

Nichola Mallon -

Rule 9 Request

Covid Inquiry

My role

1. I am Nichola Mallon. From 2010 until May 2016, I was an elected councillor for the SDLP on Belfast City Council representing the Oldpark Ward in North Belfast. During that time (from June 2015 until April 2015) I was the Lord Mayor of Belfast. From May 2016 until May 2022, I was a Member of the NI Assembly for the SDLP representing the constituency of North Belfast and during that time (from September 2017 to 5 May 2022) I was the Deputy Leader of the SDLP. From January 2020 until May 2022, I was the Minister for Infrastructure in the NI Executive. I left this post, the NI Assembly, and politics completely on 5 May 2022 after being unsuccessful in the election. Since then, I have been a private citizen with no membership or affiliation to any political party. In December 2022, I took up new full-time employment as Head of Trade and Devolved Policy at Logistics UK, a role I remain in.
2. Outside of support from the Department for Infrastructure (DfI) in finding documents and advice from the Departmental Solicitors Office, this statement is my work alone.
3. As the Minister for Infrastructure, I was responsible and accountable for the work of the Department (DfI) across its remit which includes regional strategic planning, transport, the road and rail network, road safety, street lighting and vehicle regulation. These services are essential for those living in, working in and visiting Northern Ireland. They include providing and maintaining the connections for safe travel and the transport of goods and people; supporting economic growth and sustainable development, ensuring that the creation of living spaces is planned properly and supported by the necessary infrastructure. I also had oversight responsibility for its three Arm's Length Bodies – Translink, NI Water and the Drainage Council. In relation to the response to Covid-19 in Northern Ireland during the pandemic, as Minister for DfI, I was responsible for keeping staff working for DfI safe and ensuring continued provision of essential DfI services. I also took decisions about public transport and oversaw the roll out of bespoke Covid Funding Schemes for taxi drivers and private bus and coach operators. A list of the main decisions that I took with respect to the DfI response to the pandemic are detailed in Annex B to this statement.

4. The statutory responsibilities that my Department held did not touch upon the pandemic response, in the main, save for the issues highlighted above in paragraph 3.
5. While the majority of my workload related specifically to my Department's statutory remit, as a Minister for a Northern Ireland Department, I was also a member of the Northern Ireland Executive. This was the major decision-making body with respect to Northern Ireland's response to the Covid-19 pandemic. Whenever a decision was considered significant, controversial or cross cutting (ie cut across the statutory functions of more than one Department) the Executive needed to agree a position on the decision required before the Department concerned could lawfully exercise the function. Throughout the response to the pandemic the public health functions were exercised by the Executive Office ("TEO") and the Department for Health "DoH").
6. The Department for Infrastructure, as the sponsor Department for the NI Transport Holding Company ("NITHC"), had a role to play in advising on the need for face coverings on public transport. NITHC is a public corporation and Translink is a subsidiary of the company. As Minister I did not have the power to direct Translink in operational matters but in reality, there was a close relationship.
7. For the duration of my time as Minister, Tanya McCamphill was my political Special Advisor. Her role was to support me in carrying out my role and provide advice as and when needed. She read Ministerial submissions in advance and gave advice as to what queries I should raise and what decision I should take. She co-ordinated with my Private Office. Her advice was often centred on what questions to ask officials or other Ministers. She helped me understand the contents of a submission, played a role by allowing me to test my thoughts on a Ministerial decision and reviewed my draft responses. Another significant part of her role was providing me with communications advice and assisting me with a social media strategy. Her advice was received both verbally and by email. She would have been present at most meetings that I attended and this would have been documented by officials.
8. Between January 2020 and March 2022, in terms of discharging my responsibilities in response to the pandemic, I worked most closely with Katrina Godfrey, DfI Permanent Secretary, and the DfI Senior Leadership Team. Please see Annex A for a full list of senior officials.

Part 2: Chronological consideration of how the pandemic developed and the response to it.

9. It is very difficult to recall with accuracy all of my thinking during this time and I am conscious that I have a tendency to view this time with the benefit of hindsight and with views likely influenced by public commentary in the media. What I remember most are the issues and decisions I took which fell within my Departmental statutory responsibility as the Minister for Infrastructure and highly controversial and divisive times at the Executive. I have not been able to answer in detail all of the questions asked by the Inquiry. The reason for not answering some specific questions is because I cannot accurately recall, even with the assistance of minutes and records made available to me. My concern is that to provide answers in that way would be an act of guess work which would not be an appropriate response to this Inquiry and, further would be a disservice to the public of Northern Ireland whose lives and livelihoods were impacted during the pandemic. Below is my honest and best endeavour to respond with factual accuracy to the questions that I can based on my recollections and documents accessible on Egress. Where I feel I am unable to answer a question I have said so in this statement.

10. I do think the absence of power sharing from early 2017 until 11 January 2020 did impact the response to Covid-19. I came new into my Ministerial post with a very large in tray and a backlog of decisions that were needed in Dfl and at the Executive and at the same time the pandemic was taking hold. Whilst my Dfl in-tray was significant, my view is that there was nothing in my Departmental in-tray that was relevant to the pandemic response. It would, in my own view, be reasonable to say that earlier reform of the Health Service, through the implementation of the Bengoa Report, could have assisted DoH in the pandemic response. I would clarify though that I did not have sight of the DoH in-tray and therefore cannot be categorical on this issue.

11. In addition to the lack of implementation of reform of health and social care services in Northern Ireland, my opinion is that the required planning and preparation by officials for EU Exit also impacted NI's ability to respond to Covid-19. I also didn't have a lot of time to build relationships with other Ministers, or as a new Minister, not returning one, get completely familiarised with the workings of the Executive before the pandemic hit neighbouring countries. It could possibly be argued that the lack of time to form relationships with Ministers meant that, at times, when difficult decisions needed to be

compromised on, there was not the trust between us that would have helped moved matters on more quickly. I worked quickly though to understand the workings of the Executive and therefore do not think that my lack of experience of how the Executive worked had an impact on the pandemic response.

12. At the outset of the reformed Executive, I felt that it was relatively easy for us to take pandemic related decisions together. We relied heavily on the CSA and the CMO for advice and it was the responsibility of officials in DoH and TEO to put our decisions into effect. As time went on and divergences emerged, my view is that there was less trust and cohesion within the Executive.
13. I think it was fortunate that the Executive reformed in Northern Ireland just prior to the unfolding of the pandemic. The decisions that we took, I do not think, could have been taken by Civil Servants acting alone. Preparedness for pandemics was a function that rested with the Department of Health, and being outside of that Department, I cannot accurately say whether or not the absence of an Executive hindered or obstructed a better pandemic response.
14. In terms of sector resilience, I can say that my Department had a role to play in resilience planning necessitated by flooding and other extreme weather events. DfI is the lead government Department for the strategic co-ordination of the emergency response to severe weather events. As part of these arrangements an escalation to a NICS wide response co-ordinated by TEO can occur if the scale or impact of an emergency warranted it. As I held no statutory responsibility for TEO, it is not within my knowledge as to whether EU Exit preparations meant that the TEO plans were not up to date or unprepared.
15. In relation to the internal TEO document dated 20 January 2020 [**Exhibit NM/1 INQ000092712**] stating that *“EU exit preparations meant that Northern Ireland [sic: was] more than 18 months behind the rest of the UK in terms of ensuring sector resilience to any pandemic flu outbreak”*, I cannot comment on what ‘being behind by 18 months’ means or how that was calculated as I wasn’t part of this discussion and did not receive this document.
16. Respectfully, I cannot comment on considerations within TEO or DoH as I was not in those Departments or privy to internal discussions and documents. As a single party

Minister, I also had no party colleagues in these or in any other Department. The information I had access to, in relation to issues falling outside the remit of my Department, was what was brought to the Executive either via correspondence I received, or because it was tabled/raised at an Executive meeting. The earliest record I, or my former Department, could locate regarding Coronavirus was sent to members of the Executive on the 24 January 2020 [**Exhibit NM/2INQ000408354**]. The preparedness element for Covid-19 remained within DoH's statutory responsibilities and at this particular point in time, save for the memo from the Health Minister, I would not have been aware of the steps taken to prepare for a global pandemic.

17. TEO is a separate Department to the Department that I led during this period. All that I would have been aware of is that which was brought to the Executive Committee. I am not aware therefore of what, if any consideration, was given to the fact that the pandemic was not due to an influenza. Pandemic preparedness was, as far as I am aware, within the statutory scope of DoH. The responsibility to consider the plans and their effectiveness was held by that Department. I would only have been aware of the material communicated to the Executive Committee. I do not believe this issue was considered by the Executive Committee.
18. I did not see document [**Exhibit NM/3 INQ000218470**] during the specified period. This is because it was between two Departments that I had no role in and, so far as I am aware, it was not shared with the Executive Committee. I was aware of my own Department's pre-existing contingency plans and closely monitored and led my Department's emergency response, recovery and resilience strategy. In relation to the pre-planning and activation of arrangements and actions by other Departments, my knowledge was based on what information and recommendations were brought before the Executive at each point in time. From memory, at this time, activation of the civil contingency arrangements was under the lead of TEO and the Head of the Civil Service with other Ministers advised via updates brought to the Executive.
19. I have seen the agreed formal minutes for the Executive Committee meetings on the 3 February and the 10 February 2020. They confirmed that we received briefings from the Minister for Health on those dates.
20. I personally cannot recollect whether the WHO International Mission report, published on 24 February 2020, formed any part of the briefings that we would have received from the Health Minister at the Executive Committee. I have checked the formal

minutes of those meetings from around this time and there is no reference to the mission contained within them.

21. As Infrastructure Minister I would not have had access to meetings of the Board of another Department and so I cannot comment on the contents of **[Exhibit NM/4 INQ000205712]**.
22. In relation to the Executive Committee meeting on the 2 March I remember the images from Italy. People were receiving care in the car parks of hospitals. I personally took the position seriously. I was mindful that I did not have the expertise required to understand the likely implications of the pandemic, and as I would do throughout, I relied on the provision of advice from the CMO and CSO. From memory there were limited occasions throughout the pandemic when I tried to move at a quicker pace than the Health Minister – on the issues of school closures, travel restrictions, and vaccine passports.
23. By the 10 March, where the Inquiry has noted the comment from the then First Minister (FM) asking around Civil Contingency plans being in place and the then deputy First Minister (dFM) saying that the approach needed to kick in, the Executive Committee was receiving updates from the Head of the Civil Service in Northern Ireland, Sir David Sterling. The response was underway, and it was our role to monitor how the NPIs, including the messaging, were impacting the spread of the virus. With respect to the dFM's comments, I cannot recall her saying this. My impression is that she meant that it should not be left to a few Ministers to address the pandemic. I agree with this sentiment, and I worked very hard to address it. I refer to the decisions I took on behalf of the Department that are listed in Annex B to this statement. In **[Exhibit NM/5 INQ000065695]** there is a reference to the First Minister stating that "some trying to use politics to give advice". I have to say that I do not recall the First Minister saying this. My impression was that no party was using politics. There was a high level of agreement around the Executive table, particularly at the outset of the pandemic.
24. After the Republic of Ireland announced its package of measures on 11 March 2020, there was a discussion and vote tabled by Sinn Fein at a subsequent Executive meeting on the 16 March 2020. The vote was not on imposing the whole package of the RoI measures in NI but on the issue of school closures. The vote was on a plan to include school closures in the Executive's package of measures designed to respond

to the pandemic in Northern Ireland. I believed the Executive should have been more proactive on this issue and voted in favour, but the recommendation didn't receive a sufficient number of votes and did not pass. **[Exhibit NM/6 INQ000408204]**.

