

IN THE UK COVID-19 PUBLIC INQUIRY

WITNESS STATEMENT OF GERRY MURPHY (The ICTU)

1. I am Gerry Murphy, Assistant General Secretary of the Irish Congress of Trade Unions (ICTU). My office address is 45-47 Donegall Street, Belfast, BT1 2FG, Northern Ireland.

2. I make this statement on behalf of the ICTU in response to a letter dated 28th February 2023, sent on behalf of the Chair of the UK Covid-19 Public Inquiry ("the Inquiry"), pursuant to Rule 9 of the Inquiry Rules 2006. This statement is made for the purposes of Module 2c of the Inquiry which is examining the decision-making by the government in Northern Ireland in relation to the Covid-19 pandemic between early January 2020 until Covid-19 restrictions were lifted in Northern Ireland in March 2022.

3. I am the Assistant General Secretary of the ICTU. I have previously been Chairperson of the NIC-ICTU as well as President of ICTU.

4. This statement is structured as follows:
 - A. An overview of the ICTU
 - B. Liaison and communication with the government in Northern Ireland
 - C. Public Health communications and public confidence
 - D. The Public Health and Coronavirus Legislation and Regulations
 - E. Impact on NIC-ICTU Members and Conclusion

A. AN OVERVIEW OF THE ICTU

5. The ICTU is the largest civil society organisation on the island of Ireland, representing and campaigning on behalf of some 800,000 working people, 200,000 of whom live and work in Northern Ireland. There are currently 44 unions affiliated to Congress, north and south of the border. Some of our affiliated unions operate across Ireland and the UK, others only on the island of Ireland North and South, or solely in the Republic of Ireland or just Northern Ireland (NIPSA, UTU). As a trade union federation, the ICTU is unique in representing the interests of members across two jurisdictions. I exhibit a list of the affiliated unions [**Exhibit GM/1 -INQ000187948**].
6. Congress seeks to achieve a just society - one which recognises the rights of all workers and citizens to enjoy the prosperity and fulfilment which leads to a good quality of life. Quality of life embraces not just material well-being, but freedom of choice to engage in the arts, culture and all aspects of civic life. This vision applies in the context of Ireland, Europe and the wider world and challenges the existing economic order.
7. Congress strives to achieve economic development, social cohesion and justice by upholding the values of solidarity, fairness and equality.
8. The primary instrument for the achievement of this mission is the organisation of workers in unions. Congress is also constructing and advocating for a platform of policies capable of delivering our vision of a just society.
9. Congress seeks to shape and influence government policy in key areas, such as taxation, employment legislation, education and social policy. In general terms, the role of Congress is to:
 - Represent and advance the economic and social interests of working people;
 - Negotiate national agreements with government and employers, when mandated to do so by constituent and member unions;
 - Promote the principles of trade unionism through campaigns and policy development;
 - Provide information, advice and training to unions and their members;

- Assist with the resolution of disputes between unions and employers;
- Regulate relations between unions and rule on inter-union disputes.

10. Congress operates in accordance with its Constitution and Standing Orders **[Exhibit GM/2- INQ000187949]**.

11. The Northern Ireland Committee of the Irish Congress of Trade Unions (NIC-ICTU) directs the work of the ICTU in Northern Ireland. Members of the NIC-ICTU are elected at the Biennial NIC-ICTU Conference where policy for the organisation in Northern Ireland is also set.

12. The NIC-ICTU also operates through a number of policy and advisory Committees including the Women's Committee, the Education Trade Union Group and the Health Services Committee. Committees are reconstituted every three years following the Biennial Delegate Conference.

13. The NIC-ICTU Health Committee is comprised of various affiliate unions to the NIC-ICTU that represent workers at all levels across the entire Health and Social Care (HSC) system. The focus is on policy development and implementation and we engage with the Department of Health, the health arms-length bodies (Health and Social Care Board, Public Health Agency etc) and HSC Trusts on this basis. The Committee does not engage in collective bargaining on behalf of our collective memberships, a process which is taken forward by a separate structure comprising the DoH, Health bodies and the individual recognised unions.

