

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

## **MINUTES OF PROCEEDINGS**

**Monday, 29 June 2015**  
**Room 21, Parliament Buildings**

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

**Apologies:** Mr Kieran McCarthy MLA

**In Attendance:** Dr Kathryn Aiken (Clerk)  
Ms Sohui Yim (Assistant Clerk)  
Ms Sharon McGurk (Clerical Supervisor)  
Mr Innis Mennie (Clerical Supervisor)

*The meeting commenced at 12.06pm in public session.*

### **1. Apologies**

Apologies are detailed above.

### **2. Background Papers**

The Committee noted papers relating to the Bill including the Bill, the Explanatory and Financial Memorandum (EFM), and the consultation summary report.

### **3. Roundtable discussion with international academics/experts**

The Committee heard evidence from:

Professor George Szmukler

Institute of Psychiatry, Kings College London

Professor Wayne Martin	Director of the Essex Autonomy Project, University of Essex
Professor Phil Fennell	Professor of Law, Cardiff University
Ms Caroline Bielanska	TEP, Solicitor, Mediator and Lecturer, and Independent Consultant
Professor Julian Hughes	Honorary Professor of Philosophy of Aging, Newcastle University
Mr Alex Ruck Keene	Barrister, 39 Essex Chambers

*Patsy McGlone joined the meeting at 12.20pm.*

*Jo-Anne Dobson joined the meeting at 12.25pm.*

A question and answer session ensued.

*Jo-Anne Dobson left the meeting at 12.50pm.*

*Alex Easton left the meeting at 1.25pm.*

*Edwin Poots joined the meeting at 1.40pm.*

*Edwin Poots left the meeting at 1.44pm.*

The Chairperson thanked the experts for attending.

#### **4. Chairperson's Business**

The Chairperson referred Members to a Clerk's memo in tabled papers with issues arising from the 15 June session.

*Agreed:* Content to write to the Departments to request written answers on those issues.

*Agreed:* Content that the Chairperson approves the list of issues arising from the meeting on 22 June for the Clerk to follow up with the Department in writing.

#### **5. Draft minutes**

The minutes of the Committee meeting on Monday, 22 June 2015 were agreed.

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

The Committee noted the forward work programme.

**7. Correspondence**

The Chairperson referred Members to the Delegated Powers Memorandum.

*Agreed:* To send it to the Examiner of Statutory Rules and request his comments on it for 1 September 2015.

*Agreed:* To write to the Department of Justice to ask when it intends to bring clauses regarding supervision and treatment orders (STOs) to the Committee for its consideration.

**8. Any Other Business**

None.

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

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

*The Chairperson adjourned the meeting at 1.59pm.*

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

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