25. I was not privy to the meeting that took place on the 12 March between HoCS, the First Minister and deputy First Minister. The advice from the Health Minister to the Executive was that a similar move in NI, in respect of school closures in the Republic of Ireland, was premature. At that time, it was felt that schools played an important role in freeing healthcare workers to allow them to focus on their jobs responding to the pandemic. This was one of only a few occasions where I voted differently from the Health Minister. I did not think that closing schools would cause panic. We knew that schools would have to close at some stage soon as the CMO, or possibly, the CSA, stated that that would need to happen at some stage as part of the response. I felt that school leaders and parents needed clarity, as many citizens were electing to keep their children home in any event. This was around the same time as COBR (M) took the decision to move from the Contain phase to the Delay phase (11 March 2020). The action that the NI Executive continued to take, was that which was advised by DoH.
26. As I have outlined previously, during the pandemic, as Infrastructure Minister, I relied on the advice of the CMO, CSA, and the Health Minister as to the scale of the pandemic and as guidance for my decisions on actions required, and at what point in time they were required, because this was an unprecedented challenge, they had the expertise in the Executive, and I had no other sources of expert advice. My impression from dealing with the CMO, CSA and the Minister for Health was that there was a high degree of alignment across SAGE early in the pandemic.
27. It is my recollection that a lack of capacity meant that community test and trace was stopped on the 12 March 2020. I have checked Executive minutes from in and around this period but I was unable to locate anything in them that specifically supported or related to this decision.
28. The Health Minister presented a strategy on 16 March 2020. It is detailed at **[Exhibit NM/7 INQ000065689]**. Aside from the position with schools, detailed above, I agreed with the contents of the strategy. During this meeting, the Finance Minister said that "people were following their own science". I understood him to mean that he was referring to the general population of NI and not members of the Executive. My

impression was that, in March 2020, Ministers were relying heavily on the CMO and CSA for advice. This information was made available to us by way of papers, drafted by officials from DoH and presented by a combination of the Health Minister, CMO and CSA. I did not form the impression that my colleagues had alternative sources of information. I certainly did not.

29. During the Executive Committee meeting on the 16 March 2020 the Health Minister stated “we have been preparing for past 7 weeks” [Exhibit NM/7 INQ000065689]. It is difficult to say if I felt at that time that the preparations were adequate. We were still not totally sure what we were facing.
30. On the 16 March the Executive Committee agreed upon the phased activation of the NI Central Crisis Management Arrangements. I cannot be sure why the arrangements were not stood up earlier. The responsibility for the Hub fell to colleagues in TEO. It did not require, I do not believe, a decision from the Executive Committee to stand up the Hub. In terms of when actions were first generated (18 March 2020), in hindsight my view would be that action should have been taken earlier. It did not seem at the time that pre-existing plans were in place for how the Executive would function in the event of a pandemic of this nature, but I relied heavily on advice and recommendations from officials and was focused on how we could collectively respond best to the situation unfolding before us. TEO provides the Secretariat support for the Executive, and I was not aware as to what consideration was given internally, it is difficult to say whether standing the hub up earlier would have assisted us. As I have said, my impression is that if the CMO and CSO felt it would benefit our response I am sure that they would have raised it at the Executive Committee sooner.
31. I largely agreed with the Justice Minister that, at that stage, as an Executive we did seem to be more in reactive mode. I cannot exactly recall if other Ministers agreed with my statement ‘*we are mismanaging*’ at the Executive meeting on 16 March 2020 which was reflecting this frustration. The Justice Minister may have.
32. On the 19 March the Health Minister told the Executive Committee that the worst case scenario for Covid-19 is 32,000 new cases per day. This was not the first realisation for me that the pandemic was going to have serious consequences for Northern Ireland, but it was the first time I believe I heard that there would be 32,000 cases per day.

33. I read the record of the Minister for Agriculture, Environment, and Rural Affairs saying that the Executive was behind the curve. I do not have a specific recollection of this, but I believe it could have been a reflection of the view that the spread of the virus was outpacing our interventions.
34. In my view and in hindsight, the House of Commons Health and Social Care and Science and Technology Committee's assessment, in its report titled "Coronavirus: lessons learned to date", does have applicability in NI but as a multi-party Executive there was also, as the situation developed, disagreement among Ministers in terms of their views on the best approach.

Herd immunity

35. In terms of approach to the pandemic, as the Minister for Infrastructure I never considered herd immunity as a potential strategy to manage the pandemic and was heavily guided by advice and recommendations from the CMO, CSA and Health Minister when it came to lockdown. The Health Minister was clear with the Executive that Herd Immunity was not a strategy that Northern Ireland was adopting. There was a process in place as to how to amend existing Covid regulations but division among Ministers created pressures, and time and energy was then spent trying to find a compromise to get agreement. It was a fast-paced situation and on occasion, because of time pressures, decisions were taken by Urgent Procedure by the First and deputy First Minister. This was not my preferred way of doing business and I raised this with the First and deputy First Ministers in a letter dated 26 June 2020. **[Exhibit NM/8 INQ000408203]**

The first lockdown in Northern Ireland

36. I have a recollection of finding out about the UK wide lockdown at the same time as everyone else. I would expect that the Health Minister might have given the Executive an indication that it was due to take place shortly after he was informed, but I cannot recollect the exact timings. I have made enquiries with my former Department and we have been unable to locate any communication from the Health Minister on this particular issue. The Executive's decision on the timing for lockdown in Northern Ireland was led by the advice of DoH officials. Acting upon their advice the Executive announced a NI lockdown on 28 March 2020.

37. It was clear that, although we were behind England, the virus would arrive in NI. I do not consider that lockdown could have been avoided. Despite some notable exceptions, lockdown was a policy adopted across the world as an important tool in the response to Covid-19. With respect to a NI specific response, consideration was given to this and was guided by advice from NI's CMO and CSA.
38. We were not, I feel in hindsight, fully aware of the impacts that lockdown would have, particularly because we did not foresee at the beginning the duration of the pandemic and interventions. Protecting the health service so that it could effectively treat sufferers of Covid-19 was considered, in the early stages and in the short term at least, the Executive's priority.
39. I do consider lockdown to have been more or less unavoidable. However, I stress that I am not trained or an expert in this by any means.
40. The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (the Regulations) of 28 March 2020 put into effect the restrictions. The process adopted, Urgent Procedure, meant that that the Executive, of which I was a constituent Minister, did not sign off on the NPI's, however, given the urgency and gravity of the situation I would have agreed if the normal practices were followed. I had no involvement in the enactment of the regulations as this responsibility fell within the statutory functions of the Department of Health.
41. I did regard the use of the urgent procedure as necessary, but I hoped that the necessity could be avoided. I can say that the primary consideration of the Executive was to minimise the spread of the virus and prevent deaths in our community. I am sure that the impacts of the regulations were in all Ministers' minds in, and everyone around the Executive table was well aware, I am sure, that what we were imposing on NI was severe, but it was in line with the advice that we received, and I wanted to be certain that I was following the advice as closely as possible given the gravity of the situation.
42. On the 16 March at the meeting of the Executive, I was being informed that the previous 7 weeks had been spent, by the Department of Health, preparing for the Covid-19 response. There was a concern that entering a lockdown prematurely would

result in undermining the effectiveness of the intervention and that it would not be sustainable. [Exhibit NM/7 INQ000065689]. I had a high degree of trust in the advice that the Health Minister was receiving from his qualified officials. At the time I was reassured that DoH was doing what was necessary to prepare.

43. I do, in hindsight, given the experiences of people during and as a result of lockdown, agree with Baroness Foster that pandemic preparedness should include consideration of strategies other than lockdowns, or if lockdowns are unavoidable, strategies should be put in place to mitigate their impact on the most vulnerable.

Amendment of regulations

44. By the 1 April 2020 there was an Ad Hoc strategy in place to deal with changes to the regulations. As an Executive Committee we sought consensus wherever possible. As the minutes show, the First Minister and DAERA Minister sought to ease certain restrictions. I believe they had genuine concerns, raised with them by constituents or NI citizens. Often it was agreed that further work would be done on such suggestions.
45. On 7 May 2020 the Executive considered a paper E (20) 90 (C). As an Executive we aimed to conduct reviews of the regulations in line with the contents of this paper, however Ministers started pressing for individual requests.
46. Prior to the Executive meeting we all received a copy of the paper E (20) 128 (C) that aimed to serve as a “point in time” review. I considered this review as sufficient. I was reliant on the advice coming from DoH officials and had no information to the contrary at that time.

Civil contingency arrangements in the first part of the pandemic

47. During this period the NI Hub was continuing to operate. One of its functions was to support the Executive. I had no engagement with the Hub. The way the Hub supported the Executive, it appeared to me, was by informing the work of TEO and DoH. Papers were generated from these Departments and shared with the Executive via the Secretariat, for information and decision as appropriate. I am aware that the performance of the Hub was subject to a review. I was not interviewed as part of that review, which goes to demonstrate the fact that other Ministers, due to the statutory

functions undertaken by their Departments, were more closely involved with the Hub. In terms of how the Hub changed during the response I would not be aware as the operation of the Hub fell to civil servants working in the Executive Office. I am told that the Hub was scaled down in and around May 2021. I do not recall the reasons for that. The way that I received advice did not change. The advice came from the Health Minister supported by CMO and CSA.

48. It has been suggested that officials were hampered by Ministers, or alternatively, that officials felt unable to speak freely during meetings attended by Ministers. As DFI was not the Departmental lead for CCG or NI Hub, other Ministers with Departmental lead responsibility who regularly attended meetings would have greater insight on these matters. I cannot recall a time, during the pandemic, when at a meeting I attended, I felt the presence of Ministers hampered the work of officials. I did not note a time when I felt that officials or civil servants appeared reluctant to be forthright with Ministers. I was conscious not to hamper the work of officials by letting them get on with their work and not micromanaging them. Sometimes the simple presence of Ministers can generate extra work.
49. On 12 May 2020 the Executive published the Coronavirus Executive Approach To Decision Making document. Our approach differed from the UK Government's. We opted not to give "indicative dates".
50. The issue with giving indicative dates is that it creates an expectation that may not be able to be followed if the rates or case numbers did not respond as predicted in the modelling.
51. There was a concern that too many u-turns or changed decisions would undermine confidence in the Executive's decision making with respect to the pandemic response.
52. As time went on the Executive moved to giving public indicative dates as to when restrictions might ease. From memory this was to try to let people see there would be light at the end of the tunnel and to better bring people who were enduring so much along with the Executive.
53. During an Executive Meeting on 15 June 2020 the DAERA Minister commented, according to the minutes, that the science was "currently unproven, best guess". It

appears that the DAERA Minister was concerned that the science was uncertain, but I was content that 2m should remain. I think it was prudent to be cautious with respect to this. I did not personally think that it was fair to criticise the science as “best guess”.