14. The NIC-ICTU is involved in a range of civic society coalitions including the Women's Policy Group, the Equality Coalition and the Human Rights Consortium.

B. Liaison and communication with the government in Northern Ireland

15. The Northern Ireland Executive and Assembly had just reformed in January 2020 following a hiatus of three years of collapse and reforming with the New Decade New Approach agreement when the pandemic struck.

16. The three-year absence of government contributed hugely to the polarisation of already fragile political relationships and community cohesion and although NIC-ICTU fully supported devolution and the Belfast/Good Friday Agreement. It remains our view that even prior to the collapse of the Assembly, there were serious deficits in how Government in Northern Ireland was working. We have outlined this in our response to the Module 1 Rule 9 Request.
17. Since the restoration of the Assembly in January 2020 and prior to the collapse in 2022, our efforts to meet with the joint office holders of the First and Deputy First Minister positions regrettably met with a negative response. The failure to engage with the representative body of the largest civic society movement in Northern Ireland not only represents a lack of political leadership but it has also meant that vital workforce and workplace intelligence which could have better informed the strategic response to the pandemic was missing. Examples of such workplace intelligence are outlined below in paragraphs 37 to 52. The structure of NIC-ICTU meant that its affiliates served every sector of the economy and public services, from the NHS to food processing plants to emergency services to special needs schools.
18. The Northern Ireland Executive (NIE) formed a Strategic Engagement Forum (The Forum) which brought together employers, trade unions and statutory bodies including the Health and Safety Executive for Northern Ireland (HSENI) and the Public Health Agency [**Exhibit GM/3 – INQ000187950**]. The Forum was chaired by the Labour Relations Agency.
19. The Forum published key documents including a list of priority sectors and workplace safety guidance which informed NI Executive policy. After this initial work, however, the Forum was unfortunately largely ignored by the Executive. Given the crucial role that the trade union movement had in representing workers who were working on the Covid-19 front line, the ICTU made repeated requests to meet bilaterally with both the First and Deputy First Ministers of the Northern Ireland Executive during the period of the pandemic. Notwithstanding genuine engagement from some individual Ministers, it is nevertheless regrettable and a significant failure of leadership that the joint office of the First and Deputy First Minister failed to meet with the ICTU. Despite repeated requests from the restoration of devolution in January 2020, NIC-ICTU never secured a direct meeting with the joint holders of the Executive Office, First Minister Arlene Foster and Deputy First Minister Michelle O'Neill. The purpose of seeking a meeting with political

leaders was to discuss policy matters, some of which had a direct bearing on the impact of the pandemic. In April 2021, ICTU AGS Owen Reidy wrote directly to First Minister Foster **[Exhibit GM/36 –INQ000224119]** to request a meeting to discuss, among other matters, the wider lessons of the pandemic and partnership working such as the Engagement Forum: *“This type of process is advocated in the spirit and text of the Belfast/Good Friday Agreement and indeed the New Decade New Approach Agreement, both of which promote such forums whereby politicians engage directly with the citizenry of Northern Ireland through structures where the people trade union representatives, community and voluntary representatives and business representatives can assist in the progress we all urgently need. The Executive has failed to develop such forums be they social dialogue or civic dialogue previously (with the notable exception of the NI Engagement forum dealing with labour market related issues relating to Covid 19). This now needs to be urgently attended to.”*

20. The Forum met for the first time on 30 March 2020, chaired by Marie Mallon, Chair of the NI Labour Relations Agency. With Terms of Reference (ToR) agreed in advance, the Forum’s background was described as *“a multi-stakeholder forum to advise the Executive on how best to manage the challenge of Covid-19 as it applies to the NI Economy/Labour Market; and to be the primary conduit for the Executive to consult on new approaches in response to emerging pressures. The Forum will report progress after each meeting to the Executive through the Minister for the Economy”* **[Exhibit GM/4 -INQ000187951]** **[Exhibit GM/5 -INQ000187954]** **[Exhibit GM/6 -INQ000187955]**.
21. Membership of the Forum included six representatives from trade unions (NIC-ICTU) and from business organisations (CBI, FSB, IoD, Chamber NI, Manufacturing NI, Retail NI). Also represented were the PHA, HSENI, SOLACE and PSNI. Both junior ministers from the NI Executive Office had observer status.
22. The ToR explained that the *“core purpose of the Forum is to advise and support the Executive in its commitment to contain the Covid-19 virus as it applies to the NI Economy/Labour Market”*. Its Objectives were the following:
 - Provide a single voice on actions/measures that need to be taken to protect the safety of key workers and essential businesses across the NI Labour Market;

