



Northern Ireland
Assembly

Committee for Health

Minutes of Proceedings

Thursday, 27 January 2022

Meeting Location: virtual meeting

Present by Video or Teleconference:

Colm Gildernew MLA (Chairperson)

Pam Cameron MLA (Deputy Chairperson)

Paula Bradshaw MLA

Gerry Carroll MLA

Alan Chambers MLA

Deborah Erskine MLA

Órlaithí Flynn MLA

Colin McGrath MLA

Carál Ní Chuilín MLA

In Attendance by Video or Teleconference:

Keith McBride (Clerk)

Roisin Donnelly (Assistant Clerk)

Deirdre Farry (Assistant Clerk)

Neal Flannigan (Assistant Clerk)

Brendan Miskelly (Clerical Supervisor)



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Ellen Wilson (Clerical Officer)

Chris McAfee (Clerical Officer)

The meeting commenced at 9.33 am in closed session.

1. Abortion Services (Safe Access Zones) Bill – Consideration of Amendments and Draft Report

Bill Clerks, Dr Kathryn Aiken and Denise Morgan joined the meeting by video-conference at 9.33 am.

Alan Chambers joined the meeting at 9.43 am.

The Committee considered a number of amendments from the Bill Sponsor to the Abortion Services (Safe Access Zones) Bill.

The Committee discussed the content it wished to see reflected in its draft report on the Abortion Services (Safe Access Zones) Bill.

The Chairperson thanked the Bill Clerks for their attendance.

The meeting moved to public session at 10.03 am.

2. Abortion Services (Safe Access Zones) Bill – Clause by Clause Consideration

The Committee commenced its formal clause by clause consideration of the Abortion Services (Safe Access Zones) Bill.

The Deputy Chairperson, Pam Cameron and Committee Member, Deborah Erskine outlined concerns in relation to the Bill and advised, that as a consequence of their



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concerns, they would not be taking part in the clause by clause consideration of the Bill.

Clause 2: Premises where abortion treatments are carried out

The Committee considered its proposed amendment to Clause 2.

Clause 2, page 1, line 9,

Leave out from 'treatment' to 'pregnancy' in line 10 and insert 'abortion services'

Agreed: The Committee agreed that it was content with the amendment as drafted.

Agreed: The Committee agreed that it was content with Clause 2 as amended.

Clause 3: Premises where information, advice or counselling about abortion treatments are provided

The Committee considered Clause 3 as drafted.

Agreed: The Committee agreed that it was content with Clause 3 as drafted.

Clause 4: Protected persons

The Committee considered Clause 4 as drafted.

Agreed: The Committee agreed that it was content with Clause 4 as drafted.

Clause 5: Safe access zone

The Committee considered the Bill Sponsor's intention to oppose the question that Clause 5 stand part of the Bill.

Agreed: The Committee agreed that it was not content with Clause 5 as drafted.

Agreed: The Committee agreed it supported the Bill Sponsor's intention to oppose the question that Clause 5 stand part of the Bill.



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New Clause 5A

The Committee considered an amendment proposed by the Bill Sponsor to insert a new Clause 5A.

After clause 5 insert –

‘Establishment of safe access zone

5A.- (1) A safe access zone is established for each protected premises which consists of

(a) the protected premises, including entrances to and exits from the premises, and

(i) the public area outside the protected premises within 100 metres from the entrances to and exits from the premises, or

(ii) the public area outside the protected premises within a distance greater than 100 metres but not exceeding 250 metres, from the entrances to and exits from the premises.

(2) If an operator of a protected premises wishes to extend the safe access zone to a specified distance in accordance with subsection (1) (a) (ii) above, it must notify the Department.

(3) On receipt of such a notification, the Department must publish the extent of the safe access zone within four weeks.

(4) The safe access zone is established for the purpose of subsection (1) (a) (ii) on publication by the Department under subsection (3).

(5) In this section “public area” means a place to which the public has access, without payment, as of right.’

Agreed: The Committee agreed that it was content with the proposed new Clause 5A.



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Agreed: That the Committee recommends to the Assembly that the proposed new Clause 5A be added to the Bill.

Clause 1: Overview

The Committee considered Clause 1 and a consequential amendment proposed by the Bill Sponsor as a result of changes to Clause 5.

Clause 1, page 1, line 2

Leave out 'requires the Department of Health to establish' and insert 'establishes'

Agreed: The Committee agreed that it was content with the amendment as drafted.

Agreed: The Committee agreed that it was content with Clause 1 as amended.

Clause 6: Offences in respect of a safe access zone

The Committee considered the Bill Sponsor's proposed amendment to Clause 6.

Clause 6, page 3, line 4

Leave out subsection (4)

Agreed: The Committee agreed that it was content with the amendment as drafted.