Overarching view

54. Regarding the approach to Wave 1, until July 2020 or thereabouts, and with the benefit of hindsight, I believe we should have locked down sooner. I think there is a possibility that it would have let the peak pass sooner, however, I stress I am not qualified to make this assertion with any real degree of confidence. I know there is an element of marking our own homework, but it struck me that the Executive was united in trying to mitigate the spread of the virus.
55. After the 1st wave passed the Department for Infrastructure did not conduct any analysis of the response so far as I am aware. I am not aware of what actions The Executive Office or the Department of Health took.
56. My sense of this time, in thinking back, was that the Executive and NICS overall was not sufficiently prepared for a pandemic of this kind which impacted on the ability to quickly and comprehensively respond. There were disagreements among Ministers at times but largely the Executive followed the medical and scientific advice. I don't recollect at this stage a thorough analysis of, or assessment of, the effects that the pandemic or mitigations had on more vulnerable groups.
57. I continued to be guided by the scientific advice, modelling and the analysis by the CMO and CSA that the increased rates of Covid-19 in August 2020 were reflecting relaxations made 2-3 weeks previously. As documented [**Exhibit NM/9 INQ000065730**], I was concerned that as an Executive we were not taking sufficient consideration of the cumulative impact of changes.
58. The Executive increasingly had to balance health factors and economic, social and family factors in its decision-making process which could be the '*reset of the Executive's approach to the management of the Covid-19 pandemic*' the First Minister is recorded as stating in the Executive Committee meeting on 1 October 2020 [**Exhibit NM/10 INQ000048491**].

59. From recollection there was no fear of identifying particular locations by reference to transmission. This was done to help target messaging to people where they were most at risk.
60. At a meeting of the Executive on the 1 October 2020 the FM outlined that it might be an appropriate point to consider the implementation of a reset of the Executive's approach to the management of the Pandemic Response. The Executive increasingly had to balance health factors and economic, social and family factors in its decision-making process. The need to factor in the economic, societal and familial impacts, as well as health, could be the rationale for the 'reset of the Executive's approach to the management of the Covid-19 pandemic' the First Minister is recorded as stating in the Executive Committee meeting on 1 October 2020 **[Exhibit NM/10INQ000048491]**. Part of this reset was also to have a more even distribution across Departments of lead roles in taking regulations through the Assembly as it was largely falling to the Minister and Department of Health.
61. As an Executive we met on the 8 October 2020. The CMO stated that he was "never more concerned as CMO than I am now. Short window of opportunity. Sooner rather than later - intervention now to avoid situation in 2/3 weeks" **[Exhibit NM/11 INQ000065756]**. I considered the situation to be very serious in October 2020. As for the factors that contributed to the situation, I received advice from Health officials, and they highlighted the following: previous relaxations, reducing compliance among the NI public and a need for enforcement to be better. I was guided by the advice of the CMO, CSA and Minister for Health, and their view was that urgent intervention was needed. The CSA said that interventions take 10 days to take effect. Further delay would result in greater hospitalisations. In this meeting I also felt that action in October would give citizens the best chance to be with their loved ones during the Christmas period. Every time there was a relaxation there was an upward curve in the number of cases. This was the delicate balancing act that we as an Executive faced. The easing of restrictions on peoples' lives and livelihoods weighed against the impact on public health and the health service.
62. During that meeting the DAERA Minister is noted to have said ""people are not listening to us...not going after where problem exists. Afraid to say where problem is" **[Exhibit NM/11 INQ000065756]**. The former DAERA Minister is best placed to expand

on what he meant but my sense is that he was referring to people he felt were not complying with restrictions and that enough wasn't being done to tackle them.

63. At a later meeting of the Executive, on the 13 October 2020, the DAERA Minister commented that there is "no science, just assumptions...want to see science - didn't get science. Sick of assumptions from experts" **[Exhibit NM/12 INQ000065753]**. This was not a view that I shared. As to whether it was held by other Ministers, I cannot say. It will be for those former Ministers to confirm their respective positions.
64. I was not present at the Northern Ireland Health Committee meeting of the 15 October where it was suggested that modelling work had significantly underestimated the development of the pandemic in Northern Ireland. In terms of how I felt about the modelling, my recollection is that it did not always prove to be accurate, but we were never told that it was going to be. I understood that there an element of prediction in the modelling, however it was the best information that we were provided with to assist us in making decisions. We did expect cases to rise in Autumn 2020.
65. I supported the recommendation on 16 October to implement the 'circuit breaker'. I did so based on the scientific and medical advice brought to the Executive and because I wanted to maximise the opportunity for families to have a safe Christmas not in complete isolation. I was very conscious of everything that people had had to endure so far, particularly having to stay away from loved ones and wanted to act to try to give families the best chance of having a safe Christmas with loved ones as recorded in **[Exhibit NM/13 INQ000116294]**.

Executive Meeting of 9 November 2020

66. As the recorded note of the Executive meeting on 9 November shows **[Exhibit NM/13 INQ000116294]** this was a very difficult and divisive meeting. Some members of the Executive, as you can see from the minutes, were very reluctant to extend the restrictions. As documented, I was very concerned at the situation that developed where a cross community vote was used against the paper and recommendations from the Minister for Health and as a Minister, I was presented with a stark decision between recommendations with no modelling from the CMO/CSA or a move back to No 2 Regulations against the advice of the CMO/CSA.

67. During this meeting the Communities Minister complained at the meeting about flaws in the modelling. As time went on, and the modelling did not always reflect the future figures, there was a degree of concern about its accuracy. I cannot recall specific concerns about the impact on certain types of business. There was a concern about the impacts of the measures that were passed on certain industries, namely hospitality, tourism etc.
68. There was a fundamental difference in the way some of the parties viewed the need for restrictions. Against this was a backdrop of proposals seeming to appear in the local press beforehand. I can understand why the Economy Minister was distraught at the tone of the meeting. I found the event very distressing. On balance, with the winter season so close, I thought that it was important to continue the restrictions. I think DUP colleagues felt, from the meeting, that I hadn't afforded enough consideration to the broader impacts. This absolutely wasn't the case. Advocating for this serious interference in people's everyday lives weighed very heavily on my mind, but in light of the advice we were reviewing from our qualified officials, I felt there was little option, to save lives, but to support the restrictions.
69. During meetings of the Executive, it was clear that, if possible, colleagues wanted to ensure that families could spend time together, in person and in a structured environment, at Christmas.
70. In respect of the Executive meeting of 19 November 2020, I had expected a recommendation from the Department for Health. At the time it seemed the effects of the previous divisive Executive meeting were still being felt, and the Health Minister had decided not to bring forward a recommendation to try to help create space for the two larger parties in the Executive to reach consensus. As per my minuted comments from this Executive meeting [Exhibit NM/14 INQ000065739], I felt that we ought to have followed and acted on the advice from DoH officials at the Executive meeting five weeks previously.
71. In my view, from my recollection, the management of the pandemic in Autumn 2020 was impacted by fractures in the Executive. Party political relationships were strained, pressures remained high, the public were tired, the impact of the pandemic was continuing to be felt across health, society and the economy and families were separated and losing loved ones. In my experience, differences in approaches to responding to the pandemic meant the Executive often took the decision that could

deliver consensus rather than what might be the best decision given the scientific and medical evidence.

72. The Executive wanted to give people the opportunity to spend time together under the structure of household bubbling over Christmas given everything they had gone through with an upfront approach that the counter for this would be a period of tighter restrictions just after Christmas to reduce the spread of the virus.

As set out in the Executive Paper Memorandum E (20) 274 (C) from the First and deputy First Ministers dated 3 December 2020 **[Exhibit NM/15 INQ000408349]**, the advice from the CMO and CSA was that the third option (one bubble and two other households) was preferred. This is the Christmas bubbling arrangement that the Executive agreed on. The Executive was also trying to factor into its decision making the economic and societal impacts as well as health impacts.

My recollection is that the Executive took the decision it did on 17 December based on the stark advice set out in Executive Paper, Memorandum E (20) 294 (C) from the Health Minister **[Exhibit NM/16 INQ000408350]**. As set out at paragraph 36 in that paper, both the CMO and CSA agreed that the arguments for introducing restrictions from 19 December verses the 26 December were 'finely balanced from their professional perspectives and the key differentiating considerations were wider issues for the Executive to conclude on'. I think this shows that the Executive was willing to change its approach based on the medical and scientific advice. It also perhaps reflects an over-estimation of the impact of the two-week circuit breaker introduced from 27 November to 10 December in terms of adherence by the public and the reduction in case numbers.

73. I can see from the document on Egress that the Health Minister sent a Whatsapp message to the "Health 4 Nations group" asking for co-ordination on a joint message from Health Ministers. This was because, according to the Whatsapp, a message from the PM and heads of Devolved Administrations, could not be agreed. I am not aware of why that agreement could not be reached.
74. I was not involved in any UK Government meetings with Devolved Administrations in the run up to Christmas 2020 so cannot comment on these meetings or engagement. Northern Ireland, as part of the UK but an island apart and part of the island of Ireland, is in a unique situation which meant some of the NI public were looking to the messaging from UK Government while others were looking to the Government in the

Republic of Ireland. The reality of people's lives particularly in border counties, the growing lack of confidence in Boris Johnson's handling of the pandemic and party politics contributed, in my view, to NI charting its own course.