- Promote the need for all businesses and employees/workers to comply with contemporary PHA guidance within the workplace;
- Provide ongoing advice on the list of key workers/essential/non-essential businesses expressed in the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020;
- Advise on additional decisions/contingency measures that may be required, including further closures or restrictions on types of businesses and more rigorous social distancing;
- Provide ongoing feedback on the effectiveness of the Executive's Covid-19 response plan in relation to the NI Economy and Labour Market;
- Develop an agreed Emergency Code of Practice that will offer practical assistance to essential businesses and their workforce to fully comply with the Health Protection Regulations and PHA/HSE guidance (single code developed by HSE, LRA and PHA);
- To advise on additional measures that will offer greater protection to the wider NI Community;
- To engage with a wide range of key experts to ensure that the Forum provides the most effective advice to the Executive.

23. The Forum established the following operating principles that guided its work:

- The safety and the health and wellbeing of all our people has primacy;
- All business will be conducted on the basis of mutual trust, shared understanding and an absolute commitment to our core purpose;
- Shared responsibility to achieve decisions/recommendations on a consensus basis;
- An absolute commitment to confidentiality; and
- Public representation on the work of the Forum is the responsibility of the Minister for the Economy.

24. The six trade union representatives combined knowledge and experience across a range of sectors and policy development: Owen Reidy (NIC ICTU), Michala Lafferty (USDAW), Patricia McKeown (UNISON), Alison Millar (NIPSA), Gerry Murphy (INTO), Jackie Pollock

(UNITE). The priorities shared across all of these unions, as well as those affiliates being updated through NIC-ICTU included **[Exhibit GM/7 – INQ000187956]**:

- The safety of those at work and the protection of incomes for those who have been laid off or will be furloughed.
- The highest standards of health and safety, it is not good enough being merely 'pragmatic' there can be no room for complacency and compromising the safety of any workers and by extension their family and wider community. We need the full public health advice to be followed at work, when it comes to social distancing, proper and appropriate PPE gear for the given setting and every place of employment must adhere to the agreed official guidance.
- If certain workplaces need to be reconfigured to adhere to the above then they must, if for some reason they cannot, then they should close. The safety, welfare and well-being of workers cannot be compromised.
- We must also consider the mental health impact on workers and the necessary adjustments.
- We need a process of robust enforcement for employments that flout the safety standards required of all of us. We need a process whereby workers can raise concerns to the appropriate forum and receive a timely unambiguous response/action that fully addresses their concerns consistently.
- The real issue of public confidence and us being way behind other jurisdictions on testing. One way to address this is to have more testing particular for all relevant frontline workers in the 'essential' services.
- There needs to be a shared understanding by what we all mean (particularly our government) as to what is an essential service.
- The terms of reference must be altered to reflect the fact that the forum must address the issue of workers' incomes and also the link between pay and benefits (when some workers hours fluctuate). The schemes announced by the Chancellor will be on stream during the month of April 2020 and there will no doubt be problems and issues over their implementation. It's crucial therefore, that the terms of reference are extended so the forum can address this issue and make swift recommendations to government on this issue of workers' income.

- As this is a tripartite body of the trade union movement, business and the state/government, the terms of reference have to alter to ensure that the 2 Ministers from TEO are active participants representing the face of government and not mere observers.
- We also believe that other departments such as Communities, Health etc. should participate if and when required as we need to see a whole of government approach to this crisis.
- Should industrial tension arise in the workplace, employers should engage directly with unions. Where workers are not unionised they should be and this should be facilitated.

