

AD HOC JOINT COMMITTEE TO CONSIDER THE MENTAL CAPACITY BILL

MINUTES OF PROCEEDINGS

**Monday, 7 September 2015
Room 30, Parliament Buildings**

- Present:** Mrs Pam Cameron MLA
Mr Alex Easton MLA
Mr Seán Lynch MLA
Mr Raymond McCartney MLA
Ms Rosie McCorley MLA
Mr Neil Somerville MLA
- Apologies:** Mr Alastair Ross MLA (Chairperson)
Mr Patsy McGlone MLA (Deputy Chairperson)
- In Attendance:** Dr Kathryn Aiken (Clerk)
Ms Elaine Farrell (Assistant Clerk)
Ms Marianne Doherty (Clerical Officer)

The meeting commenced at 1.12 p.m. in open session.

The following Members were in attendance: Ms Cameron, Mr Easton, Mr Lynch, Ms McCorley, Mr McCartney and Mr Somerville.

The clerk called for nominations for chairperson. Mr Lynch proposed Mr McCartney; this was seconded by Ms McCorley. Mr McCartney took the chair.

1. Apologies

Apologies are detailed above.

2. Chairperson's Business

The Chairperson advised Members that due to the time constraints for scrutinizing the Bill, it would be useful to have any Departmental responses provided within 5 working days.

Agreed: The Committee agreed to write to the Department to stipulate a 5

working day deadline for responses.

3. Draft minutes

The minutes of the Committee meeting on Monday 29 June 2015 were agreed.

4. Forward Work Programme

Noted: The Committee noted the draft Forward Work Programme.

Agreed: The Committee agreed the witnesses for the meetings on 14, 21 and 28 September 2015.

5. Matters arising

Noted: The Committee noted the Departmental response to queries on general issues.

Noted: The Committee noted the correspondence from the Minister in respect of the draft criminal justice clauses.

Agreed: The Committee agreed to forward the report by the Examiner of Statutory Rules, which highlights issues in respect of Delegated Powers, to the Department for comment.

6. Background papers

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

7. Evidence session on Part 5 of the Bill – Lasting Powers of Attorney

The following witnesses joined the meeting at 1.17 p.m.

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|--------------------|--------------------------------------|
| Mr Alastair Rankin | The Law Society |
| Mr John Mackell | The Commissioner for Older People NI |
| Ms Lisa Trueman | Mental Capacity Bill Team, DHSSPS |
| Ms Clare Irvine | Mental Capacity Bill Team, DOJ |

The witnesses briefed the Committee and this was followed by a question and answer session.

1.59 p.m. Ms McCorley left the meeting.

8. Correspondence

Noted: The Committee noted the correspondence which contained a copy of the symposium entitled “Our lives, our decisions” from Mencap and the Niamh Mental Well Being.

9. Any Other Business

None.

10. Date, Time and Place of Next Meeting

The next Committee meeting will be on Monday, 14 September 2015 at 12pm in Room 30, Parliament Buildings.

The Chairperson adjourned the meeting at 2.10 p.m.

Signed: _____
Chairperson

Date: _____