

# **AD HOC JOINT COMMITTEE TO CONSIDER THE MENTAL CAPACITY BILL**

## **MINUTES OF PROCEEDINGS**

**Monday, 15 June 2015  
Room 30, Parliament Buildings**

**Present:** Mr Alastair Ross MLA (Chairperson)  
Mr Patsy McGlone MLA (Deputy Chairperson)  
Mrs Pam Cameron MLA  
Mrs Jo-Anne Dobson MLA  
Mr Alex Easton MLA  
Mr Tom Elliott MLA  
Mr Seán Lynch MLA  
Mr Kieran McCarthy MLA  
Mr Raymond McCartney MLA  
Ms Rosie McCorley MLA  
Mr Edwin Poots MLA

**Apologies:** None

**In Attendance:** Dr Kathryn Aiken (Clerk)  
Ms Sohui Yim (Assistant Clerk)  
Mr Craig Mealey (Clerical Officer)

*The meeting commenced at 12.05pm in public session.*

### **1. Apologies**

Apologies are detailed above.

### **2. Chairperson's Business**

The Chairperson reminded Members that the Mental Capacity Bill was introduced last Monday, that second stage of the Bill will take place tomorrow and that the call for written evidence on the Bill has issued with a closing date of 7 July 2015.

The Chairperson suggested to Members that, as the Bill closely follows the English Mental Capacity Act 2005, it would be useful to ask the Departments to provide a table showing where the provisions in the Bill match and where they depart from the English 2005 Act. Where there are differences, the Committee

could also ask that the document includes an explanation on why the Bill is taking a different approach.

*Agreed:* Content to ask the Departments to prepare this document.

### **3. Draft minutes**

The minutes of the Committee meeting on Monday, 8 June 2015 were agreed.

### **4. Background Papers**

The Committee noted papers relating to the Bill including a Clerk's memo on the 1 June evidence session, a Clerk's memo on Parts 5,6,7,9 and 10 of the Bill, the Bill, the Explanatory and Financial Memorandum (EFM), and the consultation summary report.

*Agreed:* Content to write to the Departments to request written answers from issues arising on 1 June evidence session, as outlined in the Clerk's memo.

### **5. Draft Mental Capacity Bill – Briefing by Departmental Officials**

The Committee heard evidence from:

Lisa Trueman	Mental Capacity Bill Team, DHSSPS
Clare Irvine	Mental Capacity Bill Team, DOJ
Peter Luney	Head of Court Operations NI Courts and Tribunal Service
Alan Weir	Mental Capacity Bill Team, DOJ
Jackie McQuillan	Mental Capacity Bill Team, DOJ

A question and answer session ensued.

*Tom Elliott joined the meeting at 12.18pm.*

*Jo-Anne Dobson left the meeting at 12.24pm.*

*Patsy McGlone joined the meeting at 12.28pm.*

*Edwin Poots joined the meeting at 12.38pm.*

*Pam Cameron left the meeting at 1.04pm.*

*Alex Easton joined the meeting at 1.11pm.*

*Kieran McCarthy left the meeting at 1.27pm.*

*Edwin Poots left the meeting at 1.29pm.*

The Chairperson thanked the officials for attending.

### **6. Forward Work Programme**

Members noted the forward work programme.

The Chairperson advised Members that six expert witnesses have been confirmed for the roundtable discussion for the meeting on 29 June.

*Agreed:* To host a lunch for the experts after the meeting to have an opportunity for more informal discussions on the Bill.

**7. Any Other Business**

None.

**8. Date, Time and Place of Next Meeting**

The next Committee meeting will be on Monday, 22 June 2015 at 12pm in Room 30, Parliament Buildings.

*The Chairperson adjourned the meeting at 1.47pm.*

Signed: \_\_\_\_\_  
*Chairperson*

Date: \_\_\_\_\_