25. The Forum met twice weekly initially, with its chair Ms Mallon reporting to the Minister for the Economy Ms Diane Dodds on 8 April 2020 that there had been *“four full meetings along with a multiplicity of sub-group meetings and has established a hugely positive and collegiate approach to its work. The level of commitment has been incredible with project groups working long hours throughout last weekend”* [Exhibit GM/8 – INQ000187957].

26. The Forum had completed the first two of its key tasks as set out in its terms of reference:

- a list of key workers and essential/non-essential businesses; and
- an agreed Emergency Code of Practice that will offer practical assistance to essential businesses and their workforce to fully comply with the Health Protection Regulations and PHA/HSE guidance (single code developed by HSE, LRA and PHA).

27. The Forum agreed a comprehensive and credible list of priority sectors and industries, bringing *“much needed clarity to the public discourse around what constitutes an essential business; and publication of the priority list will allow NI companies to understand/justify the continuance of their business operations. The Forum has also produced a narrative that should accompany the priority list when publicised on the appropriate Government websites; reaffirming that the Forum’s number one priority is the preservation of life while seeking to accommodate the needs of the economy.”* [Exhibit GM/8 - INQ000187957].

28. It was also stated that *“The Forum is very clear that its role is not to state whether an individual business should remain open/or close; and has developed a simple eligibility*

test that allows individual businesses to self-determine against transparent criteria. The eligibility test is structured around two requirements;

- *The Forum's publication 'Covid-19: Working Through This Together, A Practical Guide to Making Workplaces Safer'; and*
- *The list of priority sectors."* **[Exhibit GM/8 -INQ000187957]**

29. The next stage of the Forum's deliberations included the Covid-19 Job Retention Scheme. ICTU commissioned research from the Nevin Economic Research Institute on HM Treasury's proposals and reached these conclusions **[Exhibit GM/9 – INQ000187958]:**

- *"The Coronavirus Job Retention Scheme is a welcome policy announcement as it provides certainty and security for employers and employees.*
- *The scheme must be amended to allow for the compensation of workers on reduced hours.*
- *There must be equivalent state support provided to both agency workers and the self-employed, whether through an expansion of this scheme or the formation of a separate scheme.*
- *The NI Executive must convene a working group with both employers' groups and NIC-ICTU as a matter of urgency. The sooner that on-the-ground information can be relayed to this group, the more effective this scheme will be".*

30. ICTU collaborated with Forum colleagues on guidance on working from home **[Exhibit GM/10 -INQ000187959] [Exhibit GM/11 -INQ000187960].**

31. Details of further meetings of the Forum are available in brief minutes until 9 September 2021, about which the DfE report states "*it approved the appointment of Richard Johnston, Associate Director at Ulster University's Economic Policy Centre, to undertake a review of the Forum's terms of reference*" **[Exhibit GM/12 -INQ000187961].**

32. Over the same period, NIC-ICTU policy sub-committees briefed committees of the NI Assembly on paper and in online evidence sessions. MLAs on the Health scrutiny committee were briefed by NIC-ICTU Health unions on general NPI matters In May and June, and were asked to give detailed evidence on the situation inside Care Homes, over

two sessions in June and October 2020 [Exhibit GM/13 -INQ000187962] [Exhibit GM/14 -INQ000187963].

33. The NI Assembly Education committee was briefed on the situation inside schools in August [Exhibit GM/15 -INQ000187964] and September 2020 [Exhibit GM/16-INQ000187965], and received a briefing from the Public Health Agency [Exhibit GM/17-INQ000187966].

34. Letters were also sent by the NIC-ICTU Education and Health Committees to ministers and senior officials at DoH and DENI [Exhibit GM/18-INQ000187967] [Exhibit GM/19-INQ000187968].