75. When the Executive discussed international travel, as the handwritten minute of the meeting shows **[Exhibit NM/17 INQ000065742]**, I supported the proposal from the Finance Minister which was an amendment to the recommendations in the Minister of Health's paper, to the effect that the required legislative preparatory work should be undertaken as a matter of urgency in order to move immediately and without further delay, to impose a ban on travel from Great Britain into Northern Ireland. When that did not receive sufficient support to pass, I supported the Health Minister's recommendation but asked for greater clarity for the public on what was meant by 'essential travel'. On the issue of the use of travel restrictions, the advice from the CMO was that restrictions on travel would have a small impact on the spread of the virus and the CSA said that advising people not to travel was a political decision **[Exhibit NM/18 INQ000065740]**. As recorded in **[Exhibit NM/17 INQ000065742]**, I questioned why other countries were moving faster than NI on this issue and felt that it was better to act to be ahead rather than behind the curve when it came to the spread of the much more easily transmitted new strain of the virus. I was concerned that NI could become a gateway for people wanting to travel given travel bans elsewhere. For these reasons, I voted in favour of the proposals put forward by the Finance Minister at the Executive meeting on 21 December 2023. When this proposal did not pass, I supported the Health Minister's recommendations which included keeping the situation under review.
76. The Department for Infrastructure was not involved in the establishment of the Executive Covid Taskforce nor responsible for leading it. From memory it was established to help better coordinate activity across Departments and where appropriate take pressure off the Department for Health. As set out in the draft Terms of Reference it was to be chaired by Interim HoCS with attendance from the Departments of Health, Economy, and Communities and other Departments as required. I have checked with the Department for Infrastructure, and I did not attend any ECT meetings. I am not aware of movement towards the ECT model reflecting any changes at a UK government level. What I was conscious of at the time was the burden continuing to fall to the Department of Health and I wanted to ensure that the Department for Infrastructure was providing assistance to the Department of Health

and wider health care sector where possible. This resulted in the use of DVA Vehicle Testing Centres in Belfast, Craigavon and Newtownards as Covid-19 test centres, providing free parking at Crumlin Road Gaol for health care workers based at the Mater Hospital, and use of the Gaol for Belfast Health and Social Care Trust to facilitate decontamination of ambulances and disposal of contaminated PPE material. I also announced free public transport for health workers during the outbreak and ensured a traffic management plan was in place, and a free shuttle service was provided, at the SSE Arena in Belfast while it was used as a community vaccination centre. Details are included in Annex B.

77. As recorded in the handwritten minute of the Executive meeting on 3 December 2020, the Health Minister sought clarity on where responsibilities would lie in the ECT and emphasised the need for streamlining not duplication of roles. From memory, the need for clarity on the role of the ECT in the pandemic response and the role and authority of Departmental Ministers was a view shared by a number of Ministers. I have read **[Exhibit NM/19 INQ000212399]** which is the first time I have seen this document. I do not recall any robust debate at the Executive on the absence of a strategy to guide the ECT in the exercise of its functions.
78. In relation to how effective the ECT was, in my view it did try to coordinate things in a more effective way. As the Minister for Infrastructure, I did input to the recovery strategy agreed under the ECT but felt more could have been done to deliver on the recovery workstream and commitment to do things differently going forward.

2021 and beyond

79. The Department for Communities led on the work to assess the impact, and identify assistance, that the Executive could provide to help vulnerable groups and those most disproportionately impacted by restrictions. I supported all of the Communities' Minister's requests and recommendations.
80. From memory the Pathway commanded agreement at the beginning but as noted at the Executive Committee meeting on 25 March 2021, the Economy and DAERA Ministers expressed frustrations about the review process which indicates tensions about the framework and approach.

81. The Executive Office was the lead Department in producing and publishing *'Moving Forward: The Executive's pathway out of restrictions'*. My recollection of that time was that I welcomed it as it brought an agreed structure for decision making which was transparent and available to the public. My view on the document was that it was the best that it could be whilst also achieving consensus.
82. Although the framework for moving out of restrictions was set out, there were tensions from Ministers wanting to emerge out of lockdown at different rates. For example, the Economy and DAERA Ministers were expressing frustrations about the review process at the Executive Committee meeting on 25 March 2021.
83. On the 4 March 2021 the Justice Minister is noted to have said "pathway - only launched but then undermined within hours. Other Exec Mins shd have taken part - but v difficult when doc shot in the knees". I do not recall this specific statement, but I broadly understand the term to mean being "hamstrung" or hampered in some way.
84. As Minister, one of the concerns I had about maintaining restrictions was the economic consequences. This was a concern for all Ministers I believe.
85. The *'Building Forward – Consolidated Covid Recovery Plan'*, published on 2 August 2021, was agreed at the Executive but was to be led and coordinated by the Executive Office. As I was not part of this Department, nor involved in its workings, I cannot say who within that Department brought the work forward, or how its implementation was monitored and processed. The Department had four Ministers working alongside it (the First Minister, deputy First Minister, and two Junior Ministers). I expect those Ministers will be better able to provide assistance. In my Department we had been focused for some time on recovery, and at an Executive meeting on 10 September 2020, I secured Executive agreement to my paper 'Covid-19:Infrastructure Recovery [**Exhibit NM/20 INQ000408214**]. I did focus on trying to deliver the interventions which fell under the statutory responsibility of my Department.

Overarching and thematic issues

86. As Infrastructure Minister I was not involved in the recruitment or appointment process for an interim Head of the Civil Service following the retirement of Sir David Sterling and therefore cannot comment on this process. I worked most closely with my own

Departmental Permanent Secretary and in comparison, had limited contact with either HoCS apart from at Executive meetings. In hindsight, losing an experienced HoCS during this time could have been significant.

87. My Department had no role in the production of data or modelling nor was I ever involved in any SAGE or UK Government led related meetings or Strategic Intelligence Group meetings. As a Minister with no scientific or medical expertise I was guided by the modelling and advice of the CMO, CSA and Health Minister. My recollection from that time (March 2020) is that as an Executive we were more reactionary in our response than proactive and strategic. I reflected this frustration by commenting 'we are mismanaging' as recorded in the handwritten TEO minute **[Exhibit NM/7 INQ000065689]**. In my understanding "following the science" as a term meant that the Executive would be guided in the direction that the science led – (i.e.) unless there was some overwhelming reason/reasons, we would be guided in our decision making by the scientific advice that we received.
88. The review of the PHA was not something that was within my scope. As to whether the data was reliable, or there were any issues with the modelling, my view is that the CSA and CMO are best placed to opine on these questions. As previously stated, there were tensions around the modelling, but I understood that it was not always possible to produce a 100% accurate prediction.
89. In terms of how this advice was received, we would have received papers in the run up to Executive meetings. The Health Minister, or his CMO or the CSA would then speak to the paper and the FM/dFM would chair a meeting to discuss the contents of the paper and try to arrive at a consensus.
90. I viewed the late arrival of Executive agendas and papers as a significant problem during the pandemic as it was not conducive to informed decision making and good governance and continuously put civil servants under extreme pressure. I highlighted my concerns about the impact of this approach to the First and deputy First Ministers on several occasions including in my letter to FM and dFM dated 24 April 2020 **[Exhibit NM/21 INQ000408229]**, at the Executive meeting on 4 June 2020 (as recorded in the handwritten TEO minute **[Exhibit NM/22 INQ000065718]**, as recorded in the official minute of the Executive meeting on 13 October 2020 **[Exhibit NM/23 INQ000408245]**, in my letters to FM and dFM on 17 May 2021 **[Exhibit NM/24 INQ000408277]**, and 27 May 2021 **[Exhibit NM/25 INQ000408308]**. I was also on

occasion concerned about the use of Urgent Procedure to take decisions that I felt should have gone to the Executive for discussion and agreement as set out in my letters to FM and dFM dated 26 June 2020 ([**Exhibit NM/8 INQ000408203**]) and 2 July 2020 [**Exhibit NM/26 INQ000408331**].

91. In terms of the information received from SAGE, this would not have been within my scope. I was broadly satisfied with the information that the CMO and CSA were providing, and the manner in which it was provided. I was not aware of concerns that SAGE was too England-centric, though there are always general concerns about any state institution based in England which is to act equally in the interests of England, Scotland, Wales and Northern Ireland being dominated by concerns relating specifically to England. I had an idea of how the R number was arrived at but I could not have calculated it myself. I understood that the lower the number the less secondary infections were being caused and that as the number of cases fell, determination of the R became unreliable. In terms of colleagues around the table my impression was that there was a high level of understanding. I cannot recall why the use of the R number in NI was discontinued in July 2020 and I could not locate an explanation from the Health Minister in the handwritten minute of the Executive meeting of 9 July 2020 where he advises of this move away and focus on a wider set of measures [**Exhibit NM/27 INQ000065764**].
92. In terms of the relationship between the NI Executive and UK Government, as Infrastructure Minister, I did not attend Quad meetings or meetings between medical/public health leads, and therefore cannot comment on these meetings or give an insight into the levels of trust among those who were engaged at this level and attending Cabinet Office Briefing Room meetings.
93. In respect of my engagements, I recollect a one-to-one meeting with the then NI Secretary of State and Secretary of State for Transport. The issues on the agenda for this meeting were joint work and critical freight taskforce, working relations with Ireland and counterparts and the impending Ministerial committee paper on routes to and from Northern Ireland. [**Exhibit NM/28 INQ000408205**].
94. As Infrastructure Minister during this time, the meetings I attended with UK Government officials were related to critical supply chain, planning and transport issues – matters that fell under my statutory remit. I was not involved in COBR meetings but did attend Ministerial Implementation Group meetings when agenda

items fell under my statutory remit, for example the Public Sector MIG meeting on 26 March 2020 for the agenda item on transport resilience. As noted in **[Exhibit NM/29 INQ000408206]** - invitations to these meetings were clarified on occasion less than one hour before the meeting was to commence. As noted in the email from officials ahead of the Economic and Business Response MIG **[Exhibit NM/30 INQ000408207]**, there was often a limited timescale for NICS officials to provide briefings to NI Ministers for these meetings and the large number of attendees restricted the ability of Ministers to provide in depth inputs and have a detailed discussion and debate with UK Government. The Minister for Intergovernmental Relations chaired some of the MIG meetings that I attended but aside from this I did not have any contact with him. From memory the MIG meetings I attended were more like information sessions with Ministers providing very short updates on the agenda item. For these reasons I found this forum frustrating. This frustration was one of the reasons why I initiated a series of meetings with my Ministerial counterparts in Scotland, Wales and the Republic of Ireland to provide a forum where we could discuss in a detailed way shared challenges and share learning in terms of our approaches to, and recovery from the pandemic - **[Exhibit NM/31 INQ000408346]** & – **[Exhibit NM/32 INQ000408348]**. I found these meetings very helpful. Positively, briefing for MIG meetings was requested for other Executive colleagues joining the meeting with statutory responsibility for other items, and for the NI Secretary of State, so they could reinforce the points we as the responsible Department wanted to make - **[Exhibit NM/33 INQ000408353]**. The MIG meetings that I attended remained consistent in their format and approach throughout the pandemic. I had no interaction with the Northern Ireland Office during the specified period.

95. I also attended meetings hosted by the Department for Transport (DfT). I recall one-to-one meetings with the then Parliamentary Under Secretary for Transport Rachel Maclean and meetings with this Minister and Ministerial counterparts in the Devolved Administrations. **[Exhibit NM/34 INQ000408208]**, **[Exhibit NM/35 INQ000408209]**, **[Exhibit NM/36 INQ000408210]** and **[Exhibit NM/37 INQ000408211]** I also attended meetings hosted by the then Parliamentary Under Secretary of State, Baroness Vere, with Ministerial counterparts from Scotland and Wales focused on transport issues **[Exhibit NM/38 INQ000408212]**, **[Exhibit NM/39 INQ000408213]**, **[Exhibit NM/40 INQ000408215]**, **[Exhibit NM/41 INQ000408216]**, **[Exhibit NM/42 INQ000408217]** & **[Exhibit NM/43 INQ000408218]**. During the pandemic I also met with Ministerial counterparts in the Republic of Ireland to discuss covid 19 challenges including transport and ports – **[Exhibit NM/44 INQ000408219]**. I found all of these meetings

much more open for detailed discussions, given the smaller number of attendees compared with MIG calls, and beneficial in terms of understanding approaches and for sharing learning.

