

FROM THE OFFICE OF THE JUSTICE MINISTER



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**FROM: NAOMI LONG MLA  
MINISTER OF JUSTICE**

**DATE: 6 MAY 2020**

**TO: DAVID STERLING  
HOCS**

#### **EXECUTIVE APPROACH TO CORONAVIRUS DECISION-MAKING**

Thank you for sight of the draft papers and proposals and for the opportunity to respond in advance of Executive discussion tomorrow.

While it is disappointing that we cannot deliver a comprehensive roadmap for easing restrictions ahead of tomorrow's meeting, as was agreed at Executive on Monday 4<sup>th</sup> May, I do appreciate that this was always a very ambitious ask. I therefore believe we must be pragmatic about what we can achieve in that timeframe, whilst ensuring our public messaging and the evidence base remains clear and consistent in the interim.

There is now a real risk, not least with the Bank Holiday weekend, that if we do not set out a clear, coherent and collective plan for emerging from lockdown in a safe way or indicate a firm, early date on which we will do so, we will miss the opportunity to manage this phase of the pandemic. We are already seeing the first signs of an uncontrolled and, in some cases, unhelpful ad hoc relaxation by the public which is reminiscent of the start of lockdown and has the effect of adding to individuals' stress and anxiety.

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The danger of such an unstructured approach is that, should R begin to rise above 1, we will be unable to disaggregate the actions which may have contributed to that and will, therefore, struggle to reverse the relaxations effectively or proportionately, one stage at a time. This could require a return to full lockdown in future, the economic and psychological consequences of which are likely to be much more significant than the original lockdown.

It is vital that the strategy is informed and underpinned by the best scientific evidence available. We can assist by triaging activities, for example, into low, moderate and high risk and high, medium and low impact at departmental level to assist with the prioritisation of activities, provided there is a clear public health rationale to ensure those terms are being consistently applied across government. Department of Health (DoH) input would also be required to assess the cumulative impact of the actions in each phase, to ensure they represent a coherent position from a health perspective which is at the same time manageable from a public messaging perspective. We also need to match this strategy with developing test and trace capacity, as this is vital for tracking spread within the community and for building public confidence as we emerge from lockdown.

I am somewhat confused as to the status of the review being undertaken by DoH which is mentioned within the paper and how it will dovetail with this more strategic approach agreed by the Executive. I understand that DoH have a legal duty to review the regulations ahead of each three-week point, but my understanding of the Executive's

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direction on Monday was that we intended to synchronise reviews with the phases of the strategic plan in order that they would focus on assessing the impact of the previous relaxations on key metrics (such as Covid 19-related hospital admissions, ICU admissions and deaths) ahead of recommending whether or not we should proceed to the next phase of relaxations. Given that this work is conducted by a small team, I believe that this would provide a much more streamlined, coherent and less onerous approach than processing individual requests for relaxation on a rolling basis. It would also make public communication of what we expect from and can offer the public in each phase much clearer.

With this in mind, my preference is option 2, albeit that I think it still requires further work ahead of publication tomorrow. I also believe it must include a clear commitment to publish the complete road map at the earliest opportunity and certainly not later than next week. Failure to do runs the risk that the window of opportunity to shape the relaxations strategically will have closed. What is contained within option 2 provides some consistency with the full roadmap, unlike option 1 which contains three stages rather than five and therefore may cause confusion.

In addition, I think the societal and family aspects of the regulations are consistently overlooked – perhaps unsurprisingly, given that this matter is not one which fits comfortably into any Departmental business area – but it is something that affects us all and on which people are increasingly seeking clarity.

For example, it is rational to focus on how and when to encourage and facilitate people to go back to work and to look ahead for certain businesses who may be able to open

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their doors in the coming weeks and months, but a missing part of the puzzle is how families and communities can interact with each other going forward. We therefore need to provide some guidance about inter-generational contact, family or friends gathering in small groups, and when and how we should approach this vital part of our lives and that of our communities.

We are all aware of the impact that lockdown can have on the mental health of those who were already struggling or who have now found themselves struggling with isolation. Furthermore, for many people to return to work, they will rely on family and friends to assist with informal childcare: clarity on what is and is not safe and appropriate is essential if we are to create the confidence and the conditions for people to be able to return to work and rebuild these important parts of their lives.

I trust that this is helpful in shaping the plans going forward. I have circulated this correspondence to Executive colleagues, the CMO and the CSO.

Best Regards,

**Personal Data**

**NAOMI LONG MLA**  
**Minister of Justice**