35. The NIC-ICTU Retired Workers Committee were also in dialogue with the NI Older People's Commissioner.

36. The NIC-ICTU Migrant Workers Support Unit corresponded with the Ministers for Health (Robin Swann MLA), Communities (Caral Ni Chuilin MLA) and Economy (Diane Dodds MLA) on issues that specifically impacted upon vulnerable workers. At the time, the MSU was in an EU PEACE-funded programme called Crossing Borders, Breaking Boundaries (CBBB), collaborating with Ulster University, the Community Intercultural Programme (CIP) and the Migrant Rights Centre Ireland (MRCI) to work with people from a migrant and local background on challenging exploitation, sectarianism, racism and discrimination in the labour market.

37. In a press statement on 26 March 2020 [Exhibit GM/20 -INQ000187969] NIC-ICTU and the CBBB called for "*proportionate sanctions, including the threat of closure, on employers who compel their staff and agency staff to work in conditions which may put their lives and the lives of their families at risk. Unannounced inspections of workplaces should also be introduced to ensure that employers are in compliance.*"

38. In April 2020, CBBB wrote to the Minister for the Economy on the Covid Job Retention Scheme and its application to workers employed through employment agencies, through which over 30,000 workers were employed in NI, a large proportion migrant workers in

agriculture and food processing [Exhibit GM/21-INQ000187970]. This followed reports that *“some employment agencies have mistakenly advised their workers that they are not entitled to be furloughed when the end user ceases or reduces work due to the Covid-19 crisis. Instead they are being left without alternative assignments or pay.”* The letter requested clear guidance for employment agencies, for regulation and inspections from the Employment Agency Directorate and that *“employment agencies are encouraged to take up the UK Government’s recommendation that the employer makes up the other 20% of their worker’s earnings.”* The Minister did not respond.

39. Matters raised with the Health minister by letter dated 28 October 2020 included a request for ethnicity and occupation to be recorded in the Covid-19 data collection systems for Health and Social Care in NI, following reports *“that BAME and migrant worker communities have been heavily affected by the disease in certain geographical areas and particularly amongst those working in the food processing sector here”* [Exhibit GM/22-INQ000187971].

40. The letter went on to say *“Further to this, as you are no doubt aware, some employers in the food processing sector only put measures in place to protect their workers from the spread of Covid19 once pressure was put upon them. From our work on the project we understand that there are still employers in this sector that appear not to be adequately protecting workers from BAME and migrant communities. The situation is compounded by the fact that many of these workers are vulnerable and need to continue to work to support their families, as the Statutory Sick Pay is insufficient to cover their basic cost of living.”* The Minister responded on 18 November 2020 [Exhibit GM/23 -INQ000187972].

41. A similar request had been delivered from CBBB to the Public Health Agency in July 2020 [Exhibit GM/24 – INQ000187973]. Two meetings with the PHA followed in August and September 2020.

42. The Communities Minister was written to over *“the serious hardship that the decision to halt the issuing of National Insurance numbers (NIN) is having on new comer workers, and to raise concerns around the possible impact the decision could have on the spread of Covid-19.”* Newly arrived migrant workers *“have been raising their concerns with us regarding their inability to access NINs as it means that they cannot qualify for SSP when they become ill. Other difficulties they are facing include not being able to register with a*

GP and access the free health services that they are entitled to, inability to open bank accounts (if they have no proof of residence) and some are experiencing complications trying to register for benefits for their families” [Exhibit GM/25 – INQ000187974]. The Minister’s office responded on 10 November [Exhibit GM/26 – INQ000187975], and a meeting was held with Departmental officials on 13 November 2020.

43. In May 2020, Unite Regional Secretary Jackie Pollock wrote to the First Minister Arlene Foster and Deputy First Minister Michelle O’Neill following the death from Covid of a Unite member working at the food processor Moy Park in Dungannon, calling for a programme of mass-testing in that sector. *“Unite has repeatedly called on employers and the HSE to ensure effective infection control measures in this sector. We are very concerned at the failure of HSENI to conduct responsive physical inspections - including at some locations where clusters have been reported. Employers tell us that they are complying with the PHA guidance but despite this, workers are still contracting this virus. It is clear that the current guidance and enforcement mechanisms are inadequate to ensure the health and safety of workers indeed they effectively make infection controls optional to employers.” [Exhibit GM/27 – INQ000187976].*

44. In addition to the direct representation made by Unite on behalf of its members, other affiliates made representations on behalf of their members in differing sectors, either as individual unions or in collaboration with other unions and employers through existing bargaining structures which were adapted for the purpose of rapid dispersal of guidance, advice and shifting government policy.