96. In terms of the relationship between the Executive and the UK Government changing over the course of the pandemic, I think a key factor was the growing lack of confidence in the then PM, Boris Johnson's, approach to the pandemic.
97. I have considered whether we had sufficient scientific mindset, as an Executive. I felt that, around the table, the concepts were explained in such a way that we were able to understand them. Some colleagues, notably DAERA and Economy Ministers, applied different weight and judgment to the health advice, against their view of wider economic and societal concerns. I don't think this was a failure of understanding but more a difference in value judgment and weight being afforded to this advice that led to the differences in opinion.
98. I cannot point to any specific actions by the British Government that hindered the NI Executive's ability to come to a decision on a question relevant to the pandemic response. I am not sure if there was a perception that NI politicians or officials were untruthful or unable to provide accurate information. As I have outlined, my involvement with UKG was limited to those areas that fell within the scope of my Department's statutory responsibilities. On a general point, there is at times tension and a lack of trust between different levels of government, be it central UK Government and Devolved Administrations, or central governments and local authorities but that is the nature of politics and the outworking of power balances.
99. As a general observation, the structure of North/South Ministerial Council meetings does not tend to be agile or allow for spontaneous discussion. In its normal functioning it would have limited effectiveness when dealing with an unfolding pandemic. The papers are scripted in advance. It is quite formal. My impression is that the NMSC is a forum for approving draft decisions that have already been made. They are predetermined and set days in advance.
100. I was not involved in the drafting, signing, or in any review which may have been carried out of the All-Ireland MOU or in the meetings between the First and deputy First Ministers, and/or Health Minister with the Irish Government. Given the unique

situation of Northern Ireland having a land border with the Republic of Ireland and the reality of cross border living in border counties, I did see merit, from an epidemiological point of view, in taking a more harmonised approach with the Republic of Ireland and did raise the issue of what cross-border discussions were taking place and what alignment work was being undertaken to tackle the virus on the island with the Health Minister **[Exhibit NM/45 INQ000408220]**. I am not aware of any specific research commissioned by the Executive to understand the impact of Covid-19 along the border or work to examine whether greater harmonisation with the Republic of Ireland might have produced better outcomes in Northern Ireland. In terms of animal health providing a “blueprint” for North-South cooperation I think that is somewhat different. Did the Framework not already exist, as there was a high level of harmonisation due to the EU Single Market? Having a high level of harmonisation on public health was not as easily achieved as there was no pre-existing structure in existence. I do recall the Health Minister expressing frustration at the Irish Government in relation to reaching agreement on the sharing of data on international arrivals but my sense was that there was a good working relationship overall and a significant degree of co-operation between the NI Health Minister and CMO and their counterparts in the Republic of Ireland. Given politics in Northern Ireland, in reality, it was always going to be difficult to harmonise the approaches of the two jurisdictions.

Relationship with the Republic of Ireland

101. My involvement with the RoI Government was as set out above and mirrored my involvement with UKG and the other DAs. That is to say that it was limited to areas that fell within the ambit of my Department’s statutory functions.
102. I did not encounter reluctance on the part of RoI Ministerial counterparts to share information or co-operate. I was not aware of a broader reluctance on the part of RoI Government to share information or further cooperation, apart from frustrations expressed by the Health Minister in relation to reaching agreement on the sharing of data on international arrivals.
103. My general sense was that there was a good working relationship overall and a significant degree of co-operation between the NI Health Minister and CMO and their counterparts in the Republic of Ireland.

104. In terms of barriers to cooperation I am not well placed to answer this, given my Department's limited role. I will say that at times some Ministers wanted closer alignment with the Republic of Ireland, and others were opposed to that idea. The question of the closure of schools early in the pandemic is a good example of this. In reality, political divisions in Northern Ireland impacted on the possibility and degree of all island cooperation and coordination. I could not say with any confidence as to whether the Republic of Ireland Government was able to secure better outcomes for its citizens.
105. I do not believe alignment with England would have been a better option. England is much more densely populated than Northern Ireland, at times case numbers differed and Northern Ireland is unique from England given it is an island apart from GB and on the island of Ireland with the reality of cross border living a daily part of so many people's lives. In my view it was right to maintain a local focus rather than adopting a blanket alignment with England.

Legislation and regulations: their proportionality and enforcement

106. The Department for Infrastructure was not the lead in the drafting of regulations or enforcement of regulations, and I was not involved in the working group on compliance and enforcement. Ministers, as elected representatives, were receiving correspondence, especially from vulnerable constituents, expressing concerns around compliance with the measures. The issue of adherence to restrictions and enforcement of regulations was brought to the Executive as a concern and it was recommended that criminal sanctions be applied to try to address this. I cannot recall if other alternatives were discussed.
107. I cannot recall why a working group on compliance and the enforcement of the regulations had not been established before the 10 September 2020. I do recall that the situation, at that time, was extremely challenging for the PSNI. It was a hugely challenging scenario for the PSNI, which required their officers to step into citizens' private lives. They also faced significant resourcing issues and, from memory, these concerns lead to the establishment of the working group. I think around this time we were concerned with the level of cases and public adherence to the regulations, and it was felt that tight compliance could still suppress the R number. Local Government officers were to support and improve compliance with the measures by acting as Covid Marshalls. As Infrastructure Minister I had requested monitoring updates from

Translink relating to compliance with wearing face coverings – **[Exhibit NM/46INQ000408351] & [Exhibit NM/47 INQ000408352]**

108. Criminal enforcement was supposed to be a measure of last resort. Education and messaging were intended to be a key lever in taking people with us. For the reasons previously outlined, it was challenging for the PSNI, and for Police forces across these islands. Having to “police” everyday interactions which, would have, in ordinary times, been perfectly legal and having to balance human rights against the protection of public health was very difficult for Police.
109. Given the far-reaching impact of the decisions being taken by Ministers, Assembly scrutiny was critical. My Department did receive a high volume of Assembly Questions and I focused on ensuring I answered them within deadlines, but they did take up a lot of officials’ time. I felt the Ad Hoc Committee on the Covid-19 Response played an important role in allowing MLAs a more prolonged period to scrutinise Ministers actions and decisions and for Ministers to get feedback from MLAs and their constituents.

Funding the response to the pandemic

110. Significant funding was provided by the UK Government to the NI Executive and did help enable action to be taken. In relation to the question of the introduction of NPIs prior to the UK Government, my recollection is that it was felt that NI was behind England and there was concern about citizens adhering to NPIs on an enduring basis. I think the term used was “behavioural fatigue”, and the advice received by the Executive was that we wanted to use the NPIs when it was felt, at that time, that they would have the maximum impact. As set out in the minute of the Executive meeting on 16 March 2020 **[Exhibit NM/7 INQ000065689]** the Health Minister’s advice was that if we moved to lockdown too early, given the impact on individuals and families, then we wouldn’t be able to sustain it. At that meeting he advised that ‘now was not the right time to do it’.
111. There was a meeting of the Executive on the 17 December 2020 (**[Exhibit NM/48 INQ000116295]**) where the possibility of asking businesses to close for 4 weeks was discussed. The First Minister queried how this would be paid for and, in my view, this indicated a degree of reluctance to ask businesses to close. I have read the handwritten minute, and I note comments from the Finance Minister, outlining that money was available but that supporting these businesses may necessitate sacrificing

other financial support schemes. As money was available, subject to political decisions on allocation of resources, I do not think an inference on a supposed lack of planning on this particular issue, can be drawn.

Controlling Northern Ireland's borders

112. As Infrastructure Minister I was not involved in any meetings between the First and deputy First Ministers and/or Health Minister and the UK or Irish Governments on the issue of controlling the Northern Ireland border and passenger restrictions. I therefore cannot give an assessment on whether the UK government sufficiently consulted and considered, with Northern Ireland Ministers, issues of border control into Northern Ireland and/or travel restrictions. My view is that Northern Ireland's unique position, as part of the UK but on the island of Ireland, made this issue difficult to handle when there wasn't alignment. All human rights compliant health measures were technically/potentially open to the NI Executive, but politics and the availability of resources impacted on control of the border. Politically and practically how could people be prevented from crossing the border on the island? Politically there was also opposition to restricting travel within the UK, and between NI and GB only, and the Executive also had concerns about liability for compensation payments for restricting passengers from entering NI.

113. Whilst the Red/Amber/Green system adopted by the UK Government, through the Joint Bio Security Centre was sufficiently clear. I queried the methodology with the Health Minister. Different countries were using different methodologies for reporting the extent of the pandemic on their population. I sought reassurance that public health officials were taking account of these differences when they arrived at their conclusions [**Exhibit NM/49 INQ000065789**]. I agreed with the Health Minister, as stated in (INQ000065639), that the JBC should make the information publicly available in the interests of transparency of decision making. The Health Minister asked his officials to discuss this issue with the UK Government.

Care homes

114. My recollection is that the situation in care homes was an early concern for all Ministers and briefings were provided by the Health Minister whose Department was

monitoring and advising on the response. Ministers raised on several occasions the issue of testing in care homes with the Department for Health at Executive meetings. My sense is that the risks to staff and residents in care homes was on the Executive's radar from early on in the pandemic. Operational response to Covid-19 rates within care homes was led by the Department of Health given its statutory responsibility. Access to testing and PPE was frequently discussed at the Executive but I cannot recollect exactly when concerns first emerged. The Department for Infrastructure was not the lead in ensuring the availability of PPE to care homes. This was led by other Ministers.

Inequalities

115. The pandemic presented an unprecedented situation for the Executive. My sense of that time is that the initial focus of the Executive, and it was largely united around this, was on a medical and scientific led response. I don't think we were fully aware of the full impact of NPIs in the initial stages, or that they would last as long as they did, though as time went on this changed. The overwhelming focus was to save lives and protect the health service, that is why the Executive was so largely guided by the advice of the Health Minister, CMO and CSA particularly in the early stages of the pandemic. Before the vaccine roll out, testing and tracing and NPIs were really the only tools at the Executive's disposal to save lives and protect the health service. I do wish that back then, as soon as the pandemic hit, that I had access to an evidence-based understanding of the familial, societal, and economic consequences of NPIs to inform my decision making. Whether this would have changed my support for lockdowns, circuit breakers and other NPIs I cannot say but at least I would have had all of the information before me to base such critical decisions on.
116. My impression is that in the early stages non pharmaceutical interventions were not tested using s75 as the need was so intense. This is a critical area of learning going forward and in preparation for any future events.
117. As an Executive I believe all Ministers were aware and concerned about the impact of the pandemic and restrictions on vulnerable groups in our society. As Infrastructure Minister I took decisions to support Community Transport providers so they could support vulnerable groups during the pandemic, including bringing them food and medications and providing transport for the most vulnerable in rural areas to Covid-19

vaccination centres – [Exhibit NM/51 INQ000408234] & [Exhibit NM/52 INQ000408247].

