr Easton, Mr Frew, Mr Hilditch, Mr Humphrey, Miss McIlveen, Mr Storey.*

The Final Stage passed.

The following Members' votes were cast by their notified proxy in this division:

*Ms Armstrong voted for, Mr Blair, Mr Dickson, Mrs Long, Mr Lyttle and Mr Muir.*

*Mr K Buchanan voted for Mrs Cameron, Mrs Dodds, Mr Dunne, Mrs Foster, Mr Givan, Mr Harvey [Teller, Ayes], Mr Irwin, Mr Lyons, Mr Poots, Mr Robinson, Mr Stalford and Mr Weir.*

*Mr McGrath voted for Ms S Bradley, Mr Catney, Mr Durkan, Ms Hunter, Mrs D Kelly, Ms Mallon, Mr McCrossan, Mr McGlone, Ms McLaughlin, Mr McNulty and Mr O'Toole.*

*Mr O'Dowd voted for Ms Anderson, Dr Archibald, Mr Boylan, Ms Dillon, Ms Dolan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Mr Kearney, Ms C Kelly, Mr G Kelly, Ms Kimmins, Mr Lynch, Mr McAleer, Mr McCann, Mr McGuigan, Mr McHugh, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mrs O'Neill, Ms Rogan, Mr Sheehan [Teller, Ayes], and Ms Sheerin.*

*Mr Beattie voted for Mr Allister.*

*Mr Butler voted for Mr Nesbitt.*

*Miss Woods voted for Ms Bailey.*

# Northern Ireland Assembly

## Papers Presented to the Assembly on 28 July 2020

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly  
Business Services Organisation (BSO) Annual Report and Accounts 2019-20 (Department of Health)
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Budget (No. 2) Bill (NIA 5/17-22)	26/05/20	26/05/20	/	/	01/06/20	02/06/20	02/06/20	17/06/20
Housing Amendment Bill (NIA 6/17-22)	26/05/20	01/06/20	/	/	16/06/20	23/06/20	30/06/20	
Pension Schemes Bill (NIA 7/17-22)	23/06/20	07/07/20						
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**2017-2022 Mandate****Non-Executive Bills**

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Functioning of Government (Miscellaneous Provisions) Bill (NIA Bill 01/17-22)	03/02/20	16/03/20	02/12/20					

/ Bills progressing by accelerated passage

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Pat Catney	Patsy McGlone
Stewart Dickson	Philip McGuigan
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Jemma Dolan	Justin McNulty
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Mark Durkan	Karen Mullan
Sinéad Ennis	Conor Murphy
Arlene Foster	Mike Nesbitt
Órlaithí Flynn	Robin Newton
Colm Gildernew	Carál Ní Chuilín
Paul Givan	Michelle O'Neill
Deirdre Hargey	Matthew O'Toole
Harry Harvey	Edwin Poots
Cara Hunter	George Robinson
William Irwin	Emma Rogan
Declan Kearney	Pat Sheehan
Catherine Kelly	Emma Sheerin
Dolores Kelly	Christopher Stalford
Gerry Kelly	Robin Swann
Liz Kimmins	Peter Weir

\* Proxy in place for votes on the Executive Committee (Functions) Bill.