

AD HOC JOINT COMMITTEE TO CONSIDER THE MENTAL CAPACITY BILL

MINUTES OF PROCEEDINGS

Monday, 30 November 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 Paul Frew MLA
Mr Kieran McCarthy MLA
Mr Raymond McCartney MLA
Ms Rosie McCorley MLA

Apologies: Mr Danny Kennedy MLA

In Attendance: Dr Kathryn Aiken (Clerk)
Ms Elaine Farrell (Assistant Clerk)
Mr Craig Mealey (Clerical Officer)

The meeting commenced at 12.10 pm in closed session.

The following Members were in attendance: Mrs Cameron, Mr Easton, Mr Frew, Mr McCarthy, Mr McGlone and Mr Ross.

1. Further Deliberations on outstanding issues

Noted: The Committee noted the correspondence from the Minister for Justice on Clause 154.

Noted: The Committee noted the correspondence from the Department on proposed amendments to Parts 6, 7, 9 & 10.

Noted: The Committee noted the correspondence from the Department on issues within the Mental Capacity Bill still awaiting Ministerial clearance.

12.11 p.m. Mrs Dobson joined the meeting.

2. Further Deliberations on Clause 5 of the Mental Capacity Bill

The Committee discussed Clause 5 of the Mental Capacity Bill and agreed to seek clarification from departmental officials.

12.19 p.m. The meeting moved into open session.

The following Departmental officials joined the meeting at 12.19 p.m.

Alison McCaffrey, DHSSPS

Lisa Trueman, DHSSPS

The officials participated in a question and answer session in respect of Clause 5.

Agreed: The Committee agreed to write to the Department to ask that it consider an amendment to Clause 5(2) (a).

12.20 p.m. Ms McCorley joined the meeting.

3. Apologies

As above.

4. Chairperson's Business

None.

5. Draft Minutes of the meeting on Monday 23 November 2015

The minutes of the Committee meeting on Monday 23 November 2015 were agreed.

6. Forward Work Programme

Noted: The Committee noted the Forward Work Programme.

7. Background papers

Noted: The Committee noted the background papers in respect of the Mental Capacity Bill.

8. Departmental Evidence Session: Supervision and Assessment Orders

Clare Irvine, DOJ, joined the meeting at 12.25 p.m. and briefed the Committee on Supervision and Assessment Orders and the law around unfitness to be tried. This was followed by a question and answer session.

12.25 p.m. Mrs Dobson and Mr McCarthy left the meeting.

12.35 p.m. Mr Easton left the meeting.

12.36 p.m. Mr McCartney joined the meeting.

Agreed: The Committee agreed to write to DOJ to seek further clarification on an issue in respect of the Protection from Harassment Order.

9. Any Other Business

None.

10. Date, Time and Place of Next Meeting

The next Committee meeting will be on Monday, 7 December 2015 at 12pm in Room 30, Parliament Buildings.

The Chairperson adjourned the meeting at 12.37 pm.

Signed: _____
Chairperson

Date: _____