Public health communications, behavioural management and maintaining public confidence

118. Public health messaging was led by TEO. Communicating a clear, consistent and robust message to the public was a challenge for the Executive. It was initially led by the First and deputy First Ministers but that ended on 30 June 2020 for a significant period after Sinn Fein attended Mr Storey's funeral which created a vacuum. At certain points in the pandemic Ministers also publicly disagreed with each other and with the approach of the Executive. This created mixed messaging for the public and sent a message to the wider public that the Executive Committee was not unified or cohesive on this important issue. Misinformation, particularly on social media, also created difficulties in getting a clear, consistent and robust message across to the public. Disinformation around Covid-19 was an issue across the world, and not specific to Northern Ireland.

119. I participated in a few press conferences organised by TEO when it was not possible for the First and deputy First Ministers to be involved but was never asked to participate in a press conference specifically orientated at children and young people which I would have done.

120. As a Minister responding to the pandemic, I received abuse on social media. I reported one very threatening tweet to the PSNI. I was also filmed in Belfast City Centre without my consent. My constituency office staff were also intimidated which we reported to the police.

Executive Committee decision-making

121. Having five different political parties around the Executive with differing views did make decision making challenging at times, particularly as time went on, and as demonstrated in the handwritten minutes of some very tense and divisive Executive

meetings but mandatory coalition is the structure of government in Northern Ireland. As a single party Minister with a Department not at the core of decision making, it felt on occasion that I and my Department were excluded from discussions and considerations - an assessment that was shared by DfI's Permanent Secretary in a WhatsApp exchange which should be preserved on her phone. On more than one occasion I first learnt of the Executive meeting agenda via media reports. Information was regularly leaked to the media which created tension and mistrust in the Executive. An example is set out in the handwritten minute of the Executive meeting on 9 July 2020 **[Exhibit NM/27 INQ000065764]**. I was not aware of any policy (informal or not) behind the leaking of proposed policies but its occurrence did impact relations in the Executive. My impression as regards the impact on public confidence was that it added to a sense that at times the Executive was not working cohesively. The larger effect, in my view, materialised in the form of weakened interpersonal relationships between Ministers. As recorded in **[Exhibit NM/17 INQ000065742]**, despite raising concerns and frustrations, and receiving commitments from FM and dFM that there would be a reset in relationships around the Executive, at times it felt that as a single party Minister I was being brought to the Executive table to 'rubber stamp' proposals pre-agreed between the two larger parties. There was occasion when I had to write to the Head of the Civil Service to reiterate my serious concern at being prevented from questioning the CMO and CSA, I suspect because their responses could potentially impact what had been pre-agreed between both parties **[Exhibit NM/53 INQ000408347]**.

122. Ministers did try, I believe, to set aside differences and act in the best interests of the NI public. As Infrastructure Minister I worked in partnership with the Health Minister as set out in paragraph 76. Other examples include my work with the Education Minister on school transport, with the Justice Minister in introducing free public transport for those fleeing domestic abuse, and with the Finance Minister to secure transport related funding packages during the pandemic. Where tensions arose, it was usually around the balance between restricting the transmission of the virus and trying to allow citizens to get on with their lives. I personally would not characterise this as an "orange and green" issue, but maybe a more individual verses collective freedoms, arising from a legitimate dispute around ideological definitions of freedom and the best balance to strike when weighing NPIs.

123. My personal view is that use of the cross-community vote procedure in decision making in response to the pandemic was not appropriate. It blocked the democratic will of the Executive and excluded the Justice Minister from decision making.
124. In terms of the relationship between DoH and the broader Executive there were tensions at times, especially as time went on, particularly from Ministers from the DUP, due in my view to their own position on individual liberty and freedoms which they, I do not doubt, sincerely held. This may be why the First Minister is recorded as saying that "DoH see Exec as thorn in side". When tensions arose around the table it was usually around ensuring the right balance between individual "freedom" from NPIs and the collective "freedom" from the spread and effects of the virus on society.
125. The question of whether the Health Minister was adequately supported is, respectfully, a question for him. I can say that I personally made every effort to support him and his Department. I was conscious of the heavy workload and pressures on the Health Minister, CMO, CSA and DoH officials but the extreme circumstances we were in, necessitated a deep commitment from everyone involved. Given the circumstances, significant and extensive responsibilities were held by the CMO or CSO, and on a personal level I was concerned about the pressures on them as individuals, but my view is that they performed well in unbelievably trying conditions.
126. In respect of tensions between the Department of Health and Department for the Economy specifically, it is perhaps fair to say that the DUP Minister leading that Department was always mindful of her responsibility to promote business and at times, that clashed with the responsibility of the Minister leading Health to protect public health.
127. Contradictory messaging did cause confusion at times. When the Executive was not unified, it did impact on public confidence in the messaging that we were issuing. The fact that members of the Executive were publicly challenging the Executive strategies undermined the faith that the citizens of Northern Ireland should have had in the approach that we were adopting at any one time. The division between the members of the Executive became the story, when I would have much rather seen the focus remain on the public health messaging that we needed to reach the people of NI.

128. In respect of confidence in the UK Government, the Barnard Castle episode was damaging to public confidence in the Government. Locally, the funeral of Bobby Storey, in my respectful opinion, undermined the Executive's authority in the eyes of many members of the public. Additionally, it marked the cessation of joint FM and dFM press conferences for a time which created a vacuum in terms of public messaging.

Communications with ministers, advisers, political party officials and civil servants via electronic device(s)

129. During my time as Infrastructure Minister (from January 2020 to 5 May 2022) I had use of a NICS mobile, iPad and laptop. I conducted official covid response business via my Ministerial email account, emails which should all be saved by officials. I did communicate via WhatsApp on the NICS mobile if I needed instantaneous statistics or information, during a meeting for example, from my Permanent Secretary, Private Secretary, senior DfI officials or Special Advisor. I cannot recall exactly but there may have been infrequent text messages when reception was poor. I also remember sending general queries via WhatsApp from my NICS mobile to other Ministers as a follow up, for example, to Private Office issued correspondence to see if they had any issues or would like to meet to discuss my Executive papers. I did not conduct substantive decision making on my NICS mobile Whatsapp or texts. I did not use informal messaging platforms as an alternative to formal or minuted meetings.

130. After the election on 5 May 2022 DfI officials collected all of my NICS devices. I did not delete any emails from my NICS phone. I did delete whatsapp messages as several contained some information and details relating to my constituents, my constituency office staff and casework as an MLA. I used whatsapp on my NICS phone when staff in my constituency office needed to contact me quickly. I did not at any stage reset any NICS device. I am told that my Department returned the phone to IT Assist, as per NICS policy, and the phone was wiped and repurposed. As I don't have access to any of these devices, I cannot name each individual that I communicated with in my capacity as Minister on these two messaging platforms, but I am conscious that on each occasion I was one half of a conversation – conversations which should be preserved on other NICS devices. I was not part of any WhatsApp or SMS group in my

capacity as Minister and have no knowledge of what groups or informal messaging platforms other Ministers were part of.

131. I am aware that my former Department has supplied my phone to a contractor to see if anything can be retrieved.
132. I don't recall using my personal phone in my capacity as Minister during this period. I have since changed my personal phone as part of a contract change. The previous device was factory reset and disposed of. I do have access to personal cloud-based apps and programmes, however those which were used in my MLA role were deleted when I left politics. I do not have the technical know how to access my cloud based apps away from my current phone, however I can seek assistance from the NICS to try to achieve this if the Inquiry thinks this will be of use.
133. I assume the reference to 'chat' in handwritten notes of Executive meetings refers to comments/information from Ministers and officials via the Chat Function when meetings were on-line. From memory these were always read out to ensure everyone at the meeting was aware of them.

Personal Notebooks

134. On occasion I would make handwritten notes on my hard copy Executive papers. After Executive meetings I handed the file back to my Private Office. I also made notes during Ministerial meetings in work notebooks which I stored in my constituency office with all other work-related material. After I lost my seat, I had to close my constituency office. As I was leaving politics completely to embark on a new career and had no need to retain information from my time in politics, and to ensure compliance with GDPR, I shredded all of the documents and notebooks in the constituency office and they were commercially disposed of.

Lessons learned

135. In my statement above I have highlighted times and aspects where I thought the Executive's response worked well and have also set out examples of how and when there was dysfunction. As a single party Minister, of a Department not deemed to have a core role in responding to and managing the pandemic, my experience of the

Executive at this time will be distinct from the experience of Ministers with party colleagues around the table. As I have outlined previously, with the benefit of hindsight I would have liked to have had more information about the wider impacts of the NPIs that we were considering as part of our early response to the pandemic. As our experience developed, we acquired greater insights into these impacts, but it would have benefitted the decision making to have these at our disposal earlier in the response. It is not possible to say whether it would have led to a different decision being taken, but the decision would have been more rounded and informed. I am thinking, in particular, of more vulnerable citizens that live in Northern Ireland.

136. With respect to s75 of the Northern Ireland Act 1998, in my own view it is imperative that these considerations remain at the centre of decision making in any future pandemic response.
137. As the pandemic progressed behaviour science was a useful tool in assessing the need and utility of the NPIs. In my own view, it would have been useful to incorporate this into the Executive's response from an earlier point in that process.
138. Another key area for learning and improvement is the need for the timely release of information to all Ministers to ensure they can obtain advice from officials. This was often a fast-paced situation but on too many occasions information was issued too late by TEO which left insufficient time to obtain advice from officials which is not conducive to good governance and decision making on such critical and impactful issues to people's lives and livelihoods.
139. A final area for improvement that occurs to me would be more inclusive decision making. At times, being a single party Minister with responsibility for a Department whose functions only tangentially touched on the pandemic response, meant that I sometimes felt that I was at Executive meetings that were to formally approve pre-agreed decisions. Including all Ministers in these discussions would benefit the decision-making process. It would also help to build and maintain relationships among all Ministers.

This statement is true and accurate to the best of my knowledge and belief.

