

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

## **MINUTES OF PROCEEDINGS**

**Monday, 5 October 2015**  
**Room 30, Parliament Buildings**

**Present:** Mr Alastair Ross MLA (Chairperson)  
Mrs Pam Cameron MLA  
Mrs Jo-Anne Dobson MLA  
Mr Alex Easton MLA  
Mr Paul Frew MLA  
Mr Seán Lynch MLA  
Mr Raymond McCartney MLA  
Ms Rosie McCorley MLA  
Mr Neil Somerville MLA

**Apologies:** Mr Patsy McGlone MLA (Deputy Chairperson)

**In Attendance:** Dr Kathryn Aiken (Clerk)  
Ms Elaine Farrell (Assistant Clerk)  
Ms Marianne Doherty (Clerical Officer)  
Mr Colin Pidgeon (Research Officer) for agenda item 7

*The meeting commenced at 12.01 pm in closed session.*

*The following Members were in attendance: Mrs Cameron, Mr Easton, Mr Frew, Mr McCartney, Mr Ross and Mr Somerville.*

### **1. Committee deliberations on Part 2 of the Bill**

The Committee discussed the evidence received to date on Part 2 of the Bill (clauses 9-34) and agreed to write to the Department on a number of issues.

*12.05 p.m. Ms McCorley joined the meeting.*

*12.06 p.m. Mr McCartney left the meeting.*

*12.10 p.m. Mr Somerville left the meeting.*

### **2. Follow up on Part 5 of the Bill**

Noted: The Committee noted correspondence from the Department of Justice in respect of Lasting Power of Attorney forms; and correspondence from DHSSPS regarding a delay to the response to Part 5 of the Bill due to no ministerial clearance.

*The meeting moved into open session at 12.29 p.m.*

**3. Apologies**

As recorded above.

**4. Chairperson's Business**

The Chairperson welcomed Mr. Paul Frew to the Committee and advised that his Declaration of Interests is available on the Assembly website.

**5. Draft Minutes of the meeting on 28 September 2015**

The minutes of the Committee meeting on Monday 28 September 2015 were agreed.

**6. Forward Work Programme**

Noted: The Committee noted the Forward Work Programme.

**7. Briefing from RaISe**

The Assembly Research Officer joined the meeting at 12.30 p.m. and briefed the Committee on his research paper on DHSSPS Recurring Costs. This was followed by a question and answer session.

*12.45 p.m. Mrs Dobson joined the meeting.*

Agreed: The Committee agreed to seek an oral presentation from the Department on costs associated with the Bill.

**8. Background papers**

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

**9. Evidence session on Part 12 of the Mental Capacity Bill**

The following witnesses joined the meeting at 12.53 p.m. to speak on Part 12 and Schedule 8 of the Bill. This was followed by a question and answer session.

Theresa Nixon, RQIA  
Eamonn McNally, Children's Law Centre  
Natalie Whelehan, NICCY  
Colin Caughey, NIHRC

*12.59 p.m. Mrs Dobson left the meeting.*

*1.33 p.m. Mr Somerville re-joined the meeting*

*1.35 p.m. Ms McCorley left the meeting.*

*1.45 p.m. Mr Lynch joined the meeting.*

The following Departmental officials joined the meeting at 1.55 p.m. and participated in a question and answer session.

Lisa Trueman, DHSSPS, Mental Capacity Bill Team  
Alison McCaffrey, DHSSPS, Mental Capacity Bill Team  
Claire Irvine, DOJ, Mental Capacity Bill Team  
Paul McConville, DHSSPS, Office of Social Services

*2.00 p.m. Ms McCorley re-joined the meeting.*

Agreed: the Committee agreed to write to the Department on a number of issues regarding Part 12 of the Mental Capacity Bill.

**10. Any Other Business**

None.

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

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

*The Chairperson adjourned the meeting at 2.32 pm.*

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

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