45. Unison are one of the largest unions operating in Northern Ireland, with membership in education support services, the community and voluntary sector and most prominently, in the NHS. The NIC-ICTU Health policy committee is chaired by Anne Speed, Unison’s lead negotiator who also sits on the NHS bargaining structures. Unison’s John-Patrick Clayton is the NIC-ICTU representative on both the board of the Public Health Agency and the DoH’s Transformation Advisory Board.

46. In addition, Unison Regional Secretary Patricia McKeown held regular meetings with NI Executive Ministers, in particular Health Minister Robin Swann, either leading a Unison delegation or alongside a joint delegation of Health unions, such as the RCN. Unison have prepared a timeline of meetings from 2 April 2020 to 28 March 2022, showing meetings

taking place with ministers, senior officials or various boards inside the NHS [**Exhibit GM/28 – INQ000187977**].

47. Unison also made a substantial amount of submissions, briefing notes, press releases and letters over the two year period, all of which are archived and available to the Inquiry. A list of the documents is provided [**Exhibit GM/29 -INQ000187978**].
48. Alongside those interventions on behalf of its members working in the NHS, C&V and education sectors, Unison also raised human rights and equality issues relevant to the wider community, issues such as those raised in the ICTU's briefing paper that was sent to the Ad Hoc Committee on the Bill of Rights in advance of a NI Assembly evidence session in March 2021 [**Exhibit GM/30 -INQ000187979**]. Unison's Patricia McKeown participated in briefings hosted by the Equality Coalition, an umbrella grouping of human rights NGOs it co-convenes with the Committee on the Administration of Justice (CAJ). These briefings addressed many of the wider human rights and equality issues raised by the circumstances of the pandemic and the response of the authorities.
49. In Education as much as in Health, the bargaining structures were utilised to share guidance and information with employers in the Education Authority NI (EANI), the Department of Education (DENI) and the NHS/DoH. These discussions informed public statements issued by the NIC-ICTU policy sub-committees on Health and Education, and the aforementioned briefings to the relevant scrutiny committees of MLAs in the NI Assembly.
50. As in Health, there were regular meetings on (at least) a weekly basis of stakeholders hosted by the Education Authority, including employers, unions and relevant bodies such as the Public Health Agency. NIC-ICTU has a substantial archive of updates of guidance relating to aspects of the experience in schools, such as catering and free school meals, school buses, cleaning and hygiene, PPE, social distancing and remote schooling, test and trace among the school community, the specific challenges of Special Needs Education and other matters.
51. NIC-ICTU also has access to correspondence from April 2020 between NI-based union NIPSA and Ministers, relating to the safety and job security of its members in education support and the NHS [**Exhibit GM/31 -INQ000187980**].

52. I am aware that the Fire Brigades Union (FBU), who represent firefighters across the UK, worked with employers and chief fire officers in a tripartite arrangement, which applied in NI also. This was successful in protecting the health and safety of firefighters, while securing the core duties of fire and rescue and the additional activities during the pandemic. NIC-ICTU would draw a similar lesson from the feedback we were receiving at the time from affiliates, and the responses from affiliates at our policy-making delegate conferences. Not a single firefighter died as a result of the covid pandemic. In other sectors and industries, too many workers became infected, were forced out of work, and others have died as a result of contacting the virus at a place where they were trying to make a living. Even now, the long-term after effects are still emerging. The full implications of 'Long Covid' are unclear and worrying.
53. Analysis by the Nevin Economic Research Institute places into context the political and economic context of Northern Ireland at the outbreak of the pandemic, and the situation NI is presently occupying [Exhibit GM/32 -INQ000187981]. The absence of a functioning Northern Ireland Executive in the years 2017-2020 lead to an unavoidable breakdown in long-term policy making and also prevented decisions from being taken during a period of relatively benign public spending decisions. Firstly, the collapse of the Executive in 2017 stalled any progress toward meaningful public sector reform. For instance in Health, the Bengoa Report which was delivered in late 2016 set out the context for the transformation of health services that was required to put the services on a sustainable footing given demographic and other pressures [Exhibit GM/33 -INQ000187990]. The report noted that in order to achieve the vision that it set out, additional funding would be required to transition services to this new approach. The report recommended a ring-fenced transformation fund. The collapse of the Executive meant that none of this work was undertaken before the pandemic took hold in 2020. The health service continued on its previous path and continued to consume further resources without being able to deliver improved outcomes.
54. The absence of the Executive during the 2017-20 period also came at the worst time for a public spending point of view. The cuts to public expenditure which took place from 2010 significantly undermined Northern Ireland's ability to provide quality public services. However, the Executive up until 2017 had attempted to protect the health service from the full scale of these cuts at the expense of other public services. Even with this added

