

FROM THE MINISTER OF HEALTH



Department of
Health

An Roinn Sláinte

Máinnstríe O Poustie

www.health-ni.gov.uk

Carál Ní Chuilín, MLA
The Chairperson
Assembly Committee on Procedures

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Dear

Caral,

Thank you for your letter of 17 December 2021 regarding the request, from the Committee on Procedures, for a Ministerial view on the Committee's inquiry into the current procedures and support as provided by the Assembly with regards to Private Members' Bills (PMBs).

My Department has identified a number of PMB procedural aspects which may benefit from evaluation of current process, and consideration of alternative mechanisms which may prompt effectiveness. A summary of these suggestions are shared in Appendix A.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robin Swann'.

Robin Swann MLA
Minister of Health



Scheduling Pressures

An existing, comprehensive, programme of primary legislation for the closing mandate is in place. This programme of work represents legislation whose introduction in the Assembly has been agreed by the Executive, and as such, forms part of its strategic objectives for the remainder of the current mandate.

A significant number of PMBs have been received and accepted in the closing months of the current mandate. The increasing number of PMBs adds to an already challenging scheduling landscape, and promotes the risk of failing to progress the agreed legislative programme, as a consequence of the effort of trying to progress all the proposed legislation.

Early Engagement

Engagement with the Department from the outset would be helpful. This would promote the opportunity for the proposers of PMBs to learn of potential work being undertaken which supports the proposals set out in the Bill, and also informs if, and how, they may be able to shape the actions to ensure that they are achievable and deliverable.

Communication

Early communication and advice, for example, on the proposed timing of public *Calls for Evidence*, and sharing of any publish report, would support engagement. In addition, it would be helpful if the research and evidence which outlined the context and requirement for the Bill to be introduced was publicly available from the outset.

Proposals within a PMB should be clear in why and how they should be implemented, and clearly state the purpose to be achieved. This should be apparent from the Explanatory and Financial Memorandum, and also present a degree of accuracy and detail in how economically viable the Bill will be to implement.

Availability of advice on 'how Government works' for the proposers of PMB would be helpful. In turn, PMB proposers would be able to reflect an understanding of the requirements of the Programme for Government, and funding mechanisms across and within Departments, which would enhance engagement on proposed Bills.

Effective, focused and accountable methods of scrutiny need to be demonstrated and documented by the Committee in their support of a PMB as it progresses through the legislative passage. It would be helpful if the Committee could give clear guidance on the purpose and objectives of oral briefings and that opportunity is also provided for evidence in response to the proposals of the Bill to be provided orally.