

**Departmental Comments provided by:** Name Redacted

- This paper reports on the fourth review of the need for the restrictions and requirements in the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (“the No. 2 Regulations”).
- The No. 2 Regulations require the Department of Health to review the need for the restrictions and requirements in the Regulations at least every 28 days.
- The fourth review continues to be guided by the four principles that the Executive agreed in May 2020: focus on purpose; necessity; proportionality; reliance on evidence.
- The Health Minister reports while there has been a significant reduction in incidence since the peak in mid-October, numbers are still well above the level of transmission that we had in mid-September, and in some areas the incidence has risen in the past month.
- The situation in the hospitals remains perilous with all our hospitals running near, at or indeed above full capacity in some cases.
- A further key issue is the high number of staff absent due to COVID-19, either ill or self-isolating. This has exacerbated an already difficult staffing position and added to the significant workforce pressures felt across the system.
- The Minister reports that the staffing resource requirements for the NI Contact Tracing Service are continually kept under review with recruitment actively ongoing. Advances in use of digital components have produced a collective positive impact on the overall level of service.

- The paper recognises many key behavioural risk factors are worsening and adversely impacting some people, including in particular alcohol consumption, overweight and obesity, and increased sedentary behaviour.
- Emerging evidence suggests that the disease burden from conditions such as mental health is rising, as well as there being a measurable increase in cases of domestic violence. It is likely to take time for the full effect to be known, but the Department continues to monitor the emerging evidence.



- The Recommendations/ decision sought are:
  - the requirement in regulation 3 for a review of the need for the restrictions and requirements in the No. 2 Regulations has been duly met;
  - the current restrictions and requirements in the No. 2 Regulations, as amended, are at this point in time an appropriate and necessary response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Northern Ireland;
  - overall the restrictions and requirements imposed by these Regulations continue to be proportionate to what the Regulations seek to achieve, which is a public health response to that infectious disease threat in the context of the increasing rate of infection in Northern Ireland since September; and
  - this is a fast-changing scenario which requires us to take complex and detailed decisions speedily over the coming days and weeks in order to achieve the least harmful balance between health protection measures and normal freedoms.

**The paper also reveals that with regard to the current restrictions (The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 10) Regulations (Northern Ireland) 2020) owing to a provision in the Interpretation Act (NI) 1954, the day on which the amendment was made is not included in the four-week period, so the period begins on Saturday 17 October and ends at the end of Friday 13 November, not at the end of Thursday 12 November.**

The CSO reports:

The current estimate of  $R_t$  (new positive tests): 0.7 – 0.95  
(definitely below 1);

Over the last week, the number of cases has continued to decline, though at a slower rate than during the previous week.  $R_t$  for cases has increased somewhat and is around 0.8 and rising. This remains in line with original estimates; and

NI now has a lower incidence than either England or Wales, though significantly higher than ROI.

**FROM: DIANE DODDS MLA**

**Our Ref:**  
**Your Ref:**

**DATE: November 2020**

**TO: Robin Swann MLA**

**HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS) (No. 2)  
REGULATIONS (NORTHERN IRELAND) 2020: FOURTH REVIEW OF  
THE NEED FOR THE RESTRICTIONS AND REQUIREMENTS  
EXECUTIVE PAPER:**

Thank you for your draft Executive paper of 11 November 2020 regarding the above.

I have noted the contents of the paper. I am surprised to learn that The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 10) Regulations (Northern Ireland) 2020 do not expire today at 23.59 as has previously been communicated to the citizens of Northern Ireland via the Executive. This is a cause of serious concern that we are only today learning of this matter.

I note that many key behavioural risk factors are worsening and adversely impacting some people, including in particular alcohol consumption, overweight and obesity, increased sedentary behaviour alongside emerging evidence suggesting that the disease burden from conditions such as mental health is rising, as well as there being a measurable increase in cases of domestic violence. Sadly this reflects the evidence I have been sharing with Executive colleagues. It reinforces the necessity for a fresh approach to allow a collective use of resources to tackle the pandemic wherein citizens do not face continuing uncertainty caused by recurring lockdowns.

LPP/LAP

I am copying this to the Attorney General, Departmental Solicitor's Office, First Legislative Counsel and to Executive Secretariat.

**DIANE DODDS MLA**