protection, the health service was unable to reach the 6% real terms increase in spending that the Bengoa report outlined was necessary to hold services as they were. Without 6% increases, there was never any possibility for reform as the priority was always going to be maintaining existing services. However, the spending settlement in 2017/18 was above 6% and could have provided the Executive with the necessary surplus to begin implementing reforms. The absence of an Executive during this period significantly undermined the capacity of health services in lead up to the pandemic.

55. The long-term impact of the absence of an Executive can be seen in the financial position that Northern Ireland currently finds itself in. Attempting to maintain services within a health system which needs reform has only increased the funding requirement and, perversely, delivered inferior health outcomes to the population. Without the necessary additional funding to reform services, the health budget grows larger and undermines other public services which in many cases indirectly affect health outcomes. To be clear, the public spending settlement for Northern Ireland deteriorated significantly from 2022, and it is likely that even with significant reform of health services in the years before, public services would still be undermined by cuts to the overall settlement. The absence of reforms post 2016 made the situation worse than it needed to be. The health services entered the pandemic in 2020 in situation where they were already struggling to deliver. The impact of the pandemic is still present within the sector and so now, what small chance there was of being able to commence reforms appears to be very unlikely in the near term.

C. Public Health communications and public confidence

56. NIC-ICTU played a significant role in the Engagement Forum drafting and agreeing general guidance for workplaces, and their dissemination through our networks of committees and affiliates, their branches and so on. NIC-ICTU's trade union education section ran a series of courses on Ensuring Safe Workplace and Working From Home [Exhibit GM/34 -INQ000187991].

57. NIC-ICTU also issued press statements and publications for union reps and Health and Safety reps. Communications with Ministers on safe workplaces were published, especially over conflicting views on, for example, re-opening schools.

D. The Public Health and Coronavirus Legislation and Regulations

58. NIC-ICTU, its committees and affiliates regularly raised issues with the government in Northern Ireland regarding the enforcement of public health and coronavirus legislation and regulations, through direct engagement using new and existing bargaining structures, such as those outlined in paragraphs 49-52.

E. Impact on NIC-ICTU Members & Conclusion

59. In 2021, NIC-ICTU held online its delayed 2020 Biennial Delegate Conference, which debated and passed motions on the wider societal and economic impact of the pandemic, on the necessity for adequate resources for covid recovery and rehabilitation, on the incomes for carers looking after breadwinners afflicted by covid and on economic support for freelance workers in sectors such as the creative industries.

60. A further motion passed overwhelmingly called for a reset for relations between the trade union movement and other social partners, such as employers' groups and the government in Northern Ireland. *"Conference agrees that, particularly noting the huge sacrifices made by our collective membership in continuing to respond to the Covid-19 pandemic, the failure of the Northern Ireland Executive to fully engage with ICTU on the same basis as our trade union counterparts in Scotland and Wales is now untenable."* **[Exhibit GM/35 -INQ000187992].**

61. If a tripartite arrangement, as used in the Fire and Rescue Service and other public services, can be effective in fighting public health emergency, why not a similar arrangement to re-build the public realm after Covid?

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Signed: ..

Gerry Murphy

Dated: 17 August 2023