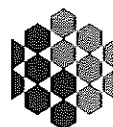


FROM THE MINISTER FOR HEALTH,  
SOCIAL SERVICES AND PUBLIC SAFETY



Department of  
**Health, Social Services  
and Public Safety**

[www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk)

Castle Buildings  
Stormont Estate  
BELFAST BT4 3SQ  
Tel: 028 9052 0638  
Email: [private.office@dhsspsni.gov.uk](mailto:private.office@dhsspsni.gov.uk)

Ms Maeve McLaughlin MLA  
Chair  
Committee for Health Social Services and Public Safety  
Room 414  
Parliament Buildings  
Ballymiscaw  
Stormont  
BELFAST  
BT4 3XX

Our Ref: COR/1686/2015  
COR/1742/2015  
Date: 30 November 2015

Dear

## **COMMITTEE STAGE OF THE HUMAN TRANSPLANTATION BILL**

Thank you for your letter of 18 November concerning the timetable for the Committee Stage of the Human Transplantation Bill. In light of my comments on 16 November during the Second Stage debate on the Bill you have asked me what support can my Department provide:

- to the Committee in terms of bringing forward amendments for its consideration in terms of strengthening the Bill; and,
- to the Bill Sponsor, Mrs Dobson, in terms of strengthening the Bill. Deirdre Farry's email of 10 November to Jonathan Bill has also requested my officials to attend the Committee on 2 December and to provide a briefing note on the Department's position on the Bill.

This Bill concerns an incredibly important issue, deserving of mature debate and careful consideration. During the debate I said that appropriate and sufficient time must therefore be given to scrutinising a Bill of such importance and I look to the wise judgement of you as Committee Chair and Committee members to ensure that the Bill gets the most robust scrutiny.

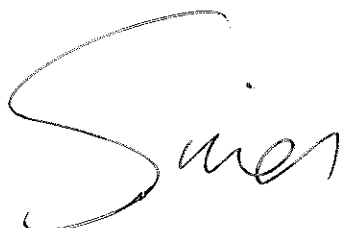
While I note that the Committee is seeking to establish an appropriate timetable my concern remains that given the heavy legislative workload on the Committee's agenda between now and the end of the mandate the risk remains that time for sufficient scrutiny of the Bill is simply not available. It was with this in mind that I offered to provide resources from my Department in an attempt to see if we could assist the Committee and the Bill's sponsor to strengthen the Bill by developing amendments to correct some significant weaknesses which I fear would potentially result in flawed legislation as the Bill currently stands.

In the debate I also stated my intention to establish a working group to consider the clinical view and the evidence about an opt-out system.

My Department is therefore assembling a small team to implement my offer of assistance during the debate. The team is almost complete and in addition to my policy officials includes: a senior draughtsperson from the Office of the Legislative Counsel (OLC) to develop the required amendments to the Bill; my Department's Deputy Chief Medical Officer to provide signposting advice on medical ethical issues; and, a clinician and specialist nurse to provide advice on the application of the legislation at the hospital level particularly in relation to Clause 4. My officials will also liaise with the Human Tissue Authority, NHS Blood and Transplant (NSHBT) and the other UK Health Departments on issues which will impact on their responsibilities.

My officials have met with Mrs Dobson's assistant to discuss the resources that I have made available and I understand that she has agreed to closely liaise with the team as it sets about its work. The first key document that the team will produce will contain proposed amendments to strengthen the clauses that I have referred to in the attached briefing note. This document will take several weeks to produce and subject to my approval will be provided to Mrs Dobson and the Committee for consideration. The document will represent my Department's considered position on these important matters and as intensive development work will be required to produce it before Christmas I doubt whether there would be value in my officials attending the Committee for a detailed discussion of the Bill before this is available as they would simply be repeating the issues raised by me during the debate which are reiterated in the attached briefing note. However, if the Committee would find it useful for officials to provide an update on the team's approach this could be provided on 2 December.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Simon Hamilton', written in a cursive style.

**SIMON HAMILTON MLA**