



**Northern Ireland  
Assembly**

**COMMITTEE FOR HEALTH**

**MINUTES OF PROCEEDINGS**

**Thursday, 8 October 2020**

**The Senate Chamber, Parliament Buildings**

**Present:** Mr Colm Gildernew (Chairperson)  
Ms Pam Cameron MLA (Deputy Chairperson)\*  
Ms Paula Bradshaw MLA  
Mr Gerry Carroll MLA\*  
Mr Alan Chambers MLA  
Mr Alex Easton MLA  
Ms Órlaithí Flynn MLA  
Mr Colin McGrath MLA\*  
Mr Pat Sheehan MLA

**In Attendance:** Ms Éilis Haughey (Clerk)  
Mr Jonathan Lamont (Clerical Supervisor)

*\*These Members attended the meeting by video-conference.*

*The meeting commenced at 9.33 am in public session.*

**1. Apologies**

None.

**2. Chairperson's Business**

- i. The Chairperson provided an update on the Policy Forum seminar that he attended on 7 October.
- ii. The Chairperson acknowledged World Mental Health Day which will be marked on 10 October.
- iii. The Chairperson confirmed that an informal meeting with representatives of those affected by the neurology recall had taken place and Members who had attended the meeting, provided an update on the issues discussed.

**3. Draft Minutes**

The Committee agreed the minutes of the meeting held on 1 October 2020.

#### **4. Matters Arising**

The Chairperson advised that the Committee's Care Home Inquiry stakeholder survey had been agreed by email.

#### **5. Independent Neurology Inquiry- Briefing**

Representatives of the Independent Neurology Inquiry panel joined the meeting at 9.46 am.

Mr Brett Lockhart QC, Chairperson, attended in person.

Mr Mark Scott, Solicitor to the Inquiry, attended in person.

Professor Hugo Mascie-Taylor, Panel Member, attended by video-conference.

*Mr Gerry Carroll joined the meeting at 9.46 am.*

Mr Lockhart briefed the Committee on the work of the Inquiry to date.

The briefing was followed by a question and answer session.

The Chairperson thanked the panel representatives for their attendance.

The briefing session was reported by Hansard.

*Agreed:* The Committee agreed to ask for an update from the Department on how affected patients are being supported and on the Minister's plans for engaging with those affected.

The Committee noted a briefing paper from a neurology patient support group.

*The Committee agreed to move to agenda items 6 and 7.*

*The meeting was suspended at 10.39 am and resumed at 10.43 am.*

*The Committee agreed to move into closed session at 10.43 am.*

#### **6. SR 2020/198 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 4) Regulations (Northern Ireland) 2020**

The Examiner of Statutory Rules joined the meeting at 10.43 am and briefed the Committee on her technical scrutiny of SR 2020/198 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 4) Regulations (Northern Ireland) 2020 and answered Members' questions.

The Chairperson thanked the Examiner for her attendance.

*The meeting moved into public session at 11.20 am.*

Department of Health officials joined the meeting via video-conference at 11.20 am:

Mr Nigel McMahon, Chief Environmental Health Officer  
Professor Ian Young, Chief Scientific Adviser.

Mr McMahon and Professor Young answered Members' questions on SR 2020/198 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 4) Regulations (Northern Ireland) 2020.

Mr McMahon then briefed the Committee on SR 2020/202 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020.

The briefing was followed by a question and answer session.

Mr McMahon agreed to give further consideration to the Committee's concerns regarding the use of Directions in SR 2020/198; to communicating to the Committee any further changes made by Direction; and to the merits of amending the linked household provisions.

The Chairperson thanked Mr McMahon and Professor Young for their attendance.

The briefing session was reported by Hansard.

The Committee considered SR 2020/198 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 4) Regulations (Northern Ireland) 2020 which introduce restrictions in defined postcode areas for an emergency period and provide for further changes to the duration of the emergency period and to the list of postcodes by means of Direction.

*Agreed:* The Committee agreed that the Chairperson would convey the views of the Committee on this statutory rule at the plenary debate scheduled for 12 October. This included: concerns that the Committee has not been properly provided with the evidence and analysis underpinning the regulations; concern about the use of Directions; and that further consideration should be given by the Department to the provisions regarding linked households.

*Agreed:* The Committee considered SR 2020/198 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 4) Regulations (Northern Ireland) 2020 and recommended that it be confirmed by the Assembly.

**7. SR 2020/202 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020**

*Agreed:* The Committee agreed to defer its consideration of SR 2020/202 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 5) Regulations (Northern Ireland) 2020 until the meeting on 15 October.

The Committee noted correspondence from the Minister of Health providing information requested by the Committee on the number of fixed penalties and court proceedings issued in the enforcement of coronavirus regulations, and on the working group on enforcement in areas of student accommodation.

*The Chairperson advised that he needed to leave the meeting to attend a speaking appointment at the NICON Conference and therefore a temporary Chairperson was required. The Chair invited nominations for a temporary Chairperson.*

*It was proposed by Mr Alan Chambers and seconded by Ms Paula Bradshaw that Mr Alex Easton be elected temporary Chairperson. No further nominations were proposed; therefore, Mr Easton assumed the role of Chairperson for the remainder of the meeting.*

*The Chairperson left the meeting at 12.16 pm.*

*The meeting was suspended at 12.16 pm and resumed at 12.25 pm.*

## **8. October Monitoring - Departmental Briefing**

*Agreed:* The Committee agreed to defer the planned departmental briefing on October Monitoring until the meeting on 15 October.

## **9. Correspondence**

- i. The Committee considered an update from the Minister of Health on his Department's response to the report of the Independent Medicines and Medical Devices Safety Review (the Cumberlege Report).

*Agreed:* The Committee agreed to note the Minister's correspondence pending publication of a formal response from the Department of Health to the report.