Agreed: The Committee agreed that it was content with Clause 6 as amended.

Clause 7: Enforcement of safe access zone by a constable

The Committee considered Clause 7 as drafted.

Agreed: The Committee agreed that it was content with Clause 7 as drafted.



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Clause 8: Procedure for designating a safe access zone

The Committee considered the Bill Sponsor's intention to oppose the question that Clause 8 stand part of the Bill.

Agreed: The Committee agreed that it was not content with Clause 8 as drafted.

Agreed: The Committee agreed it supported the Bill Sponsor's intention to oppose the question that Clause 8 stand part of the Bill.

New Clause 8A

The Committee considered an amendment proposed by the Bill Sponsor to insert a new Clause 8A.

After clause 8 insert -

'Publication of safe access zones

8A.- The Department must publish a list of all protected premises, and the safe access zones established under section 5A, in such a manner as appears to it to be appropriate.'

Agreed: The Committee agreed that it was content with the proposed new Clause 8A.

Agreed: That the Committee recommends to the Assembly that the proposed new Clause 8A be added to the Bill.

Clause 9: Exercise of functions

The Committee considered the Bill Sponsor's intention to oppose the question that Clause 9 stand part of the Bill.



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Agreed: The Committee agreed that it was not content with Clause 9 as drafted.

Agreed: The Committee agreed it supported the Bill Sponsor's intention to oppose the question that Clause 9 stand part of the Bill.

Clause 10: Monitoring of effectiveness of safe access zones

The Committee considered Clause 10 as drafted.

Agreed: The Committee agreed that it was content with Clause 10 as drafted.

Clause 11 Interpretation

The Committee considered the Bill Sponsor's proposed amendments to Clause 11.

Amendment 1

Clause 11, page 4,

leave out line 17

Amendment 2

Clause 11, page 4,

after line 21 insert

“record” means

(a) To make a recording of sounds; or

(b) To make a recording of moving images; or

(c) To make a recording of moving images accompanied by a recording of sounds;

or

(d) To take a photograph,



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regardless of the medium on which the recording is made or the method by which the sounds or images are reproduced or produced.’

Agreed: The Committee agreed that it was content with the amendments as drafted.

Agreed: The Committee agreed that it was content with Clause 11 as amended.

Clause 12: Commencement

The Committee considered Clause 12 as drafted.

Agreed: The Committee agreed that it was content with Clause 12 as drafted.

Clause 13: Short title

The Committee considered Clause 13 as drafted.

Agreed: The Committee agreed that it was content with Clause 13 as drafted.

Long Title

The Committee considered the Long Title as drafted.

Agreed: The Committee agreed that it was content with the Long Title as drafted.

The Chairperson advised that the formal clause by clause scrutiny of the Abortion Services (Safe Access Zones) Bill had concluded.

The clause by clause consideration of the Bill was reported by Hansard.



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3. Abortion Services (Safe Access Zones) Bill – Consideration of Final Report

The Committee considered its report on the Abortion Services (Safe Access Zones) Bill.

Title Page, Committee Powers and Membership and Table of Contents

The Committee considered the Title Page, Table of Contents, Committee Powers and Membership, and List of Abbreviations and Acronyms as drafted.

Agreed: The Committee agreed that it was content with the Title Page, Table of Contents, Committee Powers and Membership, and List of Abbreviations and Acronyms.

Appendices

The Committee considered the Appendices section of the report.

Agreed The Committee agreed that it was content that the Appendices be included in the report.

Agreed: The Committee agreed that the sections of the report on: Executive Summary; Introduction; Consideration of the Bill Clauses; and Clause by Clause Scrutiny would be circulated to Members for formal consideration and agreement after the meeting and that the final report would be laid with the Business Office on 28 January 2022.

Agreed: The Committee agreed that it was content for the Chairperson to approve the Minutes of Proceedings of this meeting for inclusion in the report.

Agreed: The Committee agreed that it was content for the Report on the Abortion Services (Safe Access Zones) Bill to be published and issued to all MLAs.



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Agreed: The Committee agreed that an electronic copy of the Bill report should be sent to all organisations who provided evidence to the Committee on the Bill.

The consideration and approval of the Committee report session was reported by Hansard.

4. Apologies

None.

5. Chairperson's Business

There was no Chairperson's business.

6. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 25 January 2022.

7. Matters Arising

There were no matters arising.

8. Adoption and Children Bill – Consideration of Final Report

The Committee considered its report on the Adoption and Children Bill.



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The Chairperson declared an interest as formerly being employed as a social worker and currently taking a career break.

Carál Ní Chuilín declared an interest as formerly holding the office of Minister for Culture, Arts and Leisure which included responsibility as the legal keeper of public records.