Personal Data

Signed:- NICHOLA MALLON

Date:- 23rd February 2024

ANNEX A

DFI SENIOR STAFF – JANUARY 2020 TO JUNE 2020

Permanent Secretary Katrina Godfrey					
Deputy Secretary Transport & Resources John McGrath		Deputy Secretary Planning, Water & DVA Julie Thompson		Deputy Secretary – Roads & Rivers Andrew Murray	
Director of Public Transport	Tom Reid	Director of Regional Planning & Chief Planner	Angus Kerr	Director of Networks Services	Conor Loughrey
Director of Transport Policy	Liz Loughran	Director of Strategic Planning	Alistair Beggs	Director of Major Programmes & Procurement	John Irvine
Director of Safe & Accessible Travel	Chris Hughes	Chief Executive of DVA	Paul Duffy (until 26 April 2020) Jeremy Logan (wef 27 April 2020)	Director of Engineering	Deidre Mackle
Director of Finance	John McNeill	Director of Water Drainage & Policy	Linda MacHugh (finished on 23 August 2020)	Director of Rivers	Jonathan McKee
Director of Corporate Policy & Planning	Michaela Glass	Director of Living with Water Programme	Simon Richardson		
Director of Gateways & EU Relations	Jackie Robinson				
Director of Digital & Information Services	Tom Kennedy				

ANNEX A

DFI SENIOR STAFF – JULY 2020 TO DECEMBER 2020

Permanent Secretary Katrina Godfrey					
Acting Deputy Secretary Resources, Governance and EU Group Linda MacHugh (from 24 August 2020 to 21 May 2021)		Deputy Secretary Planning, Water & DVA Julie Thompson		Deputy Secretary – Roads & Rivers Andrew Murray	
Director of Public Transport	Tom Reid Jackie Robinson (started 1 November 2020)	Director of Regional Planning & Chief Planner	Angus Kerr	Director of Networks Services	Conor Loughrey
Director of Living with Water Programme	Simon Richardson	Director of Strategic Planning	Alistair Beggs	Director of Major Programmes & Procurement	John Irvine
Director of Finance	Susan Anderson (Started 19 October 2020)	Chief Executive of DVA	Jeremy Logan	Director of Engineering	Deidre Mackle
Director of Corporate Policy & Planning From 28 September 2020	Sian Kerr (started 28 September 2020)	Director of Safe & Accessible Travel	Chris Hughes	Director of Rivers	Jonathan McKee
Director of Gateways & EU Relations	Bernie Rooney	Director of Transport Policy	Liz Loughran		
Director of Digital & Information Services	Tom Kennedy				
Acting Director of Water Drainage & Policy	Damian Curran (from September 2020 to November 2021)				

Permanent Secretary Katrina Godfrey					
Deputy Secretary Resources, Governance and EU Group Declan McGeown (Started 21 May 2021)		Deputy Secretary Planning, Water & DVA Julie Thompson		Deputy Secretary – Roads & Rivers Andrew Murray	
Director of Public Transport	Jackie Robinson	Director of Regional Planning & Chief Planner	Angus Kerr	Director of Networks Services	Conor Loughrey
Director of Living with Water Programme	Simon Richardson	Director of Strategic Planning	Alistair Beggs	Director of Major Programmes & Procurement	John Irvine
Director of Finance	Susan Anderson	Chief Executive of DVA	Jeremy Logan	Acting Director of Engineering	David Porter (from 1 December 2020)
Director of Corporate Policy & Planning From 28 September 2020	Sian Kerr	Director of Safe & Accessible Travel	Chris Hughes	Director of Rivers	Jonathan McKee
Director of Gateways & EU Relations	Bernie Rooney	Director of Transport Policy	Liz Loughran		
Director of Corporate Support Services	Linda MacHugh (started 22 May 2021)				
Director of Corporate Support Services	Damian Curran				

Permanent Secretary Katrina Godfrey					
Deputy Secretary Resources, Governance and EU Group Declan McGeown		Deputy Secretary Planning, Water & DVA Julie Thompson		Deputy Secretary – Roads & Rivers Andrew Murray	
Director of Public Transport	Jackie Robinson	Director of Regional Planning & Chief Planner	Angus Kerr	Director of Networks Services	Conor Loughrey
Director of Living with Water Programme	Simon Richardson	Director of Strategic Planning	Alistair Beggs	Director of Major Programmes & Procurement	John Irvine
Director of Finance	Susan Anderson	Chief Executive of DVA	Jeremy Logan	Acting Director of Engineering	David Porter
Director of Corporate Policy & Planning	Sian Kerr	Director of Safe & Accessible Travel	Chris Hughes	Director of Rivers	Jonathan McKee
Director of Gateways & EU Relations	Bernie Rooney	Director of Transport Policy	Liz Loughran		
Director of Digital & Information Services	Linda MacHugh				
Director of Water Drainage & Policy	Alison Clydesdale (started 10 November 2021)				

ANNEX A

DFI SENIOR STAFF – DECEMBER 2021 TO FEBRUARY 2022

Permanent Secretary Katrina Godfrey					
Deputy Secretary Resources, Governance and EU Group Declan McGeown		Deputy Secretary Planning, Water & DVA Julie Thompson		Deputy Secretary – Roads & Rivers Colin Woods (Started 7 February 2022)	
Director of Public Transport	Jackie Robinson	Director of Regional Planning & Chief Planner	Angus Kerr	Director of Networks Services	Conor Loughrey
Director of Living with Water Programme	Simon Richardson	Director of Strategic Planning	Alistair Beggs	Director of Major Programmes & Procurement	Kaine Lynch (started 20 December 2021)
Director of Finance	Susan Anderson	Chief Executive of DVA	Jeremy Logan	Director of Engineering	David Porter (permanent postholder from 21 January 2021)
Director of Corporate Policy & Planning	Sian Kerr	Director of Safe & Accessible Travel	Chris Hughes	Director of Rivers	Jonathan McKee
Director of Gateways & EU Relations	Bernie Rooney	Director of Transport Policy	Liz Loughran		
Director of Digital & Information Services	Linda MacHugh				
Director of Water Drainage & Policy	Alison Clydesdale				

ANNEX B

Key Decisions Taken

- **13 March 2020** - Agreed by Urgent procedure by FM & dFM - **DfI Executive paper - E (UP) (20) 06 CORONAVIRUS (EMERGENCY) BILL** – [Exhibit NM/54 INQ000408221], [Exhibit NM/55 INQ000408222], [Exhibit NM/56 INQ000408223], [Exhibit NM/57 INQ000408224], [Exhibit NM/58 INQ000408225] [Exhibit NM/59 INQ000408226], [Exhibit NM/60 INQ000408227]. During the COBRA meeting on 11 March 2020 reference was made to powers being taken in the Coronavirus (Emergency) Bill to facilitate the suspension of operations at ports where the Secretary of State considers that there is a real and significant risk to security as a result of insufficient immigration officers. This urgent procedure was to ask the Executive to agree a joint protocol with the Department for Transport and the Home Office regarding the triggering of a power to close ports in the Coronavirus (Emergency) Bill.
The Home Office requested agreement of Northern Ireland Executive by 12 March, and an Executive paper was brought forward to seek this approval.
- **14 March 2020** – the Minister for Infrastructure issues emergency letter on planning restrictions for food and essential deliveries to support the response to COVID-19 [Exhibit NM/61 INQ000408230].
- **19 March 2020** – Press release – Driving tests suspended for 3 months – [Exhibit NM/61 INQ000408230].
- **20 March 2020** - Minister announces reduction in public transport services as response to COVID-19 outbreak – [Exhibit NM/62 INQ000408231].
- **21 March 2020** - Temporary relaxation of the enforcement of drivers' hours rules for all sectors – [Exhibit NM/63 INQ000408232].
- **24 March 2020** – All MOT Testing suspended immediately – [Exhibit NM/64 INQ000408233].

- **25 March 2020** – Minister Mallon puts measures in place to protect the most vulnerable and those using community transport – **[Exhibit NM/51 INQ000408234]**.
- **26 March 2020** – Free Public Transport for Health Care workers – **[Exhibit NM/65 INQ000408235]**.
- **27 March 2020** – Minister Mallon provided an update to the assembly and staff of the ongoing efforts by the Department in tackling the response to the pandemic, in these first few weeks. It outlines actions taken across public transport, water infrastructure, freight and haulage, ports and ferries, community transport, MOTs and planning – **[Exhibit NM/66 INQ000408236]**, **[Exhibit NM/67 INQ000408237]** & **[Exhibit NM/68 INQ000408238]**.
- **3 April 2020** - Agreed at Executive meeting - **Dfl Executive Paper - E (20) 45 (C) SUPPLY CHAIN RESILIENCE** Recommendations were that the Executive: -
 - i. note the emerging threat to the resilience of the supply chain due to commercial decisions triggered by COVID-19;
 - ii. agree to make the case to UKG for national intervention to protect the supply chain;
 - iii. note that a UKG intervention may not be sufficient or come in time to meet the Northern Ireland need and that short term solutions may be required – **[Exhibit NM/69 INQ000408239]**, **[Exhibit NM/70 INQ000408240]**, **[Exhibit NM/71 INQ000408241]**, **[Exhibit NM/72 INQ000408242]**, **[Exhibit NM/73 INQ000408243]** & **[Exhibit NM/74 INQ000408244]**.
- **6 April 2020** – Minister Mallon delivers MOT test centres to help fight COVID-19 – **[Exhibit NM/75 INQ000408246]**.
- **9 April 2020** - Essential services for vulnerable people living in rural areas **[Exhibit NM/52 INQ000408247]**.
- **10 April 2020** – Minister Mallon confirms automatic renewal of licenses for Taxi Industry in COVID-19 Response – **[Exhibit NM/76 INQ000408248]**.
- **10 April 2020** - Written Ministerial Statement – taxi licensing mitigations introduced – **[Exhibit NM/77 INQ000408249]**, **[Exhibit NM/78 INQ000408250]**, **[Exhibit NM/79**

INQ000408251], [Exhibit NM/80 INQ000408252], [Exhibit NM/81 INQ000408253, [Exhibit NM/82 INQ000408254], [Exhibit NM/83 INQ000408255], [Exhibit NM/84 INQ000408256], [Exhibit NM/85 INQ000408258], [Exhibit NM/86 INQ000408259] & – [Exhibit NM/87 INQ000408261]

- **16 April 2020** - Minister Mallon confirms Newtownards MOT centre opens as COVID-19 testing facility – [Exhibit NM/88 INQ000408262].
- **16 April 2020** - Minister Mallon updates Assembly COVID-19 Ad Hoc Committee on how DfI has been playing its part in the fight back – [Exhibit NM/89 INQ000408263], [Exhibit NM/90 INQ000408264], [Exhibit NM/91 INQ000408265], [Exhibit NM/92 INQ000408266], [Exhibit NM/93 INQ000408267][Exhibit NM/94INQ000408268], [Exhibit NM/95 INQ000408270] & [Exhibit NM/96 INQ000408271]
- **17 April 2020** – Statement by Infrastructure Minister Nichola Mallon MLA – NI Executive daily Covid-19 briefing – 17 April 2020 –[Exhibit NM/97 INQ000408273].
- **24 April 2020** – Minister Mallon secures £17m support package for ferries to keep supply chains open –[Exhibit NM/98INQ000408274].
- **27 April 2020** – Minister Mallon announces temporary changes to major planning application process to keep NI moving forward – [Exhibit NM/99INQ000408275].
- **29 April 2020** – Minister Mallon announces DVA contact point to assist customers during COVID-19 – [Exhibit NM/100 INQ000408276].
- **1 May 2020** – Following Executive agreement on 17 April 2020, Minister Mallon announces temporary financial support package of £5.7m for the George Best Belfast City Airport and the City of Derry Airport (£3.3m came from DfI, the remainder came from DfT in relation to transport support) [Exhibit NM/101 INQ000408278].
- **1 May 2020** - Guidance on temporary changes to major planning application process due to COVID-19 – [Exhibit NM/102 INQ000408279].