- ii. The Committee noted the Department of Health's August 2020 monitoring report on the application by HSC Trusts of the flexibility provided by the Children's Social Care (Coronavirus) (Temporary Modification of Children's Social Care) Regulation (Northern Ireland) 2020.
- iii. The Committee noted correspondence from an individual regarding COVID-19 community transmission.
- iv. The Committee considered correspondence from the Chairperson of the All Party Group on Reducing Harm Related to Gambling, advising of its inquiry into a new approach to gambling regulation.

*Agreed:* The Committee agreed to request a copy of the APG's inquiry report when completed.

- v. The Committee noted correspondence from Dr Steve Aiken MLA, proposing that Committee Chairs write collectively to the UK Government and the EU, as

‘co-negotiators’ of the Brexit withdrawal arrangements, to express common concerns.

vi. The Committee noted correspondence from the Committee for Finance advising that it has written to the Minister of Finance and Minister of Health to express its gratitude for their work in securing funding for additional medical places at Queens University, Belfast.

vii. The Committee considered correspondence from the Committee for Finance advising that it has written to the Minister for the Economy and Minister of Health to request their views on what can be done to help local businesses secure and create jobs in order to strengthen local supply chains in the production of PPE and providing a copy of a related RaISe briefing paper.

*Agreed:* The Committee agreed to ask that it is provided with a copy of the Ministers’ responses when available.

viii. The Committee noted correspondence from the Committee for Education advising that it has agreed to seek joint briefing from the Department of Education, Department of Health and the Education Authority on the outcome of the education-related issues included in the Health Department’s consultation on the Cross-Departmental Covid-19 Vulnerable Children and Young People’s Plan.

ix. The Committee noted the Examiner of Statutory Rules’ 22<sup>nd</sup> and 23<sup>rd</sup> reports of session 2019-2020.

x. The Committee considered correspondence from an individual regarding the impact of restrictive visiting guidance for maternity services.

*Agreed:* The Committee agreed to forward the correspondence to the Belfast Health and Social Care Trust.

xi. The Committee noted correspondence from an individual regarding a public interest disclosure made regarding the Western Trust, and outlining ongoing concerns.

*Agreed:* The Committee agreed to write to the Department for its comments on the issues raised.

xii. The Committee noted correspondence from the NI Assembly Speaker providing guidance that he had received from the First Minister and deputy First Minister on the handling of Statutory Instruments arising from EU exit.

xiii. The Committee noted the September 2020 Investment Strategy NI Activity Report for the Department of Health.

xiv. The Committee considered two items of correspondence from the Food Standards Agency regarding proposals for two common frameworks: Food and Feed Safety and Hygiene; and Nutrition Labelling, Composition and Standards.

- Agreed:* The Committee agreed to request a briefing session with the Food Standards Agency on Brexit-related matters.
- Agreed:* The Committee agreed to request a briefing paper from RaISe on Brexit and health-related matters.
- xv. The Committee noted correspondence from Ms Clare Bailey MLA advising of her intention to bring forward a Private Member’s Bill on Safe Access Zones.
- xvi. The Committee considered a paper from the NIA EU Affairs Office which provided a breakdown of the areas of EU law that intersect with devolved competence in Scotland, Wales and Northern Ireland, based on the UK Government’s Framework Analysis 2020.
- Agreed:* The Committee agreed to note this paper pending the next departmental Brexit briefing.
- xvii. The Committee noted the publication of an inspection report on police custody arrangements in NI which was carried out by CIJINI and the RQIA as part of work to support the UK National Preventive Mechanism.
- xviii. The Committee noted correspondence from the General Medical Council providing information on its role and the processes involved in its investigation of matters relating to the neurology recall.
- xix. The Committee noted a submission from the British Dental Association providing an update on issues affecting dentistry as a result of COVID-19.
- xx. The Committee considered a copy of correspondence from the Irish National Teachers’ Organisation to the Public Health Agency regarding COVID-19 concerns and the reported inconsistency of advice provided by PHA to schools in respect of limited outbreaks.
- Agreed:* The Committee agreed to raise this issue at the briefing session with the Public Health Agency on 15 October.
- xxi. The Committee noted correspondence from the Department of the Economy responding to its request for information on financial support for carers.
- xxii. The Committee considered correspondence from an individual regarding the suspension of ADHD assessments as a result of COVID-19.
- Agreed:* The Committee agreed to ask the Department of Health when assessments will be restarted.
- xxiii. The Committee considered copy of correspondence from a group of orthopaedic surgeons to the Minister of Health regarding concerns about proposals for the development of a surgical podiatry service.

*Agreed:* The Committee agreed to seek the views of the Royal College of Surgeons in relation to this matter.

- xxiv. The Committee considered correspondence from Mr Chris Hazzard MP regarding the future of emergency care at the Downe Hospital.

*Agreed:* The Committee agreed to forward this correspondence to the Department of Health for a response on the issues raised and to request further detail on the information on which this decision was made.

- xxv. The Committee considered the Department of Health Covid-19 Pandemic Surge Planning Strategic Framework.

*Agreed:* The Committee agreed to note pending further scrutiny.

## **10. Forward Work Programme**

The Committee noted its Forward Work Programme and the list of additional meetings and briefings to be arranged as agreed at its planning session.

*Agreed:* The Committee agreed to consider the scheduling of a briefing session with the NI Mental Health Champion as part of its forward work programme.

## **11. Any Other Business**

There was no other business.

## **12. Date, Time and Place of Next Meeting**

The next committee meeting was scheduled to take place on Tuesday, 13 October 2020 at 1.00 pm in Room 30, Parliament Buildings.

*The Chairperson adjourned the meeting at 12.44 pm.*

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

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