Title Page, Committee Powers and Membership and Table of Contents

The Committee considered the Title Page, Table of Contents, Committee Powers and Membership, and List of Abbreviations and Acronyms as drafted.

Agreed: The Committee agreed that it was content with the Title Page, Table of Contents, Committee Powers and Membership, and List of Abbreviations and Acronyms.

Executive Summary

The Committee considered the Executive Summary of the report as drafted.

Agreed: The Committee agreed that it was content with the Executive Summary.

Introduction

The Committee considered the Introduction and Committee Approach section of the report (paragraphs 1 to 15) as drafted.

Agreed: The Committee agreed that it was content with the Introduction section of the report.



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Consideration of Evidence Received

The Committee considered the Consideration of Evidence Received section of the report (paragraphs 16 to 97) as drafted.

Agreed: The Committee agreed that it was content with the Consideration of Evidence Received section of the report.

Clause by Clause Consideration of the Bill

The Committee considered the Clause by Clause Consideration of the Bill section of the report (paragraphs 98 to 100) as drafted.

Agreed: The Committee agreed that it was content with the Clause by Clause Consideration of the Bill Section of the report.

Appendices

The Committee considered the Appendices section of the report.

Agreed The Committee agreed that it was content that the Appendices be included in the report.

Agreed: The Committee agreed that it was content for the Chairperson to approve the Minutes of Proceedings of this meeting for inclusion in the report.

Agreed: The Committee agreed that it was content for the Report on the Adoption and Children Bill to be published.

Agreed: The Committee agreed that an electronic copy of the Bill report should be sent to the Department of Health and all organisations who provided evidence to the Committee on the Bill.

The consideration and approval of the Committee report session was reported by Hansard.



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The Committee agreed to move to agenda item 12.

9. Correspondence

- i. The Committee noted a copy of correspondence from the Minister of Health to the Committee for Education on the Period Products (Free Provision) Bill.
- ii. The Committee considered correspondence from the Minister of Health responding to issues raised by the Children's Law Centre relating to the outcome of a Judicial Review on the provision of respite care in the South Eastern HSCT.

Agreed: The Committee agreed to ask the Department of Health to urgently address this issue with the Health and Social Care Trusts and provide further information on how the Department ensured there was a consistent approach to day care and respite across the Trusts.

Agreed: The Committee agreed to ask the Department of Health to ask for detail on its plans to review visiting restrictions that are currently in place in care homes.

- iii. The Committee noted correspondence from the Minister of Health regarding the vaccination programme for healthcare workers.
- iv. The Committee considered correspondence from the Abolish Abortion NI regarding evidence the Belfast Health and Social Care Trust provided to the Committee on the Abortion Services (Safe Access Zones) Bill.

Agreed: The Committee agreed to forward the correspondence to the Belfast HSCT for a response to the issues raised.



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- v. The Committee noted correspondence from BASW regarding the importance of ensuring the progression of the Adoption and Children Bill during the current Assembly mandate.
- vi. The Committee considered the Department of Health's analysis of consultation responses relating to the proposed draft Future Planning Model.
Agreed: The Committee agreed to schedule briefing on the outcome of the consultation and next steps.
- vii. The Committee considered correspondence from the Committee for the Executive Office requesting the Committee's views on its experience of the scrutiny of Common Frameworks.
Agreed: The Committee agreed that a draft response should be prepared.
- viii. The Committee noted a copy of correspondence from the Department of Health and Social Care to the House of Lords Sub-Committee on the Protocol on Ireland/Northern Ireland responding to the Sub-Committee's questions on the Health and Social Care Bill.
- ix. The Committee noted a report from the Department of Health on Hospital Based Termination of Pregnancy Statistics in Northern Ireland 2020/21.
- x. The Committee noted correspondence from an individual concerned about the easements of coronavirus restrictions.
- xi. The Committee considered correspondence from an individual regarding the treatment of a relative within the Northern HSCT.
Agreed: The Committee agreed to refer the individual to their local MLA for assistance.
- xii. The Committee noted a public petition expressing opposition to vaccine passports was laid in the Assembly by Paul Frew MLA on 17 January 2022.



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- xiii. The Committee noted the NI Fiscal Council Report on the Northern Ireland Executive's 2022-2025 Draft Budget.
- xiv. The Committee noted the Commencement Order, The Health (Miscellaneous Provisions) (2016 Act) (Commencement No.3) Order (Northern Ireland) 2022 which brings into operation the requirement for the Department of Health to promote transplantation and to lay a report on transplantation in the Assembly each year.

10. Forward Work Programme

The Clerk provided an update on the Committee's forward work programme until the end of the mandate.

Agreed: The Committee agreed to schedule an update on matters relating to the Neurology reports and inquiries.

The meeting was suspended at 10.45 am and resumed at 10.56 am.