- **5 May 2020** – SUB-1305-2020 – Minister Mallon updates Assembly on Department’s COVID-19 response – [Exhibit NM/103 INQ000408280], [Exhibit NM/104 INQ000408281], [Exhibit NM/105 INQ000408282], [Exhibit NM/106 INQ000408283], [Exhibit NM/107 INQ000408284], [Exhibit NM/108 INQ000408285], [Exhibit NM/109 INQ000408287] & [Exhibit NM/110 INQ000408288]

- **5 May 2020** – Minister Mallon announces automatic one year MOT exemption – [Exhibit NM/111 INQ000408290].

- **8 May 2020** – Minister Mallon approves changes to public transport provision and measures to ensure continued safety of staff and passengers during the COVID-19 outbreak – [Exhibit NM/112 INQ000408291].

- **26 May 2020** – Minister Mallon’s statement to Assembly on the Department’s response to COVID-19 – [Exhibit NM/113 INQ000408292], [Exhibit NM/114 INQ000408293], [Exhibit NM/115 INQ000408294], [Exhibit NM/116 INQ000408295], [Exhibit NM/117 INQ000408296], [Exhibit NM/118 INQ000408297], [Exhibit NM/119 INQ000408299] &– [Exhibit NM/120 INQ000408300]

- **18 June 2020** – Agreed at Executive meeting - DfI Executive Paper - E (20) 143 (C) BUSINESS AND PLANNING BILL: LEGISLATIVE CONSENT MOTION [Exhibit NM/121 INQ000408302] & [Exhibit NM/122 INQ000408303]
 Recommendations were that the Executive agree to: -
 - I. the laying of a Legislative Consent Memorandum in relation to Clause 10 of the Business and Planning Bill, which provides for the issue of 1-year licenses to certain bus and lorry drivers in Northern Ireland; and
 - II. the tabling of a Legislative Consent Motion

- **22 June 2020** – Minister Mallon plans for phased return of MOT and Driver Testing Services – [Exhibit NM/123 INQ000408304].

- **30 June 2020** - Minister Mallon confirms resumption of Disability Action Transport Services - 30 June 2020 [**Exhibit NM/124 INQ000408305**].

- **2 July 2020** – Agreed at Executive meeting Dfl Executive Paper - E (20) 161 (C) COVID-19: REQUIREMENTS FOR MANDATORY FACE COVERINGS ON PUBLIC TRANSPORT – [**Exhibit NM/125 INQ000408306**] & [**Exhibit NM/126 INQ000408307**]

- Recommendations were: -
 - (i) to implement a mandatory requirement for face coverings on public transport from 10 July 2020, to be taken forward by means of an amendment to the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020;
 - (ii) that the definition of public transport would include all services delivered under a Public Service Agreement (Translink), commercial bus service permit and Strangford and Rathlin ferries; and
 - (iii) that the cross Departmental group on face coverings would engage with private operators to explore any extension of this requirement.

- **2 July 2020** – Minister Mallon announces face coverings to be mandatory on public transport from 10 July 2020 – [**Exhibit NM/127INQ000408309**].

- **28 July 2020** – Minister Mallon plans to resume further MOT services and car and lorry driving tests – [**Exhibit NM/128 INQ000408310**].

- **6 August 2020** - Agreed at Executive meeting - Dfl Executive Paper - E (20) 193 (C) COVID-19: RAISING THE SEA PORT LOAN AND GRANT LIMIT BY ACCELERATED PASSAGE – [**Exhibit NM/129INQ000408311**] & [**Exhibit NM/130 INQ000408312**].

- Recommendations were that the Executive agree to: -
 - I. the final policy content of a proposed Harbours Bill needed to increase the total loan and grant limit for sea ports;
 - II. an in-year bid for inclusion of the required Bill in the legislative programme by accelerated passage; and
 - III. that my officials engage with the Office of Legislative Counsel.

- **10 September 2020** - Agreed at Executive meeting - DfI Executive Paper - E (20) 207(C) COVID-19: INFRASTRUCTURE RECOVERY – **[Exhibit NM/131 INQ000408313] & [Exhibit NM/132 INQ000408314]**

- Recommendations were that the Executive: -
 - I. note the progress that has been made by my Department on COVID-19 recovery;
 - II. agree that the Executive’s recovery plans, Investment Strategy and Programme for Government must fully recognise the importance of investment in infrastructure to help improve the economy and the wellbeing of our citizens.

- **29 October 2020** - Agreed at Executive meeting - DfI Executive Paper - E (20) 258 (C) FINANCIAL ASSISTANCE DUE TO CORONAVIRUS FOR THE TAXI, PRIVATE BUS AND COACH INDUSTRY –**[Exhibit NM/133 INQ000408315] & [Exhibit NM/134 INQ000408316]**

- Recommendations were that the Executive: -
 - I. note the First and deputy First Ministers’ designation that DfI should provide financial assistance to the taxi, private bus and coach sectors;
 - II. endorse proposals to provide financial assistance to mitigate the effect of this hardship by means of two schemes provided for in accordance with the Financial Assistance Act (NI) 2009; and
 - III. approve the funding bid to cover the cost of these schemes (£25m).

- **5 November 2020** - Agreed at Executive meeting - DfI Executive Paper- E (20) 260 INTRODUCTION OF THE HARBOURS (GRANTS AND LOANS LIMIT) BILL TO THE ASSEMBLY — **[Exhibit NM/135 INQ000408317],– [Exhibit NM/136 INQ000408318],[Exhibit NM/137 INQ000408319], [Exhibit NM/138 INQ000408320] &– [Exhibit NM/139 INQ000408321],[Exhibit NM/140 INQ000408322], [Exhibit NM/141 INQ000408323], [Exhibit NM/142 INQ000408324], [Exhibit NM/143 INQ000408325] &– [Exhibit NM/144 INQ000408326].**

- Recommendations were that the Executive agree to: -
 - I. the Harbours (Grants and Loans Limit) Bill, attached to paper; and
 - II. the Bill’s introduction in the Assembly.

- **19 November 2020** – Following agreement with Executive colleagues to provide further short-term funding until March 2021 to City of Derry Airport, Minister Mallon announces up to £1.23m in additional support for the Airport – **[Exhibit NM/145 INQ000408327]**.
- **7 January 2021** - Minister Mallon re-instates free car parking for NHS staff at Crumlin Road Gaol **[Exhibit NM/146 INQ000408328]**.
- **14 January 2021** - Agreed at Executive meeting - DfI Executive Paper - E (21) 009 (C) FURTHER FINANCIAL ASSISTANCE TO TAXI DRIVERS DUE TO CORONAVIRUS – **[Exhibit NM/147INQ000408329] & [Exhibit NM/148INQ000408330]**.
- Recommendations were that the Executive: -
 - I. approve proposals to provide financial assistance to mitigate in part the effect of the financial pressures on taxi drivers by means of a further scheme provided for in accordance with the Financial Assistance Act (NI) 2009;
 - II. support request to the First and deputy First Ministers seeking a further designation that DfI should provide financial assistance to taxi drivers under the Financial Assistance Act (Northern Ireland) 2009; and
 - III. note the funding arrangements to cover the cost of the second scheme (£10m) to be funded from the £25m provided to the Department for Infrastructure in October, of which some £6m is still being held at the centre.
- **20 January 2021** - Transport for rural communities to Covid centres **[Exhibit NM/149 INQ000408332]**.
- **18 February 2021** - Agreed at Executive meeting - DfI Executive Paper - E (21) 045 (C) FURTHER FINANCIAL ASSISTANCE DUE TO CORONAVIRUS FOR PRIVATE BUS AND COACH INDUSTRY – **[Exhibit NM/150 INQ000408333] & [Exhibit NM/151 INQ000408334]**
- Recommendations were that the Executive: -

- I. approve proposals to provide financial assistance to mitigate in part the effect of the financial pressures on bus and coach operators, covering the period 1 October 2020 to 31 March 2021, by means of a further scheme provided for in accordance with the Financial Assistance Act (NI) 2009;
 - II. agree that the First Minister and deputy First Minister should make a further Determination and Designation that under the Financial Assistance Act (Northern Ireland) 2009 in respect of financial assistance to bus and coach operators; and
 - III. note the funding arrangements to cover the cost of the second scheme to be funded from the £25m already provided to the Department for Infrastructure
- **28 March 2021** - SSE traffic management plan [**Exhibit NM/152 INQ000408335**].
 - **29 March 2021** - Social media post – Free car parking and shuttle bus to SSE Vaccination Centre [**Exhibit NM/153 INQ000408336**].
 - **8 July 2021** – Written Ministerial Statement from the First and deputy First Minister – Decisions of the Executive on COVID-19 – relaxations outlined including guidance for social distancing on public transport – [**Exhibit NM/154 INQ000408337**], [**Exhibit NM/155 INQ000408338**] & [**Exhibit NM/156 INQ000408339**]
 - **12 August 2021** - Written Ministerial Statement from the First and Deputy First Minister – Decisions of the Executive on COVID-19 – requirement for social distancing on public transport lifted – [**Exhibit NM/157 INQ000408340**] & [**Exhibit NM/158 INQ000408341**]
 - **31 August 2021** - Extension of free public transport for healthcare workers [**Exhibit NM/159 – INQ000408342**].
 - **16 December 2021** – Mallon welcomes arrival of first electric bus for Community transport operator funded through £1.36 million pilot scheme – includes acknowledgement of work of operators through pandemic [**Exhibit NM/160 INQ000408343**].

- **20 January 2022** - Agreed at Executive meeting - DfI Executive Paper - E (22) 018 (C) FURTHER FINANCIAL ASSISTANCE FOR PRIVATE BUS AND COACH INDUSTRY DUE TO CORONAVIRUS – [Exhibit NM/161INQ000408344] & [Exhibit NM/162INQ000408345]

- Recommendations were that the Executive: -
 - I. approve proposals to provide financial assistance to mitigate in part the effect of the financial pressures on bus and coach operators, covering the period 1 April 2021 to 31 January 2022, by means of a further scheme provided for in accordance with the Financial Assistance Act (NI) 2009;
 - II. agree that the First Minister and deputy First Minister should make a determination under the Financial Assistance Act (Northern Ireland) 2009 and designate DfI as the relevant Department to make a scheme of financial assistance.; and
 - III. note this is subject to a successful bid to cover the cost of the third scheme.