11. Hospital Parking Charges Bill – Evidence from RCN, AHPF NI, Marie Curie and NIC-ICTU

The following representatives from RCN, AHPF NI, Marie Curie and NIC-ICTU joined the meeting by video-conference at 10.55 am:

Dolores McCormick, Associate Director for Employment Relations and Member Services, Royal College of Nursing;

Leandre Orr, Allied Health Professions Federation;

Tanya Killen, NIC-ICTU; and



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Joan McEwan, Head of Policy and Public Affairs, Marie Curie.

The representatives briefed the Committee on the Hospital Parking Bill.

A question and answer session followed.

Colin McGrath left the meeting at 12.00 pm.

The Chairperson thanked the representatives for their attendance.

The briefing session was reported by Hansard.

12. Draft SR The Coronavirus Act 2020 (Extension of Powers to Act for the Protection of Public Health) Order (Northern Ireland) 2021

The Chairperson informed the Committee that the Department of Health had advised that it intends to withdraw this SR and that a decision on the date for the draft Order to be re-laid had not been made.

The Committee discussed the withdrawal of the statutory rule.

Agreed: The Committee agreed to ask the Department of Health for further information on the decision to withdraw the SR and to ask what mechanisms or powers the Department had to make public health regulations in the event that the powers within the Coronavirus Act are not extended.

The meeting was suspended at 12.13 pm and resumed at 12.20 pm.

13. SR 2021/342 The Misuse of Drugs (Amendment No. 2) Regulations (Northern Ireland) 2021

The following officials from the Department of Health joined the meeting by video-conference at 12.20 pm:



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Canice Ward; Head of Medicines Regulatory Branch;
Aaron McKendry; Principal Pharmaceutical Officer
Isobel Riddell; Deputy Principal in Medicines Policy Branch; and
Michael Harkin, Policy Officer, Health Development Policy Branch.

The officials briefed the Committee on SR 2021/342 The Misuse of Drugs (Amendment No. 2) Regulations (Northern Ireland) 2021.

A question and answer session followed.

The officials agreed to provide the Committee with further information on issues raised.

The Chairperson thanked the officials for their attendance.

The briefing session was reported by Hansard.

The Committee considered SR 2021/342 The Misuse of Drugs (Amendment No. 2) Regulations (Northern Ireland) 2021 which controls the use of certain substances.

Agreed: The Committee considered SR 2021/342 The Misuse of Drugs (Amendment No. 2) Regulations (Northern Ireland) 2021 and has no objection to the Rule.

14.SL1: UK SI The Human Medicines (Coronavirus and Influenza) Amendment (Regulations) 2022

The following officials from the Department of Health joined the meeting by video-conference at 12.48 pm:

Karen Simpson, Acting Head, Medicines Policy Branch;

Chris Garland, Senior Principal Pharmaceutical Officer, Medicines Policy Branch;



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Martin Coleman, Head of Covid-19 Vaccination Policy Branch; Medicines Policy Branch and

Alasdair MacInnes, Head of Health Protection Branch.

The officials briefed the Committee on the proposed UK Statutory Instrument, The Human Medicines (Coronavirus and Influenza) Amendment (Regulations) 2022 which will amend The Human Medicines Regulations 2012 which govern the arrangements for the licensing, manufacture, wholesale dealing and sale or supply of human medicines for human use.

A question and answer session followed.

The officials agreed to provide the Committee with further information on a number of issues raised.

The Chairperson thanked the officials for their attendance.

The briefing session was reported by Hansard.

Agreed: The Committee agreed it was content with the proposal for the Statutory Instrument.

15.LCM: Virginity Testing and Hymenoplasty

The following officials from the Department of Health joined the meeting by video-conference at 1.18 pm:

Mark McGuicken, Director of Disability and Older People;

Kerry Loveland-Morrison, Head of Adult Safeguarding Unit;

Laura Smyth, Adult Safeguarding Unit; and

Philip Totten, Adult Safeguarding Unit.



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The officials briefed the Committee on the Minister of Health's intention to lay a Legislative Consent Memorandum in the Assembly relating to the banning of both virginity testing and hymenoplasty.

A question and answer session followed.

The officials agreed to provide the Committee with further information on issues raised.

The Chairperson thanked the officials for their attendance.

The briefing session was reported by Hansard.

Agreed: The Committee agreed it would return to its consideration of this matter when the Legislative Consent Memorandum has been laid by the Department of Health.

16. Any Other Business

There was no other business.

17. Date, Time and Place of the next meeting

The next meeting of the Committee for Health was scheduled to take place at 9.30 am on Thursday, 3 February 2022.

The meeting was adjourned at 1.34 pm.

**Colm Gildernew MLA,
Chairperson, Committee for Health**